



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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March 21, 2024

The Honorable Joseph J. Solomon, Jr.
Chairman
House Committee on Corporations
82 Smith Street
Providence, Rhode Island 02903

RE: H 7426 An Act Relating to Public Utilities and Carriers – Solar Decommissioning Plans

Dear Chairman Solomon,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on H 7426, which was introduced on DEM's behalf, and would require that the developer of any ground-mounted solar system submit a decommissioning plan to the appropriate municipality when applying for required local permits. DEM supports this legislation.


DEM strongly supports renewable energy development in Rhode Island as a critical component of meeting the Act on Climate greenhouse gas emissions reduction mandates. However, we also believe it is important that consideration be given to how ground-mounted solar systems will be decommissioned once they are no longer in operation. In many cases, these systems are likely to be upgraded with newer, more efficient solar panels when they reach the end of their useful life. In other cases, there may be a desire for the land to be returned to other use. In either case, a decommissioning plan will address how equipment will be removed from the site for disposal in accordance with federal, state, and local requirements. For cases where the property will no longer be home to a ground-mounted solar system, the plan will address how the land is to be stabilized and/or revegetated to minimize erosion.

The intent of H 7426 is to ensure that an end-of-life decommissioning plan for ground-mounted solar systems occurs at the time that the project is being proposed. Numerous municipalities across Rhode Island currently have solar ordinances that include a variety of requirements related to decommissioning. H 7426 would not override these ordinances but would institute a statewide minimum requirement to ensure that decommissioning is considered in all communities. The municipality would be required only to keep the submitted decommissioning plan on file for future review and would not assume responsibility for its implementation. The

legislation also requires DEM and the Office of Energy Resources to provide technical assistance to developers and municipalities regarding the development of a decommissioning plan.

We appreciate the opportunity to offer comments on this legislation and would be pleased to make ourselves available as needed. Please feel free to contact Ryan Mulcahey, DEM Director of Legislative Affairs, at ryan.mulcahey@dem.ri.gov should you have any additional questions or wish to discuss this matter further.

Sincerely,

A handwritten signature in blue ink that reads "Terrence Gray". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Terrence Gray, P.E.
Director

cc: Members of the House Committee on Corporations
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House
Lynne Urbani, House Policy Director