

SENATE BILL REPORT

SB 5174

As of January 27, 2021

Title: An act relating to providing for the recycling of wind turbine blades.

Brief Description: Providing for the recycling of wind turbine blades.

Sponsors: Senators Wilson, J., Das, Hunt, Rolfes, Wagoner and Wilson, C..

Brief History:

Committee Activity: Environment, Energy & Technology: 1/27/21.

Brief Summary of Bill

- Requires the Department of Ecology to develop guidance for a wind turbine blade stewardship and takeback program.
- Prohibits the sale of a wind turbine blade in or into Washington beginning July 1, 2023, unless the manufacturer has an approved stewardship plan.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Angela Kleis (786-7469)

Background: The Department of Ecology (Ecology) oversees recycling programs for electronics and mercury-containing lights, supports programs to reduce or reuse organic materials, and provides guidance for stewardship programs for paint and solar panels.

According to a U.S. Energy Information Administration report, more than 1700 wind turbines with about 3100 megawatts of capacity make wind power the second-largest contributor to Washington's renewable generation. The state's largest wind farm is located along the Snake River in southeastern Washington and came online in 2012.

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.

Summary of Bill: Stewardship and Takeback Program. Ecology must develop guidance for a wind turbine blade stewardship and takeback program. By January 1, 2022, Ecology must establish a process to develop guidance for stewardship plans (plans) by working with stakeholders. The guidance must be completed by January 1, 2023.

By July 1, 2023, or within 30 days of its first sale in or into Washington, each manufacturer must submit a plan including specified elements such as describing how the manufacturer will finance the recycling system and establish performance goals, and receive plan approval from Ecology.

Ecology may collect a flat fee from participating manufacturers to recover costs associated with the program. Other administrative costs incurred by Ecology may be recovered by charging every manufacturer an annual fee based on a prescribed formula.

Prohibition. Beginning July 1, 2023, no manufacturer, distributor, retailer, or installer may sell or offer for sale a wind turbine blade in or into Washington unless the manufacturer of the wind turbine blade has a plan approved by Ecology.

Written Warning. Ecology must send a written warning to a manufacturer without an approved plan requiring the manufacturer to participate in a plan within 30 days of the notice. Ecology may assess a penalty of up to \$10,000 upon a manufacturer for each sale conducted without an approved plan.

Ecology must send a written warning to a distributor, retailer, or installer that sells or installs a wind turbine blade made by a manufacturer that does not have an approved plan. A distributor, retailer, or installer may not sell or install such blades if the manufacturer does not have an approved plan within 30 days of the notice.

Report. Beginning July 1, 2024, and annually thereafter, a manufacturer must provide Ecology with a report that documents the implementation of the plan and assesses the achievement of performance goals. The report may include recommendations for modifying the program and must be posted on a publicly accessible website.

Alternative Form of Compliance. In lieu of preparing a plan, a manufacturer may participate in a national program for the takeback and recycling of wind turbine blades, if substantially equivalent to the intent of Washington's program.

Appropriation: None.

Fiscal Note: Available.

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: Blades are a huge, unique product that are piling up in U.S. landfills. Europe has already banned blades from landfills. We suggest broadening the definition of blade to address technology advances and the definition of reuse to include other purposes. There will be a demand in the future.

OTHER: Washington would be the first state to implement this type of program. Blade composition makes them difficult to recycle. Manufacturers should be required to join a stewardship organization and to register with Ecology. The bill does not address the handling of orphan blades.

Persons Testifying: PRO: Heather Trim, Zero Waste Washington; Paul Jewell, Washington State Association of Counties.

OTHER: Laurie Davies, Department of Ecology.

Persons Signed In To Testify But Not Testifying: PRO: Tom Shofner.