

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2359

By: Boles of the House

and

Paxton of the Senate

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6
7 [Corporation Commission - annual report - evidence
8 of financial security - penalty - codification -
9 effective date]

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12 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

13
14 "[Corporation Commission - annual report - evidence
15 of financial security - penalty - codification -
effective date]

16
17 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 160.14A of Title 17, unless
20 there is created a duplication in numbering, reads as follows:

21 A. The owner of a renewable energy recycling facility shall
22 submit an annual report to the Public Utility Division of the
23 Corporation Commission no later than February 1 of each calendar
24 year for the immediately preceding calendar year. The report shall

1 include a current total inventory of renewable energy components
2 accepted for recycling, but not yet recycled, as of the end of the
3 reporting period and an estimated timeline for the finality of
4 recycling of those renewable energy components. The report shall
5 also include the estimated costs for completing the recycling of the
6 reported inventory within the estimated timeline. Provided, the
7 estimated costs associated with the recycling of wind turbine blades
8 shall be reported independently from the aggregate cost estimate.
9 The report shall be submitted in the manner and form prescribed by
10 the Commission.

11 B. The owner of a renewable energy recycling facility shall
12 submit to the Public Utility Division of the Commission evidence of
13 financial security to cover the anticipated costs of recycling the
14 reported inventory, including wind turbine blades, during the
15 upcoming calendar year. Evidence of financial security may be in
16 the form of a surety bond, collateral bond, parent guaranty, cash,
17 cashier's check, certificate of deposit, bank joint custody receipt,
18 or other approved negotiable instrument as established in rules
19 promulgated by the Corporation Commission. Evidence of financial
20 security shall be submitted within ninety (90) days of the renewable
21 energy recycling facility taking control of any renewable energy
22 components to be recycled.

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1 C. The amount of financial security shall be one hundred
2 twenty-five percent (125%) of the estimated total cost of recycling
3 reported pursuant to subsection A of this section.

4 D. The Public Utility Division of the Commission shall post on
5 the website of the Commission a list of those renewable energy
6 recycling facilities that have submitted the report and evidence of
7 financial security in accordance with the provisions of this
8 section. An owner of a wind farm operation that chooses to send
9 wind turbine blade renewable energy components to a third-party
10 recycling facility located in this state shall utilize renewable
11 energy recycling facilities listed on the Commission website.

12 E. If the owner of a recycling facility fails to submit the
13 information required by this section, the owner shall be subject to
14 an administrative penalty not to exceed Five Hundred Dollars
15 (\$500.00) per day.

16 F. Each recycling facility shall submit an annual registration
17 fee of One Thousand Dollars (\$1,000.00) per year to the Commission
18 at the time of the annual report filing to cover the cost of
19 implementing the provisions of this section.

20 SECTION 2. This act shall become effective November 1, 2023."
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1 Passed the Senate the 19th day of April, 2023.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 2359

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8 of financial security - penalty - codification -
9 effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 160.14A of Title 17, unless
15 there is created a duplication in numbering, reads as follows:

16 A. The owner of a renewable energy recycling facility shall
17 submit an annual report to the Oklahoma Corporation Commission no
18 later than December 31 of each calendar year to include current
19 inventory and an estimated timeline for the finality of recycling of
20 all renewable energy components. The report shall also include
21 evidence of financial security for all projects for that calendar
22 year.

23 B. The owner of a renewable energy recycling facility shall
24 submit to the Oklahoma Corporation Commission evidence of financial

1 security to cover the anticipated costs of recycling wind turbine
2 blades or other components of the renewable energy facility.
3 Evidence of financial security may be in the form of a surety bond,
4 collateral bond, parent guaranty, cash, cashier's check, certificate
5 of deposit, bank joint custody receipt or other approved negotiable
6 instrument as established in rules promulgated by the Oklahoma
7 Corporation Commission. Evidence of financial security shall be
8 submitted within ninety (90) days of the recycling facility taking
9 control of components for the energy facility to be recycled.

10 C. The amount of financial security shall be one hundred
11 twenty-five percent (125%) of the estimated total cost of recycling.

12 D. If the owner of the recycling facility fails to submit the
13 information required by this section, the owner shall be subject to
14 an administrative penalty not to exceed Five Hundred Dollars
15 (\$500.00) per day.

16 SECTION 4. This act shall become effective November 1, 2023.
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1 Passed the House of Representatives the 6th day of March, 2023.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2023.

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8 _____
9 Presiding Officer of the Senate