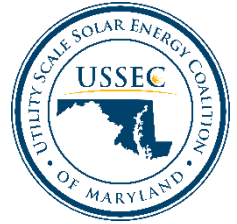


UTILITY-SCALE SOLAR ENERGY COALITION OF MARYLAND



Senate Education, Health and Environmental Affairs Committee
February 19, 2020

Environment - Solar Panel Stewardship Programs (SB 891)

OPPOSED

Chairman Pinsky and members of the committee:

On behalf of the Utility Scale Solar Energy Coalition we **OPPOSE** Senate Bill 891. This bill sets requirements that would uniquely apply to the solar industry, while ignoring severe environmental threats from alternate forms of generating technologies, including coal, gas and nuclear. Why are solar technologies being singled out while similar stewardship programs are not being recommend for all forms of generating technologies?

Currently, in order for solar panels to be disposed of in a municipal landfill, they would first be required to be tested in accordance with the U.S. EPA's Resource Conservation and Recovery Act (RCRA) by undergoing the toxicity characteristic leaching procedure (TCLP). This procedure tests the leaching potential of hazardous materials in landfill conditions. Passage of a TCLP ensures that waste is characterized as federal non-hazardous waste, which means that it can be safely disposed of in a municipal landfill. Panels that did not pass the TCLP would be classified as federal hazardous waste and would be disposed of in accordance with U.S. EPA hazardous waste requirements.

There are some instances when recycling may not be possible and landfill disposal would be necessary as an alternate means of disposal. In cases where solar panels are unable to be recycled, the panels would be required to go through the TCLP to determine whether they would be classified as hazardous waste. The vast majority of solar panels have demonstrated an ability to pass this procedure and thus be classified as federal non-hazardous waste, meaning that panels could be safely disposed of in a municipal landfill. While landfill disposal is not the industry's preferred end-of-life disposal method, it is necessary to allow for safe landfill disposal as an alternate means of disposal in cases where recycling is not possible. *As Noted Above:* in the case that panels did not pass the TCLP, they would be deemed federal hazardous waste and would be disposed of in accordance with federal hazardous waste disposal requirements.

Importantly, decommissioning agreements for utility-scale solar projects typically cover the end-of-life treatment of solar panels. This legislation may render moot those agreements that are, in some cases, already fully funded.

Sincerely,

Isaac Meyer
Compass Government Relations on behalf of USSEC