



Committee on Environment and Natural Resources
% Legislative Information Office
100 State House Station
Augusta, ME 04333

January 27, 2025

Re: LD 92, *An Act Regarding the Management of the Waste Components of a Solar Energy Development upon Decommissioning*

Dear Senator Tepler, Representative Doudera and Members of the Committee:

Thank you for the opportunity to share testimony in opposition to LD 92, *An Act Regarding the Management of the Waste Components of a Solar Energy Development upon Decommissioning* on behalf of the Maine Renewable Energy Association (MREA). MREA is a not-for-profit association of renewable energy producers, suppliers of goods and services to those producers, and other supporters of the industry. Our member companies include wind, solar, hydropower, biomass, and tidal energy generators and developers of such projects, as well as companies that provide services to those producers, such as environmental engineers, electricians, general contractors, and legal services.

LD 92 amends Maine's existing solar energy development decommissioning law to require that the recycling or disposal of the waste components of solar energy development occur within 90 days of the physical removal of those components. MREA opposes this bill because it is inconsistent with the waste hierarchy, is burdensome due to current capacity and geographical constraints on solar component recycling facilities, may be unenforceable, and does not rise to the level of "emergency" because the vast majority of solar energy development in Maine is nowhere near the end of its useful life.

To be clear, MREA supports the proper disposal and recycling of solar development components, as well as Maine's decommissioning law. It must be noted, however, that Maine law only requires decommissioning of solar energy and wind energy development – no other type of development or infrastructure in Maine has such requirements, regardless of material or environmental impact. We ask that lawmakers take note when proposed legislation singles out a particular industry. Such particularized legislation may certainly be warranted, but may also seek to frustrate the topic industry or activity.

The primary components of a typical solar energy development are racking—the structures to which solar panels are affixed—and the panels themselves. Solar panels are

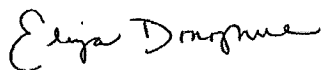
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long-lived, with many lasting and warranted for 30 years. The vast majority of panels in the state are far from the end of their useful life. As such, emergency legislation is not warranted. But moreover, solar components that are removed prior to the end of their useful life are often re-used. Reuse is the top of the waste hierarchy. There is no better or known example than the panels that once adorned the White House during the Carter administration for the purpose of heating water. The late President Carter installed the panels in 1979. The panels were removed in 1986 during the Reagan Administration, where they sat in government storage until 1991, when Unity College acquired the panels for use on their cafeteria roof until the end of their useful life in 2010. Of course, this is a less usual example, but it drives home the point that requiring panels be recycled within 90 days of removal could forestall any opportunity for reuse.

The proposed 90 day requirement may also unnecessarily frustrate those tasked with decommissioning. Indeed, the solar panel recycling industry is growing, but it remains relatively small because demand is low (see discussion on panel life-span). No such facility exists in Maine. Requiring that panels be recycled out-of-state on a prescribed timeline—a timeline that is not influenced, for example, by volume or other measures of efficiency—is an undue burden.

The good news is that the crystalline silicon panels used in Maine and the region are 95% recyclable and contain valuable raw minerals that motivate recycling because they are revenue producing. In other words, if a panel can't be reused, there is a great chance it will be recycled. Market forces and the desire of so many in the solar industry to be responsible environmental stewards will effectuate what may be an intent of this bill—to encourage recycling. However, the bill itself is an undue burden on the solar industry. MREA encourages the Committee to vote 'Ought Not to Pass' on LD 92.

Thank you,



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