

2023 -- H 6178

LC002628

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- 2021 ACT ON CLIMATE

Introduced By: Representatives Newberry, and J. Brien

Date Introduced: March 22, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-6.2 of the General Laws entitled "2021 Act on Climate" is hereby
2 amended by adding thereto the following sections:

3 **42-6.2-7.1. Study of impact to developing countries.**

4 (a) The council, pursuant to the council's responsibility and oversight in accordance with
5 the provisions of § 42-6.2-1, shall study, make determinations and report to the speaker of the
6 house, the president of the senate and the governor whether any enacted legislation or programs or
7 policies adopted or implemented by the state or any of its subdivisions or agencies has the effect of
8 shifting environmental impact of carbon-free energy technologies onto impoverished and
9 developing countries, including, but not limited to:

10 (1) Disclosing human rights abuses and labor conditions of workers mining,
11 manufacturing, and recycling carbon-free energy technologies and the materials of which carbon-
12 free energy technologies are composed;

13 (2) Disclosing the environmental impacts of copper, lithium, cobalt, nickel, and
14 neodymium mining;

15 (3) Disclosing the traceability of mining supply chains used in carbon-free energy
16 technology products; and

17 (4) Documenting the effects of toxic pollution resulting from the decommissioning,
18 recycling, and disposal of carbon-free energy technology products.

19 (b) The report required pursuant to the provisions of subsection (a) of this section shall be

1 submitted to the speaker of the house, the president of the senate and the governor annually on or
2 before January 15.

3 **42-6.2-8.1. Nickel supply study.**

4 The council shall conduct an annual study that calculates the amount of the element nickel
5 that is contained in electric vehicle batteries and in energy storage facilities sold or constructed in
6 the state. The study shall also identify the country, state or province of origin of the nickel. The
7 study shall be completed no later than November 1, of each year, beginning in 2024, and shall be
8 distributed to the speaker of the house, president of the senate, and the governor.

9 **42-6.2-8.2. Solar panels - Recycling and decommissioning.**

10 No solar energy permit as defined in § 45-68-2 shall be issued unless the permit applicant
11 has committed in writing and submitted evidence demonstrating that sufficient resources shall be
12 available and set aside to pay for the decommissioning and recycling of the photovoltaic panels
13 comprising the solar electric generating systems at the end of their useful life.

14 SECTION 2. Chapter 23-18.9 of the General Laws entitled "Refuse Disposal" is hereby
15 amended by adding thereto the following section:

16 **23-18.9-19. Disposal of wind turbine blades.**

17 Blades from a decommissioned or repowered wind energy conversion system operating in
18 this state shall be disposed of or recycled within this state, unless the blades are to be recycled into
19 a useful byproduct, upon approval by the department of environmental management after
20 consultation with the council, at a facility located outside of the state.

21 SECTION 3. Chapter 39-26.4 of the General Laws entitled "Net Metering" is hereby
22 amended by adding thereto the following section:

23 **39-26.4-6. Renewable energy credits.**

24 (a) The division of public utilities and carriers ("division") shall create a program for
25 tradable renewable energy credits for electricity generated by eligible energy technology. The
26 credits shall represent energy produced by an eligible energy technology, and the program shall be
27 implemented in coordination with the provision of chapter 82 of title 23.

28 (1) Each kilowatt-hour of renewable energy credits shall be treated the same as a kilowatt-
29 hour of eligible energy technology generated or procured by an electric utility if it is produced by
30 an eligible energy technology. The program shall permit a credit to be used only once. The program
31 shall treat all eligible energy technology equally and shall not give more or less credit to energy
32 based on where in the state the energy was generated or the technology with which the energy was
33 generated. The division shall determine the period in which the credits may be used for purposes
34 of the program.

1 (b) In lieu of generating or procuring energy directly to satisfy the eligible energy
2 technology objective of chapter 82 of title 23 and chapter 6.2 of title 42, an electric utility may
3 utilize renewable energy credits allowed under the program to satisfy the objective.

4 (c) The division may facilitate a program authorizing the trading of renewable energy
5 credits between states.

6 (d) The division shall promulgate rules and regulations requiring all electric utilities to
7 participate in an approved credit-tracking system or systems and establishing protocols for trading
8 credits; provided, however, after July 1, 2024, no renewable energy credit shall be authorized if the
9 credit is associated with electricity generated from a facility:

10 (1) Composed of materials excavated, processed, or manufactured outside the United States
11 that uses slave labor, or child labor, as determined by the United Nations International Labor
12 Organization; or

13 (2) For which silicon tetrachloride, cadmium, lead, or a chemical listed by the United States
14 Environmental Protection Agency as a known or suspected carcinogen or genotoxin was used in
15 its manufacturing process.

16 SECTION 5. This act shall take effect upon passage.

=====
LC002628
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- 2021 ACT ON CLIMATE

1 This act would require that the climate change coordinating council study and report on
2 legislation or programs that are shifting environmental impacts of the use of carbon-free energy
3 technologies onto impoverished and developing countries. This act would also require that wind
4 turbine blades be disposed of within this state unless recycled. This act would further establish a
5 program for tradable, renewable energy credits to be used in coordination with the provisions of
6 the regional greenhouse gas initiative act, chapter 82 of title 23.

7 This act would take effect upon passage.

=====
LC002628
=====