



Testimony

SB 2213

Testimony Before the Texas Senate Business & Commerce Committee

by Brent Bennett, PhD
Policy Director, Life:Powered

Chairman Hancock and Members of the Committee:

Life:Powered, an initiative of the Texas Public Policy Foundation to raise America's energy IQ, supports SB 2213 because Texas needs to start grappling with the end-of-life issues presented by the growth of energy storage facilities in the state, usually paired with solar facilities but also operating on their own. As a former battery engineer, I also want to see good policy that enables the growth of the industry while maintaining appropriate safeguards.

This bill—which, like SB 760, is modeled on the existing successful statute for decommissioning wind facilities—will help accomplish those goals and move toward equalizing decommissioning regulations for solar and battery facilities with regulations for other power plants. We do not want to encourage overregulation, but we also want to create a level playing field and some minimum standards for protecting the environment and property owners.

ERCOT currently forecasts that 2,000 MW of energy storage, roughly equal to 8,000 MWh of storage capacity, will be added to the Texas grid over the next few years. This is a far cry from the 40-80,000 MWh our research indicates will be [needed for 50% or greater wind and solar penetration](#), much less the 2 million MWh needed to approach a 100% renewable grid for Texas. Reaching the latter goal would require a 100 MW/400 MWh energy storage unit to be installed *every day* between now and 2035. While Texas is many years away from seeing energy storage extend beyond niche applications, federal policy drivers and future reforms of the ERCOT market will likely result in a much greater quantity of energy storage on our grid than what we currently have.

As the committee considers this bill, **it is important to keep in mind that environmental protection is not just about air emissions.** Land use and water use are equally important. Energy storage facilities do not take up a tremendous amount of land, more comparable to a similarly sized natural gas power plant than the 30 times to 100 times greater land use of solar and wind facilities. However, batteries left unattended pose a chemical and fire risk, and it is important to remove and dispose of them properly. This bill does not establish any standards for the disposal of battery cells, but it should be a starting point for that discussion going forward.

We require energy companies to pay for most of the environmental costs of producing their energy, and wind, solar, and battery facilities should not be treated differently. This bill is modeled closely after [SB 760](#) from this session and [HB 2845](#) from the previous session regarding the decommissioning of solar and wind power facilities and has a similar requirement that the developer deliver financial assurance no later than 10 years after the project commences operations. Other electricity generators face numerous regulations involving their waste streams. An entire chapter of Title 30 of the Texas Administrative Code is devoted to [regulating coal combustion waste](#), and extensive regulations exist for [plugging oil and gas wells](#). While we can debate how much energy companies should be required to do when decommissioning their facilities, we should no doubt be consistent with our policies for different energy sources.

We commend Sen. Springer for introducing this bill, and we hope the committee will consider it carefully, taking into account additional changes that may be needed to adapt the bill to the specific needs of the energy storage industry while not diluting the overall purpose and scope of the bill. ★

