

STATE OF NEW YORK

1502--A

2025-2026 Regular Sessions

IN SENATE

January 10, 2025

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to enacting the "responsible renewable energy recycling act"; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "responsible renewable energy recycling act".

3 § 2. Article 27 of the environmental conservation law is amended by
4 adding a new title 34 to read as follows:

TITLE 34

RESPONSIBLE RENEWABLE ENERGY RECYCLING ACT

Section 27-3401. Definitions.

8 27-3403. Solar panel collection.

9 27-3405. Solar panel wholesaler and retailer requirements.

10 27-3407. Wind turbine collection.

11 27-3409. Wind turbine wholesaler and retailer requirements.

12 27-3411. Battery collection.

13 27-3413. Battery wholesaler and retailer requirements.

14 27-3415. Department responsibilities.

15 27-3417. Disposal prohibition.

§ 27-3401. Definitions.

17 1. "Collection program" means a system for the collection, transporta-
18 tion and recycling of out-of-service solar panels, out-of-service wind
19 turbines, or out-of-service batteries that are financed and managed or
20 provided by a solar panel, wind turbine, or battery manufacturer indi-
21 vidually or collectively with other manufacturers within this state in
22 accordance with this title.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 2. "Out-of-service solar panel" means a solar panel that is removed,
2 replaced or otherwise taken out of service.

3 3. "Qualified contractor" means a person engaged in the business of
4 installing, repairing, servicing or the removal of solar panels, wind
5 turbines, or batteries and who employs seven or more service techni-
6 cians.

7 4. "Qualified local government authorities" means any municipal corpo-
8 ration or planning unit as defined in section 27-0107 of this article,
9 or county departments of health.

10 5. "Solar panel" means a bank of solar cells that, when exposed to
11 radiation from the sun, can generate heating or electricity.

12 6. "Manufacturer" means a person who manufactures one or more name
13 brand solar panels, wind turbines, or batteries within this state.

14 7. "Retailer" means a person who sells solar panels, wind turbines, or
15 batteries of any kind primarily to homeowners or other consumers through
16 any sale or distribution mechanism including sales using the internet or
17 catalogs.

18 8. "Wholesaler" means a person who is engaged in the distribution and
19 wholesale selling of solar panels, wind turbines, or batteries to quali-
20 fied contractors or other consumers, and whose total wholesale sales
21 account for eighty percent or more of its total sales. A manufacturer is
22 not, by virtue of manufacturing, a wholesaler.

23 9. "Consumer" means an individual, business, partnership, association,
24 corporation, company, municipality, political subdivision or other legal
25 entity that purchases, operates, owns or uses one or more solar panels,
26 wind turbines, or batteries.

27 10. "Recycling" means refurbishing out-of-service solar panels, out-
28 of-service wind turbines, or out-of-service batteries for continued
29 reuse as a product or capturing the metals via reclamation.

30 11. "Out-of-service wind turbine" means a wind turbine that is
31 removed, replaced or otherwise taken out of service.

32 12. "Battery" means a battery used in a bulk energy battery storage
33 system.

34 13. "Out-of-service battery" means a battery that is removed, replaced
35 or otherwise taken out of service.

36 § 27-3403. Solar panel collection.

37 1. Each solar panel manufacturer shall, individually or collectively,
38 with other solar panel manufacturers, establish and maintain a program
39 for the collection, transportation and recycling of out-of-service solar
40 panels in accordance with the provisions of this section.

41 2. Each solar panel manufacturer shall, individually or collectively
42 with other solar panel manufacturers through a collection program, do
43 the following:

44 (a) On and after July first, two thousand twenty-seven, compile a list
45 of solar panel wholesalers within this state.

46 (b) Establish a system to collect, transport and recycle out-of-ser-
47 vice solar panels from all collection sites.

48 (c) Not include any fees or other charges to consumers or persons
49 participating in the program.

50 (d) Beginning July first, two thousand twenty-seven, conduct education
51 and outreach efforts, including, but not limited to the following:

52 (i) establish and maintain a public website for the dissemination of
53 educational materials to promote the collection and recycling of out-of-
54 service solar panels. Such website shall include templates of the educa-
55 tional materials on the internet website in a form and format that can

1 be easily downloaded and printed. The link to such website shall be
2 provided to the department;

3 (ii) contact solar panel wholesalers at least once each year to
4 encourage their support and participation in educating consumers on the
5 importance of statutory requirements for the collection and recycling of
6 out-of-service solar panels;

7 (iii) create and maintain a web-based program that allows contractors
8 and consumers to identify collection sites for out-of-service solar
9 panels in the state and provide a list of such collection sites to the
10 department; and

11 (iv) develop informational articles, press releases, and news stories
12 pertaining to the importance of and opportunities for collecting and
13 recycling out-of-service solar panels and distribute such materials to
14 trade publications, local media, and stakeholder groups.

15 (e) On or before July first, two thousand twenty-seven, develop and
16 update as necessary educational and other outreach materials for
17 distribution to qualified contractors, contractor associations and
18 consumers. Such materials shall be made available for use by participat-
19 ing solar panel wholesalers, solar panel retailers, qualified contrac-
20 tors, and qualified government authorities. Such materials shall
21 include, but not be limited to, the following:

22 (i) signage, such as posters and cling signage, that can be prominent-
23 ly displayed to promote the recycling of out-of-service solar panels to
24 qualified contractors and consumers; and

25 (ii) written materials or templates of materials for reproduction by
26 solar panel wholesalers and solar panel retailers to be provided to
27 consumers at the time of purchase or delivery of a solar panel. Such
28 materials shall include, but not be limited to, information on the
29 importance of recycling out-of-service solar panels and opportunities
30 for the collection of such solar panels.

31 (f) Provide an opportunity for the department to review and offer
32 feedback and suggestions on the collection program.

33 3. No later than April first, two thousand twenty-eight, and no later
34 than April first of each year thereafter, each solar panel manufacturer
35 shall, individually or collectively with other solar panel manufactur-
36 ers, submit an annual report on its collection program to the department
37 covering the one-year period ending December thirty-first of the previ-
38 ous year. Each report shall be posted on the solar panel manufacturer's
39 or program operator's respective internet website. The annual report
40 shall include the following:

41 (a) the number of out-of-service solar panels collected and recycled
42 under this section during the previous calendar year;

43 (b) a list of all solar panel manufacturers, solar panel wholesalers,
44 contractors, qualified local government authorities, and solar panel
45 retailers participating in the program as solar panel collection sites;

46 (c) an accounting of the program's administrative costs;

47 (d) a description of outreach strategies employed under paragraph (d)
48 of subdivision two of this section;

49 (e) examples of outreach and educational materials used under para-
50 graph (d) of subdivision two of this section;

51 (f) the internet website address or addresses where the annual report
52 may be viewed online;

53 (g) a description of how the out-of-service solar panels were
54 collected and recycled;

55 (h) any modifications that the solar panel manufacturer is planning to
56 make in its collection program; and

1 (i) the identification of a collection program contact and the busi-
2 ness phone number, mailing address, and e-mail address for the contact.

3 4. All solar panel manufacturers participating in the program shall
4 handle and manage any out-of-service solar panels that cannot be recy-
5 clcd and have been determined to be or to contain hazardous waste, as
6 defined pursuant to regulations of the department, consistent with the
7 requirements for the management and disposal of hazardous waste.

8 5. On and after July first, two thousand twenty-seven, no solar panel
9 manufacturer shall sell, offer to sell, distribute, or offer to distrib-
10 ute solar panels unless the manufacturer participates as a collection
11 site for out-of-service solar panels or requests and receives a waiver
12 from the department following a demonstration that such participation
13 would pose an undue burden.

14 § 27-3405. Solar panel wholesaler and retailer requirements.

15 No solar panel wholesaler or solar panel retailer located within this
16 state shall sell, offer for sale or distribute any solar panel for final
17 sale unless the solar panel manufacturer of such solar panel is listed
18 on the department's website, in accordance with the provisions of this
19 title.

20 § 27-3407. Wind turbine collection.

21 1. Each wind turbine manufacturer shall, individually or collectively,
22 with other wind turbine manufacturers, establish and maintain a program
23 for the collection, transportation and recycling of out-of-service wind
24 turbines in accordance with the provisions of this section.

25 2. Each wind turbine manufacturer shall, individually or collectively
26 with other wind turbine manufacturers through a collection program, do
27 the following:

28 (a) On and after July first, two thousand twenty-five, compile a list
29 of wind turbine wholesalers within this state.

30 (b) Establish a system to collect, transport and recycle out-of-ser-
31 vice wind turbines from all collection sites.

32 (c) Not include any fees or other charges to consumers or persons
33 participating in the program.

34 (d) Beginning July first, two thousand twenty-five, conduct education
35 and outreach efforts, including, but not limited to the following:

36 (i) establish and maintain a public website for the dissemination of
37 educational materials to promote the collection and recycling of out-of-
38 service wind turbines. Such website shall include templates of the
39 educational materials on the internet website in a form and format that
40 can be easily downloaded and printed. The link to such website shall be
41 provided to the department;

42 (ii) contact wind turbine wholesalers at least once each year to
43 encourage their support and participation in educating consumers on the
44 importance of statutory requirements for the collection and recycling of
45 out-of-service wind turbines;

46 (iii) create and maintain a web-based program that allows contractors
47 and consumers to identify collection sites for out-of-service wind
48 turbines in the state and provide a list of such collection sites to the
49 department; and

50 (iv) develop informational articles, press releases, and news stories
51 pertaining to the importance of and opportunities for collecting and
52 recycling out-of-service wind turbines and distribute such materials to
53 trade publications, local media, and stakeholder groups.

54 (e) On or before July first, two thousand twenty-five, develop and
55 update as necessary educational and other outreach materials for
56 distribution to qualified contractors, contractor associations and

1 consumers. Such materials shall be made available for use by participat-
2 ing wind turbine wholesalers, wind turbine retailers, qualified contrac-
3 tors, and qualified government authorities. Such materials shall
4 include, but not be limited to, the following:

5 (i) signage, such as posters and cling signage, that can be prominent-
6 ly displayed to promote the recycling of out-of-service wind turbines to
7 qualified contractors and consumers; and

8 (ii) written materials or templates of materials for reproduction by
9 wind turbine wholesalers and wind turbine retailers to be provided to
10 consumers at the time of purchase or delivery of a wind turbine. Such
11 materials shall include, but not be limited to, information on the
12 importance of recycling out-of-service wind turbines and opportunities
13 for the collection of these wind turbines.

14 (f) Provide an opportunity for the department to review and offer
15 feedback and suggestions on the collection program.

16 3. No later than April first, two thousand twenty-six, and no later
17 than April first of each year thereafter, each wind turbine manufacturer
18 shall, individually or collectively with other wind turbine manufactur-
19 ers, submit an annual report on its collection program to the department
20 covering the one-year period ending December thirty-first of the previ-
21 ous year. Each report shall be posted on the wind turbine manufacturer's
22 or program operator's respective internet website. The annual report
23 shall include the following:

24 (a) the number of out-of-service wind turbines collected and recycled
25 under this section during the previous calendar year;

26 (b) a list of all wind turbine manufacturers, wind turbine whole-
27 salers, contractors, qualified local government authorities, and wind
28 turbine retailers participating in the program as wind turbine
29 collection sites;

30 (c) an accounting of the program's administrative costs;

31 (d) a description of outreach strategies employed under paragraph (d)
32 of subdivision two of this section;

33 (e) examples of outreach and educational materials used under para-
34 graph (d) of subdivision two of this section;

35 (f) the internet website address or addresses where the annual report
36 may be viewed online;

37 (g) a description of how the out-of-service wind turbines were
38 collected and recycled;

39 (h) any modifications that the wind turbine manufacturer is planning
40 to make in its collection program; and

41 (i) the identification of a collection program contact and the busi-
42 ness phone number, mailing address, and e-mail address for the contact.

43 4. All wind turbine manufacturers participating in the program shall
44 handle and manage any out-of-service wind turbines that cannot be recy-
45 cled and have been determined to be or to contain hazardous waste, as
46 defined pursuant to regulations of the department, consistent with the
47 requirements for the management and disposal of hazardous waste.

48 5. On and after July first, two thousand twenty-five, no wind turbine
49 manufacturer shall sell, offer to sell, distribute, or offer to distrib-
50 ute wind turbines unless the manufacturer participates as a collection
51 site for out-of-service wind turbines or requests and receives a waiver
52 from the department following a demonstration that such participation
53 would pose an undue burden.

54 § 27-3409. Wind turbine wholesaler and retailer requirements.

55 No wind turbine wholesaler or retailer located within this state shall
56 sell, offer for sale or distribute any wind turbine for final sale

1 unless the manufacturer of such wind turbine is listed on the depart-
2 ment's website, in accordance with the provisions of this title.

3 § 27-3411. Battery collection.

4 1. Each battery manufacturer shall, individually or collectively, with
5 other battery manufacturers, establish and maintain a program for the
6 collection, transportation and recycling of out-of-service batteries in
7 accordance with the provisions of this section.

8 2. Each battery manufacturer shall, individually or collectively with
9 other battery manufacturers through a collection program, do the follow-
10 ing:

11 (a) On and after July first, two thousand twenty-five, compile a list
12 of battery wholesalers within this state.

13 (b) Establish a system to collect, transport and recycle out-of-ser-
14 vice batteries from all collection sites.

15 (c) Not include any fees or other charges to consumers or persons
16 participating in the program.

17 (d) Beginning July first, two thousand twenty-five, conduct education
18 and outreach efforts, including, but not limited to the following:

19 (i) establish and maintain a public website for the dissemination of
20 educational materials to promote the collection and recycling of out-of-
21 service batteries. Such website shall include templates of the educa-
22 tional materials on the internet website in a form and format that can
23 be easily downloaded and printed. The link to such website shall be
24 provided to the department;

25 (ii) contact solar panel wholesalers at least once each year to
26 encourage their support and participation in educating consumers on the
27 importance of statutory requirements for the collection and recycling of
28 out-of-service batteries;

29 (iii) create and maintain a web-based program that allows contractors
30 and consumers to identify collection sites for out-of-service batteries
31 in the state and provide a list of collection sites to the department;
32 and

33 (iv) develop informational articles, press releases, and news stories
34 pertaining to the importance of and opportunities for collecting and
35 recycling out-of-service batteries and distribute such materials to
36 trade publications, local media, and stakeholder groups.

37 (e) On or before July first, two thousand twenty-five, develop and
38 update as necessary educational and other outreach materials for
39 distribution to qualified contractors, contractor associations and
40 consumers. Such materials shall be made available for use by participat-
41 ing battery wholesalers, battery retailers, qualified contractors, and
42 qualified government authorities. Such materials shall include, but not
43 be limited to, the following:

44 (i) signage, such as posters and cling signage, that can be prominent-
45 ly displayed to promote the recycling of out-of-service batteries to
46 qualified contractors and consumers; and

47 (ii) written materials or templates of materials for reproduction by
48 battery wholesalers and battery retailers to be provided to consumers at
49 the time of purchase or delivery of a battery. Such materials shall
50 include, but not be limited to, information on the importance of recycl-
51 ing out-of-service batteries and opportunities for the collection of
52 such batteries.

53 (f) Provide an opportunity for the department to review and offer
54 feedback and suggestions on the collection program.

55 3. No later than April first, two thousand twenty-six, and no later
56 than April first of each year thereafter, each battery manufacturer

1 shall, individually or collectively with other battery manufacturers,
2 submit an annual report on its collection program to the department
3 covering the one-year period ending December thirty-first of the previ-
4 ous year. Each report shall be posted on the battery manufacturer's or
5 program operator's respective internet website. The annual report shall
6 include the following:

7 (a) the number of out-of-service batteries collected and recycled
8 under this section during the previous calendar year;

9 (b) a list of all battery manufacturers, battery wholesalers, contrac-
10 tors, qualified local government authorities, and battery retailers
11 participating in the program as battery collection sites;

12 (c) an accounting of the program's administrative costs;

13 (d) a description of outreach strategies employed under paragraph (d)
14 of subdivision two of this section;

15 (e) examples of outreach and educational materials used under para-
16 graph (d) of subdivision two of this section;

17 (f) the internet website address or addresses where the annual report
18 may be viewed online;

19 (g) a description of how the out-of-service batteries were collected
20 and recycled;

21 (h) any modifications that the battery manufacturer is planning to
22 make in its collection program; and

23 (i) the identification of a collection program contact and the busi-
24 ness phone number, mailing address, and e-mail address for the contact.

25 4. All battery manufacturers participating in the program shall handle
26 and manage any out-of-service batteries that cannot be recycled and have
27 been determined to be or to contain hazardous waste, as defined pursuant
28 to regulations of the department, consistent with the requirements for
29 the management and disposal of hazardous waste.

30 5. On and after July first, two thousand twenty-five, no battery
31 manufacturer shall sell, offer to sell, distribute, or offer to distrib-
32 ute batteries unless such manufacturer participates as a collection site
33 for out-of-service batteries or requests and receives a waiver from the
34 department following a demonstration that such participation would pose
35 an undue burden.

36 § 27-3413. Battery wholesaler and retailer requirements.

37 No battery wholesaler or battery retailer located within this state
38 shall sell, offer for sale or distribute any battery for final sale
39 unless the manufacturer of such battery is listed on the department's
40 website, in accordance with the provisions of this title.

41 § 27-3415. Department responsibilities.

42 1. No later than June first, two thousand twenty-eight, the department
43 shall maintain on its website information regarding the collection and
44 recycling of out-of-service solar panels, out-of-service wind turbines,
45 and out-of-service batteries in the state. Such information shall
46 include the following:

47 (a) a description of the collection programs established under this
48 section and a list of manufacturers participating in the collection
49 program pursuant to this title; and

50 (b) a list of all wholesalers, qualified contractors, qualified local
51 government authorities, and retailers participating in the program as
52 collection sites.

53 2. No later than November first, two thousand twenty-nine, the depart-
54 ment shall submit a written report to the governor and the legislature
55 regarding the effectiveness of the collection programs established under
56 this title, information on the number of out-of-service solar panels,

1 out-of-service wind turbines, and out-of-service batteries collected,
2 and how such out-of-service solar panels, out-of-service wind turbines,
3 and out-of-service batteries were managed. The department shall use
4 such information to recommend whether the provisions of this title
5 should be extended, along with any other statutory changes. In preparing
6 the report, the department shall consult with solar panel manufacturers,
7 environmental organizations, municipal recyclers, and other interest
8 groups.

9 § 27-3417. Disposal prohibition.

10 1. No transporter shall knowingly commingle solar panels, wind
11 turbines, or batteries with solid waste or recyclable materials.

12 2. No transporter shall knowingly deliver solar panels, wind turbines,
13 or batteries or knowingly cause such materials to be delivered to the
14 following facilities located within this state:

15 (a) an incinerator;

16 (b) a landfill;

17 (c) a transfer station; or

18 (d) a facility who the transporter knows or should know will either
19 commingle such materials with other solid waste or deliver such materi-
20 als to an incinerator or a landfill for disposal.

21 3. No operator of an incinerator or a landfill shall knowingly accept
22 solar panels, wind turbines, or batteries for disposal.

23 4. No operator of a transfer station shall knowingly commingle solar
24 panels, wind turbines, or batteries with other solid waste or cause such
25 materials to be transferred to an incinerator or landfill for disposal.

26 5. Each landfill and incinerator shall post, in a conspicuous location
27 at the facility, a sign stating that solar panels, wind turbines, or
28 batteries are not accepted at the facility.

29 § 3. a. Any consumer or qualified contractor who replaces solar
30 panels, wind turbines, or batteries from a building shall deliver such
31 solar panels, wind turbines, or batteries to an appropriate collection
32 site.

33 b. Any person or contractor who demolishes a building shall ensure
34 that all solar panels, wind turbines, or batteries are removed from the
35 building prior to demolition and shall deliver the solar panels, wind
36 turbines, or batteries to a collection site.

37 c. Any department, authority, instrumentality, or municipal corpo-
38 ration of the state administering a program that involves the removal or
39 replacement of solar panels, wind turbines, or batteries as a result of
40 any statutory requirement, shall inform contractors of their statutory
41 obligations to deliver the solar panels, wind turbines, or batteries to
42 a collection site and prohibiting the disposal of such solar panels,
43 wind turbines, or batteries in a solid-waste facility.

44 d. Any contractor, organization or subcontractor of such organization,
45 who contracts with or receives funding or financing provided in whole or
46 in part by or through any department, agency, instrumentality, or poli-
47 tical subdivision of this state for the sale, distribution, service,
48 removal, collection and recycling of solar panels, wind turbines, or
49 batteries shall ensure the collection, transportation and proper manage-
50 ment of out-of-service solar panels, out-of-service wind turbines, or
51 out-of-service batteries in accordance with the provisions of title 34
52 of article 27 of the environmental conservation law.

53 § 4. This act shall take effect immediately and shall expire and be
54 deemed repealed January 1, 2035.