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DEPARTMENT OF ENVIRONMENTAL PROTECTION



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TESTIMONY OF
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SPEAKING IN OPPOSITION TO L.D. 1595
AN ACT TO ADDRESS WASTE ASSOCIATED WITH SOLAR ENERGY EQUIPMENT
SPONSORED BY REPRESENTATIVE O'CONNOR

BEFORE THE JOINT STANDING COMMITTEE
ON
ENVIRONMENT AND NATURAL RESOURCES

DATE OF HEARING:

MAY 7, 2021

Senator Brenner, Representative Tucker, and members of the Committee, I am Paula Clark of the Department of Environmental Protection, speaking in opposition to L.D. 1595, An Act to Address Waste Associated with Solar Energy Equipment, specifically sections 11 – 18 of the bill. Although the Department agrees that solar panels should be recycled and otherwise properly managed at the end of life, the program proposed in the bill is unclear, resource intensive, and unnecessarily complex.

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In part, this bill would require: the individual registration and tracking of each solar panel by serial number from the point of purchase through end of life and disposal, development of a process for review and approval of solar panel recycling facilities, implementation of a solar panel installation site inspection program, State funding for the design and construction of solar panel recycling equipment and a recycling facility, and establishment of regional take back locations. The bill also proposes to impose fees of \$25 and \$100 per solar panel at the point of purchase to fund oversight of tracking and recycling, and establishes a set of specific penalty provisions for violations of the program's provisions. To put this into context, the proposed fees in this bill would have added \$350,000 in fees to the solar array project installed on a closed municipal landfill in Portland.

Maine's Product Stewardship Law (38 M.R.S. §§ 1771-1776) establishes criteria by which to identify products or product categories that may be appropriately managed through extended producer responsibility (EPR) programs. Annually, the Department submits a report to the Legislature in accordance with that law outlining the status of existing stewardship programs and identifying and evaluating products for future consideration. Among other possible candidates, solar panels have been identified in the reports for the past several years as meeting the criteria of the law. However, the Department's 2021 report also notes that there is a need for a balanced approach to ensure any up-front or internalized costs for end-of-life product management do not inhibit progress in transitioning to renewable energy. The Department will continue to evaluate approaches to incentivize recycling of solar panels as they reach their end of life, and may recommend legislation in a future session.

Thank you for the opportunity to provide testimony today; I would be happy to answer any questions you might have.