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Testimony of Brent Bennett, PhD
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Texas Public Policy Foundation
Before the Texas House State Affairs Committee
In Support of HB 3228

Chairman King and Members of the Committee:

Life:Powered and the Texas Public Policy Foundation support HB 3228 because the environmental and property rights issues that surround the decommissioning of wind and solar facilities also extend to the disposal of the components. Protections are needed to ensure Texas is prepared to properly handle the large stream of wind and solar waste that will need to be either recycled or disposed of when these facilities reach their end of life.

We require energy companies to pay for most of the environmental costs of producing their energy, and wind and solar facilities should not be treated differently. Other electricity generators face numerous regulations involving their waste streams. An entire chapter of Title 30 of the Texas Administrative Code is devoted to [regulating coal combustion waste](#), and extensive regulations exist for [plugging oil and gas wells](#). Most of the steel and other parts of power plants are easily recycled or reused, and the same goes for wires and other electrical components.

An October 2024 report by the [Texas Commission on Environmental Quality](#) details the many challenges of dealing with wind and solar waste streams. The only parts of solar panels that are easy to recycle are the steel or aluminum frames. Recycling the panels and sorting the crystalline silicon and other components is difficult and is less cost effective than making panels from fresh materials. Progress is being made regarding the recycling of wind turbine blades, but crushing and refining fiberglass to be used in other products is still an energy intensive and difficult process. Regardless of ongoing technological progress, in the near term, proper disposal of these components will be essential.

It is also important to note that Texas is just seeing the beginning of these end-of-life issues. The existing 40 GW of wind facilities in ERCOT will produce over [800,000 tons of turbine blades](#) and 4 million tons of steel support columns that will need to be disposed of or recycled. Only [14 GW](#) of those facilities are older than 10 years, and most of the older facilities have been repowered. The soon-to-be 40 GW of utility-scale solar facilities consist of about [6.6 million tons of material](#), mostly glass and steel. All but about [0.2 GW](#) of that capacity is less than 10 years old. Even if HB 3228 is passed, dealing with the waste streams of existing units not covered by the legislation will be a significant problem.

The importance of this reform is exemplified by the [ongoing situation in Sweetwater](#), where the lack of any incentive to clean up or recycle wind turbine blades has led to them being piled up on land without

any protection for the surrounding property or environment. **Given the disincentives for proper recycling or disposal and the cumulative societal and environmental benefits of doing so, there is a need to ensure developers are financially responsible for disposal with appropriate flexibility for determining how to do it.**

HB 3228 will accomplish that goal by modifying Chapters 301 and 302 in the Utilities Code to ensure that not only decommissioning costs but also disposal and recycling costs are financially secured by the project developer. This will ensure that decommissioning and disposal are covered under the same agreement, which should make compliance very feasible.

We commend Chairman Lambert for introducing HB 3228, and we encourage the committee to vote favorably for it and support its passage through the House.

Sincerely,

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