



General Assembly

**Substitute Bill No. 316**

February Session, 2026



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) Notwithstanding any  
2 provision of chapter 277a of the general statutes, any applicant for a  
3 certificate, or petitioner for a declaratory ruling, pursuant to section 16-  
4 50k of the general statutes, for a solar photovoltaic facility with a  
5 capacity of two or more megawatts shall cause a soil test to be conducted  
6 at the proposed location for such facility to determine the presence of  
7 contaminants, including, but not limited to, degraded heavy metals and  
8 toxic substances such as cadmium, lead, arsenic and zinc. The  
9 Department of Energy and Environmental Protection shall prescribe the  
10 parameters and requirements of such soil test and the results of such soil  
11 test shall be submitted by the applicant or petitioner, as applicable, to  
12 the Siting Council and to the Department of Energy and Environmental  
13 Protection prior to the issuance of any such certificate or declaratory  
14 ruling and in accordance with any procedures established by the Siting  
15 Council and department for submission of such soil test results. Not  
16 earlier than two years after the construction of any such facility, the  
17 owner or operator of such facility shall cause a second such soil test to  
18 be conducted at the location of such facility. Such second soil test shall  
19 determine the presence of the same contaminants tested for in

20 connection with the application for a certificate or petition for a  
21 declaratory ruling for such facility, as applicable. Such second soil test  
22 shall be conducted in accordance with the parameters and requirements  
23 prescribed by the department for such second soil test. The results of  
24 such second soil test shall be submitted by the owner or operator of such  
25 facility to the Siting Council and the department in accordance with any  
26 procedures established by the Siting Council and the department for the  
27 submission of such second soil test results. The cost of any soil test  
28 conducted pursuant to the provisions of this section shall be assumed  
29 by such respective applicant, petitioner, owner or operator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	New section

**ENV**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*