

**Proposed Revised Regulatory Language to Maintain the  
Covered Electronic Waste Recycling Fee**

**California Code of Regulations - Title 14 Natural Resources  
Division 7 Department of Resources Recycling and Recovery (CalRecycle)  
Chapter 8.2 Electronic Waste Recovery and Recycling  
Article 2.6. Covered Electronic Waste Recycling Fee**

**§ 18660.40. Fee Amounts**

The covered electronic waste recycling fee paid by a consumer upon the purchase of a new or refurbished covered electronic device pursuant to Section 42464 of the Public Resources Code shall be the following amounts:

- (a) On or after January 1, ~~2022~~2024, four dollars (\$4), for each covered electronic device with a screen size of less than 15 inches measured diagonally.
- (b) On or after January 1, ~~2022~~2024, five dollars (\$5), for each covered electronic device with a screen size greater than or equal to 15 inches but less than 35 inches measured diagonally.
- (c) On or after January 1, ~~2022~~2024, six dollars (\$6), for each covered electronic device with a screen size greater than or equal to 35 inches measured diagonally.

Authority cited: Sections 40502 and 42475.2, Public Resources Code.

Reference: Sections 42464, 42464.2 and 42464.4, Public Resources Code.

**§ 18660.37. Manufacturer Payment Claims.**

- (a) A registered manufacturer shall base a manufacturer payment claim on the number of CEWs processed for recycling by screen size(s) as listed in Section 42464(a) of the Public Resources Code.
- (b) A registered manufacturer shall submit all of the following general information in a claim for manufacturer payments from CalRecycle:
  - (1) The full name, mailing address, registration number, and federal tax identification number of the registered manufacturer preparing the claim.
  - (2) The name and phone number of a contact person for purposes of the claim.
  - (3) The period of time covered by the claim and date of preparation of the claim.
  - (4) The number of CEW devices claimed:
    - (A) In each product category as defined in Section 18660.5(a)(31).
    - (B) By screen size as listed in Section 42464(a) of the Public Resources Code.
  - (5) The total monetary amount being claimed, as calculated in subsection (f) of this Section.
  - (6) The signature and title of a person with signature authority for payment claims as designated pursuant to Section 18660.35(b)(6) or (7) of this Article. The signature block shall include the following certification statements:
    - (A) "I hereby declare under penalty of perjury that:"

1. "All claimed CEWs were received from California sources through the manufacture take back program described in the manufacturer registration."
2. "All claimed CEWs have been processed for recycling in a manner that results in cancellation as specified in Section 18660.32 of this Chapter or an equivalent result."
3. "No claimed CEWs were transferred into the recovery and recycling payment system."
4. "I have certified the number of devices and verified the calculations."
5. "This payment claim, including any and all accompanying documents, has been examined by me and is true, correct and complete."
6. "I understand that errors or omissions on my part may result in CalRecycle delaying or denying payment"
7. "I further understand that fraud could result in revocation of the manufacturer registration."

(7) The date and place the claim was signed.

(c) A registered manufacturer shall submit no more than one payment claim per calendar month.

(d) The claim period for a manufacturer payment claim pursuant to this Section is the time period within which processing occurs and may not exceed three (3) months.

(e) A registered manufacturer shall attach all of the following to the payment claim:

- (1) A written description of take back program that collected the CEWs for which payment is being claimed, including the type of consumers from whom CEWs were accepted, and a record of the number of CEWs collected by the product categories as defined in Section 18660.5(a)(31) of this Chapter.
- (2) Records of transfers by load to the registered manufacturer's recycling operation, including signed and dated receipts showing the weight and number of CEWs transferred.
- (3) Written description of any activity, such as packaging and consolidation, which explains any discrepancy between the CEWs received through the take back program and the CEWs transferred to the manufacturer's recycling operation.
- (4) Records showing any CEWs received through the take back program that are reused, repaired, refurbished or otherwise returned to use.
- (5) Records showing any CEWs received through the take back program that are transferred to another entity without being processed for recycling.
- (6) Records showing the processing for recycling of CEWs by number, screen size, weight, date and recycling method that results in cancellation as specified in Section 18660.32 of this Chapter or an equivalent result.

(f) A registered manufacturer shall calculate the payment and include the calculation in a manufacturer payment claim as follows:

(1) The total number of CEWs, by screen size as specified in Section 42464(a) of the Public Resources Code, that are processed for recycling during the claim period.

(2) The total payment claimed, calculated by:

(A) Multiplying the number of CEWs in each screen size category by the value of the covered electronic waste recycling fee that applies to that category.

(B) Adding the calculations in (A) above for each screen size category calculation together.

(g) An example calculation for a manufacturer claim is included for illustration purposes as follows:

*The number CEWs processed for recycling by screen size:*

<i>100 devices with less than 15 inch screen size</i>	<i>100 devices</i>
<i>Times the covered electronic waste recycling</i>	
<i>fee for category</i>	<i>x \$4.00</i>
	<i>\$400.00</i>
<i>200 devices greater than of equal to 15 inch</i>	
<i>screen size but less than 35 inch screen size</i>	<i>200 devices</i>
<i>Times the covered electronic waste recycling</i>	
<i>fee for category</i>	<i>x \$5.00</i>
	<i>\$1000.00</i>

*Equals the payment claim for the claim period: (\$400.00+\$1000.00)= \$1400.00 Total Claim*

(h) A registered manufacturer shall deliver manufacturer payment claims to CalRecycle's main business office, to the attention of the Accounting Section. A registered manufacturer shall mark the outside of the package containing the claims clearly with "Electronic Manufacturer Claim Enclosed."

(i) A registered manufacturer shall submit timely manufacturer payment claims so that CalRecycle receives each claim within 45 days of the end of the claim period. CalRecycle may return without payment any claim received more than 45 days after the end of the claim period. Cal-Recycle shall determine a claim's receipt as either the date of the postmark on the claim package, or the date the claim package was physically received by CalRecycle, whichever is earlier.

(j) CalRecycle may reject a claim if it fails to comply with the requirements of this Section.

(k) CalRecycle's rejection of a manufacturer payment claim shall not extend any applicable due date or time period.

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

Reference: Sections 42475(a), 42476 and 42479, Public Resources Code.