

# RESOLUTION 2026-04

## Resolution Encouraging the Oklahoma State Legislature to Support Bonding Requirements and Enforcement Mechanisms for Decommissioning of Emerging Technologies

**WHEREAS**, the rapid deployment of new technologies often outpaces existing regulatory frameworks, posing potential long-term environmental and financial risks; and

**WHEREAS**, the expansion of industrial-scale wind and solar facilities, Battery Energy Storage Systems (BESS), merchant high voltage transmission lines, data centers, and associated recycling facilities represents a critical shift in our industrial landscape; and

**WHEREAS**, the above listed operations have finite lifespans and contain materials requiring specialized disposal; data centers involve massive physical footprints, water, and energy infrastructure; and

**WHEREAS**, the public should not bear the financial burden of decommissioning, site restoration, or waste management if a technology provider becomes insolvent or abandons a project; and

**WHEREAS**, the following provisions and enforcement guidelines are strongly encouraged by Payne County Board of County Commissioners for our state's legislature to enact:

### Key Provisions

- **Financial Assurance:** Require developers to initially post-performance bonds equal to construction cost, at minimum, prior to project commencement.
- **Decommissioning Plans:** Mandate comprehensive exit strategies that include environmental restoration requiring sites to be returned to their pre-development ecological state or better.
- **Periodic Review:** Establish at least biennial audits to ensure bond amounts keep pace with inflation and technological shifts. Such audits shall result in updated, fully funded bond requirements consistent with decommissioning costs as stated above.

### Enforcement Mechanisms

Enforcement mechanisms shall be established to ensure strict adherence to bonding mandates:

- **Permit Revocation:** Failure to maintain an active, fully funded bond shall result in the immediate suspension or revocation of construction or operating permits.
- **Daily Fines:** Non-compliant entities shall face escalating daily fines, set at a minimum of \$10,000 per day, until the financial assurance is secured.
- **Asset Liens:** The state shall reserve the right to place statutory liens on the real property and equipment of the project to cover the cost of decommissioning if the bond is insufficient.
- **Disqualification:** Companies or projects in default of bonding requirements shall be barred from bidding on future state-funded projects, receiving tax incentives, or obtaining additional permits for public or private purposes.

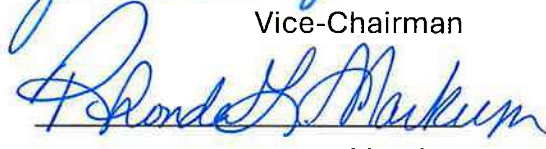
**THEREFORE, BE IT RESOLVED**, that the Payne County Board of County Commissioners strongly encourages our Oklahoma State Legislature to enact mandatory bonding and enforcement restrictions for new technology developments.

Presented and approved this 29<sup>th</sup> day of January, 2026.


**PAYNE COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Chairman

  
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Vice-Chairman

  
\_\_\_\_\_  
Member

Attest:

  
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Glenna Craig, County Clerk

