
Environment & Energy Committee

HB 2645

Brief Description: Concerning the photovoltaic module stewardship and takeback program.

Sponsors: Representatives Smith, Eslick and Pollet.

Brief Summary of Bill

- Requires that no manufacturer, distributor, retailer, or installer may sell or offer for sale a photovoltaic module for which a stewardship plan has not been approved beginning January 1, 2022, rather than January 1, 2021.
- Amends the definition of "photovoltaic module" under the Photovoltaic Module Stewardship and Takeback Program to include interconnections, terminals, and protective devices, such as diodes, that are part of a system connected to the grid or utility service.

Hearing Date: 1/27/20

Staff: Nikkole Hughes (786-7156).

Background:

The Photovoltaic Module Stewardship and Takeback Program.

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

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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:

Enforcement of the Photovoltaic Module Stewardship and Takeback Program Requirements.

Beginning January 1, 2022, no manufacturer, distributor, retailer, or installer may sell or offer for sale a photovoltaic module in or into the state unless the manufacturer of the photovoltaic module has submitted a stewardship plan to the Department and received plan approval.

The Department may assess a penalty of up to \$10,000 upon a manufacturer for each sale that occurs in or into the state of a photovoltaic module for which a stewardship plan has not been submitted by the manufacturer and approved by the Department.

The Department must send a written warning to a distributor, retailer, or installer that sells or installs a photovoltaic module made by a manufacturer that is not participating in a plan. The written warning must inform the distributor, retailer, or installer that they may no longer sell or install a photovoltaic module if a stewardship plan for that brand has not been submitted by the manufacturer and approved by the Department within 30 days of the notice.

Definitions.

"Distributor" means a person who markets and sells photovoltaic modules to retailers in Washington.

"Installer" means a person who assembles, installs, and maintains photovoltaic module systems.

"Photovoltaic module" includes interconnections, terminals, and protective devices, such as diodes, that are part of a system connected to the grid or utility service.

"Retailer" means a person who offers photovoltaic modules for retail sale in the state through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or internet sales.

Appropriation: None.

Fiscal Note: Requested on January 22, 2020.

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