

§3495. Standards

An environmental permitting entity shall approve a decommissioning plan whenever it finds the following: [PL 2021, c. 151, §1 (NEW).]

1. Successful decommissioning. The plan, if implemented, will result in successful decommissioning of the solar energy development, including the restoration of farmland sufficient to support resumption of farming or agricultural activities; [PL 2021, c. 151, §1 (NEW).]

2. Financial assurance. The person identified in the plan as responsible for decommissioning demonstrates financial assurance, in the form of a performance bond, surety bond, irrevocable letter of credit or other form of financial assurance acceptable to the environmental permitting entity, for the total cost of decommissioning; and [PL 2021, c. 151, §1 (NEW).]

3. Update. The plan requires the financial assurance be updated 15 years after approval of the plan and no less frequently than every 5 years thereafter. Updates to financial assurance required under this subsection must be submitted to the environmental permitting entity on or before December 31st of the year in which such updates are required. [PL 2021, c. 151, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 151, §1 (NEW).

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