



Rulemaking Archives

Electronic Waste Recovery and Recycling

On June 23, 2008, the Office of Administrative Law (OAL) approved revised regulations governing the covered electronic waste recovery and recycling payment rates that were adopted by the California Integrated Waste Management Board (CIWMB) in May 2008. The revisions became effective July 1, 2008.

Description

Regulations that allow the CIWMB (now CalRecycle) to implement the requirements of the Electronic Waste Recycling Act of 2003 (Act), Chapter 526, Statutes of 2003; as amended by Chapter 863, Statutes of 2004, including the establishment and implementation of a payment system for the collection and proper recycling of covered electronic waste (CEW).

Affected Regulatory Code Sections

Title 14, California Code of Regulations, Division 7, Chapter 8.2, Articles 2.3 and 2.4.

Stakeholder Input

Written and oral comments were received by program staff throughout the rulemaking process.

Rulemaking Documents

- [Approved Text](#), May 2008. Revised regulation text that reflects adjusted recovery and recycling payment rates.

More Information

- More information on the [Electronic Waste Recycling Act of 2003](#).
- The Department of Toxic Substances Control (DTSC) is also developing regulations to implement sections of the Act. Please view [DTSC's website](#) for more information.

Rulemaking History

- On June 23, 2008, the Office of Administrative Law (OAL) approved revised regulations governing the covered electronic waste recovery and recycling payment rates. The regulations became effective July 1, 2008.
- At its May 20, 2008, meeting, the Board adopted revised regulations reflecting adjustments to the recovery and recycling payment rates.

Proposed Revised Regulatory Language to Adjust CEW Recovery and Recycling Payment Rates

(Title 14, California Code of Regulations, Division 7, Chapter 8.2, Article 2.3)

Section 18660.23. Additional Requirements for Recycling Payment Claims to Demonstrate Cancellation of CRTs or CRT-Containing CEWs through Crushing or Shredding.

- (a) In addition to the general information required in Section 18660.22 of this Chapter, an approved recycler shall include the information in this Section to claim recycling payments for canceling CRT-containing CEWs through crushing or shredding as specified in Section 18660.32 of this Chapter.
- (b) An approved recycler shall base recycling payment claims on the weight of CRT-containing CEWs cancelled.
- (c) An approved recycler shall submit a recycling payment claim within 45 calendar days of the end of a calendar month in which one or more shipments of CRT glass cullet were sent to an end use destination.
- (d) The reporting month for a recycling payment claim pursuant to this Section is the month in which shipment(s) of CRT glass cullet were made.
- (e) An approved recycler shall calculate the payment and include the calculation in a recycling payment claim specific to canceling CRT-containing CEWs through crushing or shredding as follows:
 - (1) The total weight of CRT-containing CEWs cancelled for the reporting month from which all treatment residuals specified in Section 18660.22(c)(1) of this Chapter have been shipped to an end-use destination authorized to receive and further treat those treatment residuals.
 - (2) The total payment claimed, calculated by multiplying the weight of CRT-containing CEWs specified in subsection (e)(1) of this Section by the Standard Statewide Combined Recovery and Recycling Payment Rate.
 - (3) If the amount in subsection (e)(1) of this Section includes CEWs from outside California, CEWs without source documentation, or previously cancelled materials, then the recycler shall reduce the payment claim to reflect these corrections by adjusting the weights.
- (f) An example calculation for canceling CRT-containing CEWs through crushing or shredding is included for illustration purposes as follows:

The weight of CRT-containing CEWs cancelled: 1000 pounds

Times the per pound Standard Statewide combined recovery and recycling payment rate: X \$0. Equals the payment claim for the reporting period: = ~~\$480.00~~ Total Claim

- (g) An approved recycler shall attach to the payment claim the following documentation from all shipments of CRT glass cullet made during the reporting period of a calendar month:
 - (1) Shipping reports to end use destinations, including the names of the shipping recycler and the receiving end-use destination.
 - (2) The date of the shipment and the weight of the CRT glass cullet.
 - (3) Weight tickets of individual shipments of CRT glass cullet.
 - (4) Verification of post cancellation disposition, including:
 - (A) For shipments by sea, the proof of disposition to an end-use destination shall be the on-board bill of lading and an executed contract or other documentation from the intended recipient of the shipment.
 - (B) For other shipments, the proof of disposition to an end-use destination shall include a receipt issued by the person receiving the shipment and any applicable bill of lading.
 - (C) For all shipments of CRT glass cullet, a discussion of the ultimate disposition of the material shipped demonstrating that the disposition is not disposal to land, water or air.

(h) In addition to the documentation required in subsection (g), an approved recycler shall attach to the payment claim a description and qualification of the disposition of other treatment residuals derived from cancellation of the CRT-containing CEWs, including but not limited to metals, plastics, fibers and wood.

Note:

Authority cited:

Sections 40502, 42475(b), and 42475.2, Resources Code.

Reference:

Sections 42475(a), 42476, 42477, 42478, and 42479, Public Resources Code.

Section 18660.24. Additional Requirements for Recycling Payment Claims to Demonstrate Cancellation of CRTs or CRT-Containing CEWs through Dismantling to a Bare CRT After Relieving the Vacuum.

(a) In addition to the general information required in Section 18660.22 of this Chapter, an approved recycler shall include the information in this Section to claim recycling payments for canceling CRT containing CEWs through dismantling to a bare CRT after relieving the vacuum as specified in Section 18660.32 of this Chapter.

(b) An approved recycler shall base recycling payment claims on the weight of CRT-containing CEWs cancelled.

(c) An approved recycler shall submit a recycling payment claim within 45 calendar days of the end of a calendar month in which one or more shipments of bare CRTs were sent to an end use destination.

(d) The reporting month for a recycling payment claim pursuant to this Section is the month in which the shipment(s) of bare CRTs were made.

(e) An approved recycler shall calculate the payment and include the calculation in a recycling payment claim specific to canceling CRT-containing CEWs through dismantling to a bare CRT as follows:

(1) The total weight of CRT-containing CEWs cancelled from which all treatment residuals specified pursuant to Section 18660.22(c)(1) of this Chapter have been shipped to an end-use destination authorized to receive and further treat those treatment residuals.

(2) The total payment claimed, calculated by multiplying the weight of CRT-containing CEWs specified in subsection (e)(1) of this Section by the Standard Statewide Combined Recovery and Recycling Payment Rate.

(3) If the amount in subsection (1) of this Section includes CEWs from outside California, CEWs without source documentation, or previously cancelled materials, then the recycler shall reduce the payment claim to reflect these corrections by adjusting the weights.

(f) An example calculation for canceling CRT containing CEWs through dismantling to a bare CRT after relieving the vacuum is included for illustration purposes as follows:

The weight of CRT-containing CEWs cancelled: 1000 pounds

Times the per pound Standard Statewide combined recovery and recycling payment rate: X \$0. Equals the payment claim for the reporting period: = ~~\$480.00~~ Total Claim

(g) An approved recycler shall attach the following documentation for all shipments of bare CRTs made during the reporting period of a calendar month:

(1) Shipping reports to end use destinations, including the names of the shipping recycler and the receiving end-use destination.

- (2) The date of the shipment and the weight of the bare CRTs.
- (3) Weight tickets of individual shipments of bare CRTs.
- (4) Verification of post cancellation disposition, including:
 - (A) For shipments by sea, the proof of disposition to an end-use destination shall be the on-board bill of lading and an executed contract or other documentation from the intended recipient of the shipment.
 - (B) For other shipments, the proof of disposition to an end-use destination shall include a receipt issued by the person receiving the shipment and any applicable bill of lading.
 - (C) For all shipments of bare CRTs, a discussion of the ultimate disposition of the material shipped demonstrating that the disposition is not disposal to land, water or air.
- (h) In addition to the documentation required in subsection (g), an approved recycler shall attach to the payment claim a description and qualification of the disposition of other treatment residuals derived from cancellation of the CRT-containing CEWs, including but not limited to metals, plastics, fibers and wood.

Note:

Authority cited:

Sections 40502, 42475(b), and 42475.2, Public Resources Code.

Reference:

Sections 42475(a), 42476, 42477, 42478, and 42479, Public Resources Code.

Section 18660.25. Additional Requirements for Recycling Payment Claims to Demonstrate Cancellation of Non-CRT-Containing CEWs.

- (a) In addition to the general information required in Section 18660.22 of this Chapter, an approved recycler shall include the information in this Section to claim recycling payments for canceling non-CRT-containing CEWs through dismantling to a bare panel or crushing/shredding of the entire CEW as specified in Section 18660.32 of this Chapter.
- (b) An approved recycler shall base recycling payment claims on the weight of the cancelled non-CRT-containing CEWs.
- (c) An approved recycler shall submit a recycling payment claim within 45 calendar days of the end of a calendar month in which it cancels non-CRT-containing CEWs.
- (d) The reporting month for a recycling payment claim pursuant to this Section is the calendar month the cancellation occurs.
- (e) An approved recycler shall calculate the payment and include the calculation in a recycling payment claim specific to canceling non-CRT-containing CEWs through dismantling to a bare panel or crushing/shredding of the entire CEW as follows:
 - (1) The total weight of cancelled non-CRT-containing CEWs for the reporting month from which all treatment residuals specified pursuant to Section 18660.22(c)(1) of this Chapter have been shipped to an end-use destination authorized to receive and further treat those treatment residuals. Note that non-CRT-containing CEWs commingled with other material are ineligible for recycling payment.
 - (2) The total payment claimed, calculated by multiplying the weight of non-CRT-containing CEWs specified in subsection (e)(1) of this Section by the Standard Statewide Combined Recovery and Recycling Payment Rate.
 - (3) If the amount in subsection (1) of this Section includes CEWs from outside California or previously cancelled materials, then the recycler shall reduce the payment claim to reflect these corrections by adjusting the weights.
 - (4) For each cancelled non-CRT-containing CEWs, the recycler shall record and report the manufacturer name, model number, serial number and weight prior to cancellation.

(f) An example calculation for canceling non-CRT-containing CEWs through dismantling to a bare panel or crushing/shredding of the entire CEW is included for illustration purposes as follows:

The weight of non-CRT-containing CEWs cancelled: 1000 pounds

Times the per pound Standard Statewide combined recovery and recycling payment rate: X \$0. Equals the payment claim for the reporting period: = ~~\$480.00~~ Total Claim

(g) An approved recycler shall attach the following documentation for all shipments of circuit boards from non-CRT-containing CEWs made during the reporting period of a calendar month:

(1) Shipping reports to end use destinations, including the names of the shipping recycler and the receiving end-use destination.

(2) The date of the shipment and the weight of the circuit boards.

(3) Weight tickets of individual shipments of the circuit boards.

(4) Verification of post cancellation disposition, including:

(A) For shipments by sea, the proof of disposition to an end-use destination shall be the on-board bill of lading.

(B) For other shipments, the proof of disposition to an end-use destination shall include a receipt issued by the person receiving the shipment and any applicable bill of lading.

(C) For all shipments of non-CRT-containing CEWs circuit boards, a discussion of the ultimate disposition of the material shipped demonstrating that the disposition is not disposal to land, water or air.

(h) In addition to the documentation required in subsection (g), an approved recycler shall attach to the payment claim a description and qualification of the disposition of other treatment residuals derived from cancellation of the non-CRT-containing CEWs, including but not limited to metals, plastics, and fibers.

Note:

Authority cited:

Sections 40502, 42475(b), and 42475.2, Public Resources Code.

Reference:

Sections 42475(a), 42476, 42477, 42478, and 42479, Public Resources Code.

(Title 14, California Code of Regulations, Division 7, Chapter 8.2, Article 2.4)

Section 18660.33. Standard Statewide Recovery Payment Rate.

(a) An approved recycler shall pay an approved collector the Standard Statewide Combined Recovery Payment Rate for all CEWs transferred to the recycler that are accompanied by applicable source documentation pursuant to Section 18660.20(h) of this Chapter regardless of the real or anticipated disposition of the CEWs.

(b) Beginning July 1, 2008, ~~initial~~ Standard Statewide Recovery Payment Rate is ~~\$0.20~~ \$0.16 per pound.

(c) The CIWMB shall review the Standard Statewide Recovery Payment Rate at a public meeting of the Board and establish the rate pursuant to Section 42477 of the Public Resources Code.

Note:

Authority cited:

Sections 40502, 42475(b), and 42475.2, Public Resources Code.

Reference:

Sections 42475(a), 42476, 42477, 42478, and 42479, Public Resources Code.

Section 18660.34. Standard Statewide Combined Recovery and Recycling Payment Rate.

(a) The CIWMB shall pay an approved recycler the Standard Statewide Combined Recovery and Recycling Payment Rate for the weight of CEWs cancelled and claimed pursuant to the requirements of this Chapter, which includes a component for recovery costs and a component for recycling costs.

(b) Beginning July 1, 2008 and ending on September 15, 2008 ~~initial~~ Standard Statewide Combined Recovery and Recycling Payment Rate is ~~\$0.48~~ \$0.43 per pound.

(c) Beginning September 16, 2008, the Standard Statewide Combined Recovery and Recycling Payment Rate is \$0.39 per pound.

~~(e)~~(d) The CIWMB shall review the Standard Statewide Recovery and Recycling Payment Rate at a public meeting of the Board and establish the rate pursuant to Sections 42477 and 42478 of the Public Resources Code.

Note:

Authority cited:

Sections 40502, 42475(b), and 42475.2, Public Resources Code.

Reference:

Sections 42475(a), 42476, 42477, 42478, and 42479, Public Resources Code.