

CHAPTER 211

AN ACT concerning recycling of solar and photovoltaic energy generation facilities and structures, and supplementing Title 13 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.13:1E-231 Solar, photovoltaic energy generation facilities, actions after termination of use.

1. a. Beginning 180 days after the finding by the Department of Environmental Protection made pursuant to subsection c. of this section has been published in the New Jersey Register and on the department's Internet website, the owner, producer, distributor, or manufacturer of a solar or photovoltaic energy generation facility or structure shall remove and recycle or refurbish the facility or structure after the termination of its use, including any related equipment or infrastructure, in accordance with rules and regulations adopted by the department.

b. Beginning 180 days after the finding by the department made pursuant to subsection c. of this section has been published in the New Jersey Register and on the department's Internet website, the department may adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations necessary to implement the provisions of this section which shall include, but need not be limited to, minimum requirements for the removal and recycling of solar and photovoltaic energy generation facilities and structures and a fee schedule to cover the full costs incurred by the department to implement the provisions of this section. The rules and regulations may require recyclers to securely store any toxic components of solar panels that cannot be safely recycled until a viable and safe method of recycling the components is approved by the department. The department may engage in a public stakeholder process and consider establishing a product stewardship program or similar end-of-life recycling requirements and programs from other states when it develops the rules and regulations, in order to facilitate compliance with the provisions of this section.

c. The department shall frequently evaluate the availability and accessibility of recycling facilities for solar or photovoltaic energy generation facilities, or components thereof, within the State. Once the department determines that recycling facilities for solar or photovoltaic energy generation facilities, or components thereof, are widely accessible and available within the State, the department shall publish that finding in the New Jersey Register and on the department's Internet website no more than 30 days after making the finding.

d. A violation of the provisions of this section shall be considered a violation of the "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.), as amended and supplemented, and the commissioner shall have recourse to any of the actions or penalties provided for in section 9 of P.L.1970, c.39 (C 13:1E-9), in order to address the violation.

2. This act shall take effect immediately.

Approved January 12, 2026.