

2024 -- S 2808 SUBSTITUTE A

LC004344/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- SOLAR DECOMMISSIONING PLANS

Introduced By: Senators Valverde, Tikoian, LaMountain, Kallman, Britto, Gu, DiMario, and Miller

Date Introduced: March 22, 2024

Referred To: Senate Environment & Agriculture

(Dept. of Environmental Management)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 39 of the General Laws entitled "PUBLIC UTILITIES AND
2 CARRIERS" is hereby amended by adding thereto the following chapter:

3 CHAPTER 33

4 SOLAR DECOMMISSIONING PLANS

5 **39-33-1. Definitions.**

6 When used in this chapter, these terms shall have the following meanings:

7 (1) "Decommissioning" means:

8 (i) The physical removal of all components of a solar photovoltaic system including, but
9 not limited to, solar panels and associated anchoring systems and foundations, and other structures,
10 buildings, roads, fences, cables, electrical components or associated facilities and foundations, to
11 the extent the components of the system are not otherwise in, or proposed to be placed in,
12 productive use;

13 (ii) Stabilization and/or revegetation of the site as necessary to minimize erosion and in
14 compliance with all state and local laws; and

15 (iii) Disposal of all solid and hazardous waste in accordance with federal, state, and local
16 laws, regulations and ordinances.

17 (2) "Department" means the Rhode Island department of environmental management;

18 (3) "Ground-mounted solar system" means a solar electric system that is structurally

1 mounted on the ground and is not roof-mounted; and

2 (4) "Office" means the Rhode Island office of energy resources.

3 **39-33-2. Decommissioning plan required.**

4 The developer of any ground-mounted solar system shall, at the time they apply for
5 required permits from the municipality of jurisdiction, submit a plan for decommissioning to
6 include an estimate of the financial cost of implementing the plan. The municipality shall be
7 required to keep the decommissioning plan on file; provided that, doing so does not make the
8 municipality responsible for its implementation. Each municipality may require the developer to
9 post a performance bond to cover the cost of its decommissioning plan.

10 **39-33-3. Technical assistance.**

11 The department, in consultation with the office, shall make publicly available model
12 decommissioning plans and shall provide technical assistance to municipalities and developers of
13 ground-mounted solar systems regarding the creation of the decommissioning plans required by
14 this chapter.

15 **39-33-4. Existing ordinances.**

16 This chapter shall not be construed to override or modify any existing municipal ordinance
17 relating to the decommissioning of ground-mounted solar systems or other renewable energy
18 systems.

19 SECTION 2. This act shall take effect on January 1, 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC UTILITIES AND CARRIERS -- SOLAR DECOMMISSIONING
PLANS

1 This act would require that developers of ground-mounted solar systems, at the time they
2 apply for required permits from the municipality of jurisdiction, submit a plan for decommissioning
3 to be held on file by the municipality. It would also require the department of environmental
4 management, in consultation with the office of energy resources, to make publicly available model
5 decommissioning plans and provide technical assistance to municipalities and developers of
6 ground-mounted solar systems. This act would not override or modify any existing municipal
7 ordinance relating to the decommissioning of ground-mounted solar systems or other renewable
8 energy systems.

9 This act would take effect on January 1, 2025.

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