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## **OLR Bill Analysis**

### **sSB 316**

#### ***AN ACT CONCERNING THE TESTING OF SOILS AT CERTAIN SOLAR FACILITIES.***

#### **SUMMARY**

This bill requires parties seeking the Siting Council's approval for solar photovoltaic facilities with capacities of at least two megawatts to ensure that soil tests are conducted at the facility's proposed location. The requirement applies when they are seeking the council's approval for a certificate of environmental compatibility and public need (see BACKGROUND), including through a declaratory ruling. The tests must determine the presence of contaminants, including degraded heavy metals and toxic substances (for example, cadmium, lead, arsenic, and zinc).

Under the bill, the Department of Energy and Environmental Protection (DEEP) must set the parameters and requirements for these soil tests. Applicants and petitioners must submit the test results (1) to the Siting Council and DEEP before a certificate or declaratory ruling is issued and (2) following the procedures DEEP and the Siting Council establish.

At least two years after the first soil test, the bill requires the facilities' owners or operators to ensure a second test is conducted according to DEEP's parameters and requirements. The second test must look for the same contaminants described above and be submitted to the Siting Council and DEEP according to any procedure they set for second tests.

Under the bill, the respective applicant, petitioner, owner, or operator must pay for the soil tests.

EFFECTIVE DATE: October 1, 2026

**BACKGROUND**

***Environmental Compatibility and Public Need Certificates***

By law, a certificate of environmental compatibility and public need is generally required for certain activities that the Siting Council determines may have a substantial adverse environmental effect, including exercising eminent domain, preparing a site, beginning facility construction or modifications, or supplying a facility (CGS § 16-50k). Among other things, “facilities” generally includes those that generate or store electricity.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 32 Nay 2 (03/13/2026)