
Environment & Energy Committee

HB 2389

Brief Description: Establishing a comprehensive, statewide photovoltaic module recovery, reuse, recycling, and end-of-life program.

Sponsors: Representatives Shewmake, Ramel, Wylie, Doglio and Hudgins.

Brief Summary of Bill

- Repeals the Photovoltaic Module Stewardship and Takeback Program.
- Requires the Director of the Department of Ecology to appoint, by July 1, 2020, a Photovoltaic Module Recovery, Reuse, and Recycling Task Force (Task Force) to review, and provide recommendations in a final report on, potential methodologies for the management of end-of-life photovoltaic modules, including modules from utility-scale solar projects.
- Requires the Task Force to submit a report to the Legislature by December 1, 2021.

Hearing Date: 1/27/20

Staff: Nikkole Hughes (786-7156).

Background:

The Photovoltaic Module Stewardship and Takeback Program (Program) requires manufacturers of photovoltaic solar panels to provide the public a convenient and environmentally sound way to recycle all modules purchased in the state after July 1, 2017.

Each manufacturer must prepare and submit a stewardship plan to the Department of Ecology (Department) by the later of January 1, 2020, or within 30 days of its first sale of a photovoltaic module in or into the state.

The Department was required to establish a stakeholder process by January 1, 2018, in order to develop guidance for the photovoltaic module stewardship plans required of manufacturers. The

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

Department published its initial Manufacturer Plan Guidance for the Program (Plan Guidance) in July 2019 and revised it in January 2020.

The Department must approve a stewardship plan if it determines the plan addresses each element outlined in its Plan Guidance. Beginning January 1, 2021, no manufacturer may sell or offer for sale a photovoltaic module in or into the state unless the manufacturer has submitted a plan to, and received approval from, the Department.

The Department may assess a penalty of up to \$10,000 for each sale of a photovoltaic module in or into the state that occurs after an initial written warning to a manufacturer that is not participating in a plan.

Summary of Bill:

The Photovoltaic Module Stewardship and Takeback Program (Program) is repealed.

By July 1, 2020, the Director of the Department of Ecology (Department) must appoint a Photovoltaic Module Recovery, Reuse, and Recycling Task Force (Task Force) to review, and provide recommendations in a final report on, potential methodologies for the management of end-of-life photovoltaic modules, including modules from utility-scale solar projects. The Task Force's report is due to the legislature by December 1, 2021.

The duties of the Task Force include, but are not limited to:

- obtaining and reviewing existing data from the Washington State University Extension Energy Program pertaining to the manufacturer, location by zip code, in-service data, and estimated volumes of modules deployed under the state's Renewable Energy Production Incentive Program; and
- analyzing and recommending financing mechanisms, including advance recovery fees, recycling and disposal fees, and manufacturer-financed product stewardship programs.

Task Force membership must include, but is not limited to, members representing certain stakeholder entities, including:

- a manufacturer of photovoltaic modules located in the state;
- a national solar industry group;
- solar installers in the state; and
- an organization with expertise in waste minimization.

Participation in the Task Force is strictly voluntary and without compensation.

Appropriation: None.

Fiscal Note: Requested on January 21, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.