

[First Reprint]

SENATE, No. 3399

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 3, 2024

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator JOHN F. MCKEON

District 27 (Essex and Passaic)

Co-Sponsored by:

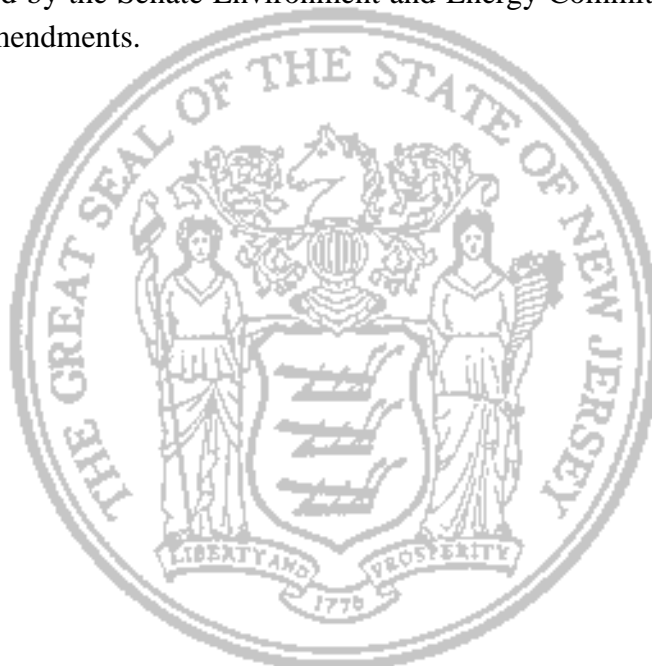
Senator Greenstein

SYNOPSIS

Requires end-of-life recycling of solar and photovoltaic energy generation facilities and structures.

CURRENT VERSION OF TEXT

As reported by the Senate Environment and Energy Committee on June 20, 2024, with amendments.



(Sponsorship Updated As Of: 6/6/2024)

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

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. The owner of a solar or photovoltaic energy generation
9 facility or structure shall remove and recycle the facility or structure
10 after the termination of its use, including any related equipment or
11 infrastructure, in accordance with rules and regulations adopted by the
12 Department of Environmental Protection pursuant to subsection b. of
13 this section.

14 b. The department shall adopt, pursuant to the "Administrative
15 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
16 regulations necessary to implement the provisions of this section
17 which shall include, but need not be limited to, minimum requirements
18 for the removal and recycling of solar and photovoltaic energy
19 generation facilities and structures. ¹The rules and regulations shall
20 require recyclers to securely store any toxic components of solar
21 panels that cannot be safely recycled until a viable and safe method of
22 recycling the components is approved by the department. The
23 department shall engage in a public stakeholder process and consider
24 similar end-of-life recycling requirements and programs from other
25 states when it develops the rules and regulations, in order to facilitate
26 compliance with the provisions of this section.¹

27 c. Any person who violates the provisions of this section, or any
28 rules or regulations adopted pursuant thereto, shall be subject to a civil
29 penalty of up to \$1,000, to be collected in a civil action by a summary
30 proceeding under the "Penalty Enforcement Law of 1999," P.L.1999,
31 c.274 (C.2A:58-10 et seq.). The Superior Court and the municipal
32 court shall have jurisdiction to enforce the provisions of the "Penalty
33 Enforcement Law of 1999" pursuant to this subsection.

34
35 2. This act shall take effect on the 180th day next following the
36 date of enactment, except that the Department of Environmental
37 Protection may take any administrative action in advance thereof as
38 shall be necessary for the implementation of this act.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted June 20, 2024.