

SENATE BILL REPORT

HB 1393

As Passed Senate, March 29, 2021

Title: An act relating to delaying certain implementation dates for the photovoltaic module stewardship and takeback program.

Brief Description: Delaying certain implementation dates for the photovoltaic module stewardship and takeback program.

Sponsors: Representatives Shewmake, Ramel, Lekanoff and Duerr.

Brief History: Passed House: 2/26/21, 93-2.

Committee Activity: Environment, Energy & Technology: 3/11/21, 3/16/21 [DP].

Floor Activity: Passed Senate: 3/29/21, 45-4.

Brief Summary of Bill

- Provides a two-year delay for certain implementation dates for the Photovoltaic Module Stewardship and Takeback Program.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Majority Report: Do pass.

Signed by Senators Carlyle, Chair; Lovelett, Vice Chair; Ericksen, Ranking Member; Brown, Das, Fortunato, Hobbs, Lias, Nguyen, Sheldon, Short, Stanford and Wellman.

Staff: Julie Tran (786-7283)

Background: Photovoltaic Module Stewardship and Takeback Program. In 2017, the Legislature created the Photovoltaic (PV) Module Stewardship and Takeback Program, which requires manufacturers of solar panels, also known as PV modules, to provide the public a convenient and environmentally sound way to recycle all modules purchased after July 1, 2017. Department of Ecology (Ecology) oversees the program.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Each manufacturer must prepare and submit a stewardship plan to Ecology by July 1, 2022, or within 30 days of its first sale of a PV module in or into the state. The stewardship plan must:

- describe how manufacturers will finance the takeback and recycling system;
- accept all of the manufacturer's PV modules sold in or into the state after July 1, 2017;
- describe how the program will minimize the release of hazardous substances and maximize the recovery of other components;
- provide for takeback of PV modules;
- identify how relevant stakeholders will receive information; and
- establish performance goals.

Beginning April 1, 2024, and by April 1st in each subsequent year, each manufacturer, or its designated stewardship organization, must provide a report to Ecology, for the previous calendar year, that documents the plan's implementation and assesses the achievement of performance goals outlined in the stewardship plan.

Beginning July 1, 2023, no manufacturer, distributor, retailer, or installer may sell or offer for sale a PV module in or into the state unless the manufacturer of the PV module has submitted to Ecology a stewardship plan and received plan approval.

Summary of Bill: Each manufacturer must prepare and submit a stewardship plan to Ecology by July 1, 2024, rather than 2022, or within 30 days of its first sale of a PV module in or into the state.

Beginning April 1, 2026, rather than 2024, and by April 1st in each subsequent year, each manufacturer, or its designated stewardship organization, must provide a report to Ecology, for the previous calendar year, that documents the plan's implementation and assesses the achievement of performance goals outlined in the stewardship plan.

Beginning July 1, 2025, rather than 2023, no manufacturer, distributor, retailer, or installer may sell or offer for sale a PV module in or into the state unless the PV module manufacturer submits a stewardship plan to Ecology and receives plan approval.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Washington is in an exciting time. The solar

energy industry is robust and with a huge potential for growth. The two-year delay gives the industry time to plan the program and do this the right way. The two years will be well-used as we are developing standards and studying how the panels can be appropriately repurposed and recycled. We do not want any of these materials in the waste stream.

OTHER: PV is like any other product and a lot of the product ends up in the landfills. There are concerns about the technology for recycling. This is different from wind turbine blade recycling and with thousands of panels, we need to tackle the problem now and start recycling.

Persons Testifying: PRO: Representative Sharon Shewmake, Prime Sponsor; Dave Warren, Silfab Solar; Bill Will, Washington Solar Energy Industries Association; Kaitlin Borstelmann, CED Greentech.

OTHER: Heather Trim, Zero Waste Washington; Gary Shaver, Recycle PV Solar.

Persons Signed In To Testify But Not Testifying: No one.