

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

None

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing an extended producer responsibility program for offshore wind energy equipment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher Thrasher</i>		<i>1/23/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing an extended producer responsibility program for offshore wind energy equipment.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21A, of the General Laws, as so appearing in the 2022 Official
2 Edition, is hereby amended by inserting after Section 28 the following new section:

3 Section 29: Extended Producer Responsibility for Offshore Wind Energy Equipment

4 Section 29 (a) As used in this section, the following words shall have the following
5 meanings, unless the context clearly requires otherwise:

6 ‘‘ Department ‘’, the Department of Environmental Protection.

7 "Producer", an offshore wind company, or a manufacturer, importer, distributor, or
8 retailer of offshore wind energy equipment.

9 "Offshore wind company", a business corporation, partnership, firm, unincorporated
10 association or other entity engaged in offshore wind development, manufacturing or

11 commercialization in the commonwealth and any affiliate thereof, which is, or the members of
12 which are, subject to taxation under chapter 62, 63, 64H or 64I.

13 "Offshore wind energy equipment", all machinery, parts, components, and infrastructure
14 used in the production, installation, operation, and maintenance of wind energy systems,
15 including but not limited to wind turbines, blades, nacelles, towers, and other structural
16 components, as well as associated electrical and mechanical systems, that has emerged into the
17 market or been placed into service from a location within the borders of the Commonwealth of
18 Massachusetts, or that is used in any offshore wind facility that generates and provides electricity
19 pursuant to an agreement with the Commonwealth of Massachusetts.

20 "Offshore Wind facility", an offshore facility that uses wind to generate electricity.

21 "Producer Responsibility Organization", a business corporation, partnership, firm,
22 unincorporated association, or other entity designated by producers to carry out their obligations
23 under this Act.

24 "Recycling", the processing of offshore wind energy equipment to recover materials for
25 reuse, including the recycling of composite blades, metals, and other materials that comprise
26 wind turbines and related equipment.

27 "Producer Responsibility Agreement", a contract executed under the pains and penalties
28 of perjury by a person authorized to act on behalf of an offshore wind company, specifying the
29 obligations related to the collection, recycling, or disposal of offshore wind energy equipment at
30 the end of its useful life.

31 "Extended Producer Responsibility Program", a regulatory framework to oversee and
32 enforce the obligations of producers of offshore wind energy equipment throughout the lifecycle
33 of their products, including the establishment and annual review of recycling targets.

34 (b) The department shall implement an extended producer responsibility program for the
35 management and recycling of offshore wind energy equipment, including but not limited to
36 turbines, blades, and related infrastructure. The program shall be designed to ensure the safe
37 disposal, reuse, or recycling of equipment at the end of its useful life, promote resource recovery,
38 and reduce environmental impact.

39 (c) The department shall establish recycling rate targets for offshore wind energy
40 equipment, including specific goals for the recycling of composite blades, metals, and other
41 materials. These targets shall be reviewed and, if necessary, revised annually to reflect the latest
42 advancements and challenges in recycling technologies and market conditions.

43 (d) Producers of offshore wind energy equipment are hereby required to ensure the
44 collection, recycling, or proper disposal of wind energy equipment at the end of its useful life.
45 This obligation encompasses all components including, but not limited to, blades, towers,
46 nacelles, and other parts, which shall be recycled, reused, or disposed of in a manner that adheres
47 strictly to environmentally responsible practices.

48 (e) Every producer must designate a Producer Responsibility Organization (PRO) to
49 manage and fulfill the obligations stipulated under this Act. The designation shall be made in
50 writing, signed under the pains and penalties of perjury, by an individual who is expressly
51 authorized to enter into contracts on behalf of the offshore wind energy company.

52 (f) Upon the designation of a Producer Responsibility Organization, an executed
53 Producer Responsibility Agreement shall be required. This agreement shall detail the specific
54 obligations and procedures for the collection, recycling, and disposal of wind energy equipment
55 and must be signed under the pains and penalties of perjury by a person expressly authorized to
56 contract on behalf of the offshore wind company. The executed agreement shall be maintained as
57 a binding document, enforceable under this Act.

58 (g) The department is hereby granted the authority to execute Producer Responsibility
59 Agreements with offshore wind energy producers and their designated Producer Responsibility
60 Organizations. The department is also empowered to enforce all provisions of these agreements
61 and this Act, including the authority to impose penalties for non-compliance.

62 (h) The obligations of the Producer Responsibility Organization under this Act are
63 perpetual and shall not cease notwithstanding the dissolution or cessation of the producer entity.

64 (i) In the event that a producer entity dissolves or otherwise ceases to exist, the Producer
65 Responsibility Organization will continue to be responsible for the fulfillment of obligations
66 under this Act.

67 (j) The Producer Responsibility Organization shall at all times maintain at least one
68 responsible party expressly designated to manage compliance with the obligations under this
69 Act. The Producer Responsibility Organization shall provide to the department the name,
70 address, and contact information of the responsible party, and shall show proof of the responsible
71 party's consent to being so named.

72 (k)Should the Producer Responsibility Organization dissolve or cease to exist, the
73 responsible party on record shall assume direct responsibility for continuing the obligations
74 prescribed by this Act until a new Producer Responsibility Organization is designated.

75 (l) The responsibilities created by establishing an extended producer responsibility
76 program for offshore wind energy equipment shall be in addition to any other responsibilities
77 imposed by any other general or special law or rule or regulation and shall not diminish or
78 reduce any power or authority of the department.

79 (m)Notwithstanding any general or special law or regulation to the contrary, any
80 information required by the department of energy resources or the department of any
81 participating offshore wind company, shall be deemed to be a public record as defined in clause
82 Twenty-sixth of section 7 of chapter 4 and shall be subject to demand for production under
83 section 10 of chapter 66.