

PROPOSED REGULATION TEXT

SB 1215 Battery-Embedded Products Emergency Regulations
E-Waste Branch

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CALIFORNIA CODE OF REGULATIONS

Note: Amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions from the existing regulatory text. The symbol “* * * **” means that intervening text not proposed for amendment is not shown.

TITLE 14

DIVISION 7

CHAPTER 8.2. Electronic Waste Recovery and Recycling

AMEND

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ARTICLE 2.0. Electronic Waste Payment System — Applicability and Limitations, Document Submittals, Records, Audits and Net Cost Report

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Amend sections 18660.5, 18660.6, 18660.7, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.21,

18660.22, 18660.30, 18660.35, 18660.36, 18660.37, 18660.38, 18660.41, and 18660.49, California Code of Regulations, title 14.

ARTICLE 1: General

Section 18660.5. Definitions

(a) For the purposes of this Chapter, the following shall apply:

(5) "Authorized Signatory" or "Signatory Authority" means the person(s) who has authority to legally bind a person, collector, recycler, dual entity, local government, or manufacturer to a contract.

~~(5)~~ (6) "Bare CRT" means a Cathode Ray Tube with the vacuum relieved and the yoke removed that has been separated from the device housing and has had all circuit boards, wiring and other components detached from the tube.

~~(6)~~ (7) "Bare Panel" means an LCD, plasma, or other non-CRT video display panel that has been separated from the device housing and has had all circuit boards, lamps, wiring and other components detached from the panel. Lamps may remain affixed to an otherwise bare panel only if they cannot be removed without breaking.

~~(7)~~ (8) "Cancellation" means a processing or treatment method that qualifies CEWs for recycling payments, removes the CEWs from the payment system eliminating the possibility of double payments, dismantles or destroys the original CEW, and results in treatment residuals as specified in Section 18660.32 of this Chapter.

~~(8)~~ (9) "Claim Activity Period" means the span of time during which an approved recycler received CEWs from approved collectors, processed and cancelled CEWs, and shipped treatment residuals, as required, that results in a recycling payment claim being submitted to CalRecycle.

~~(9)~~ (10) "CRT" means a Cathode Ray Tube with the yoke still attached that has been separated from a CRT device.

~~(10)~~ (11) "CRT device" means a whole covered electronic device containing a Cathode Ray Tube.

~~(11)~~ (12) "California Source" means persons, as defined in Section 42463(r) of the Public Resources Code, located in California who generate CEWs after their own use of a CED. Persons who receive, accumulate, consolidate, store, or otherwise handle discarded, donated or collected CEWs are not the California sources of those CEWs.

~~(12)~~ (13) "CalRecycle" means the Department of Resources Recycling and Recovery.

~~(13)~~ (14) "Collection log" means a record maintained by an approved collector that records CEW collection activities as specified in Section 18660.20(j) of this Chapter.

~~(14)~~ (15) "Collective Report" means a report submitted to CalRecycle through a trade association, a group of associations, or other organization that represents more than one manufacturer.

~~(15)~~ (16) "Commingled" means mixed together and impossible to economically or practically separate.

~~(16)~~ (17) "Covered Electronic Device" or "CED", ~~through and including December 31, 2024,~~ has the same meaning, for the purposes of this Chapter, as a covered electronic device specified in Section 42463(g)(1)(A)-(B) of the Public Resources Code.

~~(17)~~ (18) "Covered Electronic Waste" or "CEW", ~~through and including December 31, 2024,~~ means a discarded device that DTSC has determined to be a covered electronic device, as specified by Section 42463(g)(1)(A)-(B) of the Public Resources Code.

~~(18)~~ (19) "Designated Approved Collector" means an approved collector, as defined in subsection (a)(2) of this section, that has been designated by a California Local Government to provide CEW collection services for or on behalf of the Local Government in accordance with Article 7 of this Chapter.

~~(19)~~ (20) "DTSC" means the Department of Toxic Substances Control.

~~(20)~~ (21) "Further treat" means, for the purposes of this Chapter, activities such as crushing, size reduction, washing, cleaning, smelting, or similar steps taken to process the treatment residual and alter its physical form or characteristics. "Further treat" does not mean, for the purposes of this Chapter, receiving, storing, accumulating, consolidating, brokering, shipping, disposing or other similar activities that do not alter the physical form or characteristics of the treatment residual.

~~(21)~~ (22) "Handler", for the purposes of this Chapter, has the same meaning as a universal waste handler or CRT material handler, as applicable, as defined in Section 66273.9 of Title 22 of the California Code of Regulations.

~~(22)~~ (23) "Illegal Disposal" means, for the purposes of this Chapter, the disposal or placement of CEWs on a property without the permission of the owner(s) of, or responsible party(ies) for, the property.

~~(23)~~ (24) "Initial Destination" means, for the purposes of this Chapter, the location(s) to which treatment residuals are initially shipped by an approved recycler.

~~(24)~~ (25) "Load" means a single transfer (a pick up or delivery) of CEWs, such as from a California source to a collector or from a collector to a recycler.

~~(25)~~ (26) "Load Check Activities" means, for the purposes of this Chapter, the efforts made to identify, retrieve and divert from the disposed solid waste stream those CEWs that have been illegally discarded by generators. "Load Check Activities" do not include the rejection or acceptance of CEWs due to the lack of source documentation.

~~(26)~~ (27) "Manufacturer Payment" or "Manufacturer Take Back Payment" means a payment made by CalRecycle to a registered manufacturer that takes back covered electronic wastes (CEWs) from a California source for the purposes of recycling the CEW pursuant to Section 42476(h) of the Public Resources Code.

~~(27)~~ (28) "Manufacturer Payment Claim" means a registered manufacturer's request submitted to CalRecycle with all required documentation for a manufacturer payment.

~~(28)~~ (29) "Manufacturer Take Back" means a program administered by a registered manufacturer that accepts CEWs from California sources for the purposes of recycling.

~~(29)~~ (30) "PBBs" mean Polybrominated Biphenyls.

~~(30)~~ (31) "Processing log" means a record maintained by an approved recycler that records CEW activities associated with CEW cancellation, such as but not limited to weighing and dismantling, as specified in Section 18660.21(b) of this Chapter.

~~(31)~~ (32) "Product Category", ~~through and including December 31, 2024,~~ means the types of covered electronic devices as defined in Section 42463(g)(1)(A)-(B) of the Public Resources Code. These categories include, but are not limited to, the following:

- (A) Cathode Ray Tubes (CRTs) devices used in televisions,
 - (B) CRTs devices used in monitors,
 - (C) Liquid Crystal Display (LCD) monitors,
 - (D) Laptop computers containing LCD screens,
 - (E) LCD televisions,
 - (F) Plasma display televisions, and
 - (G) Other video display devices as specified by the DTSC pursuant to Section 25214.10.1(b) of the Health and Safety Code.
- (H) Covered battery-embedded products pursuant to Section 42463(f)(1) and (2) of the Public Resources Code.

~~(32)~~ (33) "Proof of Approval" means the status of an approved collector or approved recycler, as portrayed on the CalRecycle website. The Proof of Approval is associated with a unique identification number issued by CalRecycle to identify a collector or recycler as being approved pursuant to this Chapter.

~~(33)~~ (34) "Proof of Designation" means a document issued by a California Local Government to a Designated Approved Collector in accordance with Article 7 of this Chapter.

~~(34)~~ (35) "Receiving log" means a record maintained by an approved recycler that documents CEW transfers from approved collectors to the approved recycler.

~~(35)~~ (36) "Recovery payment" means the payment made by an approved recycler to an approved collector in exchange for the transfer of CEWs pursuant to Section 42477 of the Public Resources Code.

~~(36)~~ (37) "Recovery payment request" means an approved collector's request for recovery payment made to an approved recycler accompanying the transfer of CEWs.

~~(37)~~ (38) "Recycling payment" means the payment made by CalRecycle to an approved recycler that includes a recovery component related to recycler payments to collectors pursuant to Section 42477 of the Public Resources Code and a recycling component for CEW cancellation pursuant to Section 42478 of the Public Resources Code.

~~(38)~~ (39) "Recycling payment claim" means an approved recycler's claim that includes all required documentation submitted to CalRecycle for recycling payments for cancelled CEWs.

~~(39)~~ (40) "Registered Manufacturer" means a manufacturer as defined in Section 42463(q) of the Public Resources Code who registers with CalRecycle pursuant to this Chapter and therefore may be eligible for manufacturer payments from CalRecycle.

(41) "Signature" or "signed" means either of the following:

(A) An original handwritten signature; or

(B) An electronic signature. An electronic signature includes an electronic sound, symbol, or process attached to or logically associated with an electronic record, executed or adopted by a party with the intent to represent an original handwritten signature.

(1) For claims submitted through CalRecycle's designated electronic information submittal system available from CalRecycle's website, a username and password shall be considered an electronic signature.

(2) An electronic signature may not be denied legal effect, validity, or enforceability solely on the ground that it is electronic.

(3) An electronic signature shall be binding on all persons and for all purposes under the law, as if the signature had been handwritten on an equivalent paper document.

~~(40)~~ (42) "Source-anonymous CEWs" means CEWs whose originating California source cannot be identified in collection log information required pursuant to Section 18660.20(j)(1)(B) of this Chapter.

~~(41)~~ (43) "Source documentation" means collection logs and other information developed, maintained and transferred pursuant to Section 18660.20(h) of this Chapter that demonstrates the eligibility, originating generator or intermediate handlers of collected CEWs as applicable.

~~(42)~~ (44) "Standard Statewide Recovery Payment Rate" means the amount paid to an approved collector per pound of CEWs transferred to an approved recycler to cover the cost of collection, consolidation and transportation of CEWs as established pursuant to Section 42477 of the Public Resources Code.

~~(43)~~ (45) "Standard Statewide Combined Recycling and Recovery Payment Rates" means the amount paid to an approved recycler per pound of CEWs cancelled and claimed to cover the cost of receiving, processing and recycling CEWs as established pursuant to Section 42478 of the Public Resources Code, and making recovery payments to approved collectors.

~~(44)~~ (46) "Transfer" or "Transferred" means physically changing possession of CEWs, such as a transfer from a California source to a collector or from a collector to a recycler.

~~(45)~~ (47) "Transfer documentation" means, for the purposes of this Chapter, records or receipts that record the transfer of CEWs from an approved collector to an approved recycler, which include the weight, number, and source of the transferred CEWs, and the date(s) of transfer.

~~(46)~~ (48) "Treatment Residuals" means any material resulting from the dismantling or treatment of a CEW. Treatment residuals are not considered CEWs and are not eligible for recovery or recycling payment, however the costs or revenues associated with managing treatment residuals shall be factored into the net cost of recycling CEW. Treatment residuals may be used to demonstrate the processing of CEWs, and documentation demonstrating the subsequent movement or ultimate disposition of the treatment residuals may be required as part of the claim for payment submitted by an approved recycler.

~~(47)~~ (49) "Ultimate disposition" means, for the purposes of this Chapter, the consumption of a treatment residual into a manufacturing process or the disposal of a treatment residual at a permitted disposal facility. Storage of a treatment residual at a site of generation or at an intermediate facility, or accumulation of a treatment residual at a location prior to consuming or disposing, is not ultimate disposition.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42463, 42465.2, 42466.2, 42467, 42474, 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

**ARTICLE 2.0: Electronic Waste Payment System – Applicability and Limitations,
Document Submittals, Records, Audits and Net Cost Report**

Section 18660.6. Applicability and Limitations

(c) Limitations on the Sources of CEWs and CEWs eligible for payments:

(1) Only CEWs resulting from a California source are eligible for recovery, recycling, or manufacturer payments.

(2) CEWs owned by a person in California, but used entirely outside of California are not eligible for payments.

(3) Source-anonymous CEWs, documented pursuant to Section 18660.20(j)(1)(E) of this Chapter, are eligible for recovery and recycling payments if:

(A) The source-anonymous CEWs result from ~~Load eCheck a~~Activities as defined in Section 18660.5(a)(~~25~~26) conducted at permitted solid waste facilities whose operator is an approved collector or, if not an approved collector, the source-anonymous CEWs are directly transferred from the permitted solid waste facility to an approved collector;
or

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42472(b), 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.7. Document Submittals

(a) A collector, a recycler, a dual entity, a Local Government, or a manufacturer shall prepare and submit applications, registrations, claims, Proofs of Designation, or reports required pursuant to this Chapter in the manner designated by CalRecycle.

(b) CalRecycle shall only accept collector, recycler or dual entity applications bearing the signatures of one or more Authorized Signatories ~~all persons with signatory authority~~ designated pursuant to Section 18660.11. ~~CalRecycle shall accept claims and reports bearing a signature by any person with signatory authority designated pursuant to Section 18660.11.~~

(c) For collectors, recyclers, or dual entities, CalRecycle shall accept payment claims and reports bearing a Signature by any person with Signatory Authority designated pursuant to Section 18660.11. Payment claims and reports bearing a Signature by any person that does not have Signatory Authority designated pursuant to Section 18660.11, shall be deemed incomplete and not be accepted for review or evaluation by CalRecycle.

~~(e)~~ (d) For manufacturers, CalRecycle shall only accept manufacturer registrations, claims and reports containing all the required information and bearing an original sSignature of the an Authorized Signatory primary registrant, or a person with signature authority as designated by the primary registrant pursuant to Section 18660.35 of this Chapter.

(e) Beginning April 1, 2026, if a person, collector, recycler, dual entity, local government, or manufacturer, seeks to submit documentation, including an application, payment claim, report, or to provide other information pursuant to the Act and this Chapter, the applicable information shall be submitted to CalRecycle using CalRecycle's designated electronic information submittal system available from CalRecycle's website that is utilized for the purposes of implementing the Covered Electronic Waste Recycling Program.

(1) Beginning April 1, 2026, all applications, application renewals, claims, and reports must be submitted electronically to CalRecycle using CalRecycle's designated electronic information submittal system available from CalRecycle's website and bear the Signature of a person with Signatory Authority designated pursuant to Section 18660.11 or 18660.35.

(2) Manufacturer registrations, claims, and reports bearing a Signature by any person that does not have Signatory Authority designated pursuant to Section 18660.35, shall be deemed incomplete and not be accepted for review or evaluation by CalRecycle.

(3) Information submitted outside CalRecycle's designated electronic information submittal system will not be accepted by CalRecycle for review or consideration.

(4) Any electronically filed report, notice, claim, or other document shall be deemed to be a valid, original document, including reproductions of the document made by CalRecycle onto paper or other media.

(5) Nothing in this subsection shall eliminate the need for compliance with record keeping and record retention provisions required by these regulations.

~~(d)~~ (f) CalRecycle shall provide forms upon request that may be used to meet the requirements for the applications, registrations, and payment claims specified in this Chapter.

~~(e)~~ (g) A collector, a recycler, a dual entity, a Local Government, or a manufacturer shall ensure that applications, registrations, claims, reports, Proofs of Designation, and all applicable supporting documentation are accurate, complete, and typed or legibly handwritten in English using permanent ink. A collector, a recycler, a dual entity, or a Local Government may void errors only by using a single line through the error. A collector, a recycler, a dual entity, or a Local Government shall not use correction fluid, correction tape or erasures for correcting errors on any document required by or submitted to CalRecycle.

(f) (h) Any person, including but not limited to, collectors, recyclers, dual entities, local governments, manufacturers, or a-handlers, shall not make a false statements or representations in any document filed, submitted, maintained, or used for purposes of compliance with the Act and this Chapter.

(1) If CalRecycle determines that any information that is filed, submitted, maintained, or used for the purposes of compliance with the Act and this Chapter contains one or more false statements, CalRecycle will do any of the following:

(A) Conclude its review of the information submitted and deem it incomplete or insufficient for evaluation or consideration;

(B) Adjust or deny all or any portion of the payment claim by reducing the total dollar amount claimed in a payment claim that is supported by or otherwise relies upon the false statement(s); and

(C) Follow the procedures set forth in Section 18660.44 of this Chapter.

Authority cited: Sections 40502, 42474, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42465.2, 42466.2, 42467, 42474(d), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.10. Net Cost Report

(d) An approved collector or approved recycler shall submit to CalRecycle a report on the net costs of recovering CEW or separately recycling CRT CEW and non-CRT CEW for the prior calendar year. The report shall include:

(10) The Signature and title of a person with ~~signature~~ Signatory a Authority for net cost reports as designated pursuant to Section 18660.11 of this Chapter.

(11) The Signature block shall state and certify the following statement: I hereby declare under penalty of perjury that this net cost report, including any and all figures, calculations and accompanying documents has been examined by me and is true, correct and complete.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42464, 42474, 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

ARTICLE 2.1: Electronic Waste Payment System – Applications for Approval

Section 18660.11. General Application Requirements

- (a) Collectors and recyclers may submit an application to become approved at any time.
- (b) In applications for approval, collectors and recyclers shall provide the following general information:
- (1) Name of organization.
 - (2) Type of organization:
 - (A) If the organization is an individual doing or proposing to do business under a different name, the applicant shall provide a copy of any fictitious business name statement.
 - (B) If the organization is a partnership, the applicant shall provide a copy of the current partnership agreement and any fictitious business name statement.
 - (C) If the organization is a corporation, the applicant shall provide the corporate number and Articles of Incorporation and name and position of all current corporate officers, and directors, as filed with the Secretary of State, any fictitious business name statement, and the agent for service of process.
 - (D) If the organization is a corporation from a state other than California, the applicant shall provide a copy of the approved certificate from the California Secretary of State qualifying and authorizing the corporation to transact business in California.
 - (E) If the organization is a ~~husband and wife~~ co-ownership, the applicant shall provide ~~both~~ all names and any fictitious business name statement.
 - (F) If the organization is a local government agency, and is applying as a recycler or dual entity, the applicant shall provide a copy of the authorizing resolution from the governing board.
 - (G) If the organization is a limited liability company (LLC), the applicant shall provide a copy of the Articles of Organization and Statement of Information as filed with the Secretary of State, the name of the current managing member(s), any operating agreement, any fictitious business name statement, and the agent for service of process.
 - (H) If the organization is a limited liability company from a state other than California, the applicant shall provide a copy of their certificate from the California Secretary of State authorizing the LLC to transact business in California.
 - (I) If the organization is a non-profit or charity, the applicant shall provide a description and a copy of the appropriate designation documentation.
 - (3) Mailing address and physical address.
 - (4) Name(s) of ~~the contact person~~ one or more Authorized Signatories. The application shall specify at least one Authorized Signatory who is designated as the main contact to communicate with CalRecycle.
 - (5) Telephone number(s) of the ~~contact person~~ Authorized Signatory and any other persons included on the application.
 - (6) ~~An e-mail~~ E-mail address of the ~~contact person~~ Authorized Signatory, and any other person(s) included on the application. ~~or organization, if available.~~

(7) List(s) of ~~the persons (if any) Authorized Signatories, who, in addition to the primary applicant, who~~ are authorized to sign:

(A) Payment claims.

(B) Net cost reports.

(C) Other payment related documents and correspondence with CalRecycle.

(8) An indication of whether the collector or recycler wishes to be included in an ~~on-line registry~~ online directory.

(9) The location in which the records required by this Chapter will be maintained.

(c) Prior to April 1, 2026, applications shall be sent electronically through email to ewasteapplications@calrecycle.ca.gov. On or after April 1, 2026, applications shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7 that is utilized for the purposes of implementing the Covered Electronic Waste Recycling Program.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42474, 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.12. Additional Application Requirements for Collectors.

(a) In addition to the general application information required in Section 18660.11 of this Chapter, a collector shall also include the following information:

(3) Certification statements by the collector as follows:

(B) "The undersigned collector certifies under penalty of perjury under the laws of the State of California that the information provided herein is true and correct and that the undersigned has the authority to legally bind the collector to the terms and requirements of the application."

(4) The name and ~~s~~Signature of the ~~primary applicant~~ Authorized Signatory who has the authority to sign and bind the collector to this application.

(d) Any application to recover battery-embedded products pursuant to this Section and Section 18660.11, or to change information contained in an approved application pursuant to Section 18660.18 to include the recovery of battery-embedded products, shall be submitted to CalRecycle on or after September 1, 2025. Prior to April 1, 2026, this submission shall be sent electronically through email to ewasteapplications@calrecycle.ca.gov. On or after April 1, 2026, this submission shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7 that is utilized for the purposes of implementing the Covered Electronic Waste Recycling Program.

Authority cited: Sections 40502, 42475(b), and 42475.2, and 42478, Public Resources Code. Reference: Sections 42474, 42475(a), 42476, 42476.5, 42477, 42478 and 42479, Public Resources Code.

Section 18660.13. Additional Application Requirements for Recyclers.

(a) In addition to the general information required in Section 18660.11 of this Chapter, a recycler shall also include the following information:

(1) Documentation that the recycler has fulfilled DTSC notification and authorization requirements regarding the handling and processing of CEWs.

(2) A description of the recycling operation, including:

(A) The method(s) of cancellation used by the recycler.

(B) The types of CEWs cancelled by the recycler, pursuant to Section 18660.32 of this Chapter.

(C) Estimated percentages of cancelled CEWs expected to originate from inside of and from outside of the State of California annually.

(3) An explanation and documentation showing how the demonstrations in Public Resources Code Section 42479(b) have been satisfied, including but not limited to the following:

(A) The recycler is in compliance with DTSC's minimum standards for managing hazardous and universal waste set forth in Chapters 12, 14, 15, 16, 20, 22, and 23 of Division 4.5 of Title 22 of the California Code of Regulations.

(B) The recycler demonstrates to CalRecycle that the recycler's facility meets all of the following standards:

1. The facility has been inspected by DTSC within the past 12 months, as specified in Section 42479(b)(2)(A). If a DTSC inspection has been requested but not yet completed, then CalRecycle will review the remainder of the application but withhold approval until the DTSC inspection is completed and the facility found to be in conformance.

2. The facility is accessible during normal business hours for unannounced inspections by state or local agencies.

3. The facility has health and safety, employee training, and environmental compliance plans and certifies compliance with the plans.

4. The facility meets or exceeds the standards specified in Chapter 1 (commencing with Section 1171) of Part 4 of Division 2, Division 4 (commencing with Section 3200), and Division 5 (commencing with Section 6300), of the Labor Code or, if all or part of the work is to be performed in another state, the equivalent requirements of that state.

(4) Unless the recycler is applying as a dual entity, the name, address, contact person's name and telephone number of at least one (1) collector from which the recycler has accepted, has contracted to accept or intends to contract to accept CEWs for cancellation with a letter from the collector certifying under penalty of perjury that California CEWs from that collector will be transferred to the recycler for recycling.

(5) A completed "Payee Data Record" STD. 204 form (Rev. 6-2003 or as revised) -- Department of Finance, State of California with an original signature of the primary

~~applicant~~ Authorized Signatory. The form will be provided by CalRecycle and is hereby incorporated by reference.

(6) Certification statements by the recycler as follows:

(A) "The undersigned recycler agrees under penalty of perjury and of immediate revocation of approval and denial of recycling payments that as an approved recycler:"

1. "I shall fully reimburse an approved collector for all CEWs transferred at the rate specified in this Chapter within 90 days"
2. "Notwithstanding the allowances contained in Section 18660.6(d) of this Chapter, I shall not adjust fees, charges or other contract provisions upward for the purpose of negating the recovery payment to approved collectors."
3. "I shall provide free CEW recycling by accepting without charge CEWs from approved collectors if the payment from CalRecycle fully covers the net cost of CEW recycling."
4. "I shall operate in compliance with the requirements of this Chapter, the Act and with all applicable local, state and federal regulatory provisions."
5. "I have read and understand the requirements set forth in the statutes and regulations governing this program."

(B) "The undersigned certifies under penalty of perjury under the laws of the State of California that the information provided herein is true and correct and that the undersigned has the authority to legally bind the recycler to the terms and requirements of the application."

(7) ~~The name and sSignature of the primary applicant who has the authority to sign and bind the recycler to this application~~ Authorized Signatory.

(8) The date and location of application.

(b) CalRecycle shall not approve a recycler located outside California.

(c) Any application to cancel battery-embedded products pursuant to this Section and Section 18660.11, or to change information contained in an approved application pursuant to Section 18660.18 to include the cancellation of battery-embedded products, shall be submitted to CalRecycle on or after November 1, 2025. Prior to April 1, 2026, this submission shall be sent electronically through email to ewasteapplications@calrecycle.ca.gov. On or after April 1, 2026, this submission shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

Authority cited: Sections 40502, 42475(b), ~~and 42475.2,~~ and 42478, Public Resources Code. Reference: Sections 42474, 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.14. Additional Application Requirements for Dual Entities.

(a) An entity that is both a collector and a recycler at the same location may apply for both approvals, and if approved will be an approved dual entity.

(b) In addition to completing and submitting one copy of the General information required in Section 18660.11 of this Chapter, all dual entity approval applications shall

contain the information and Signatures required in Sections 18660.12 and 18660.13 for collector applications and recycler applications, respectively.

(c) Unless there are specific "dual entity" provisions, an approved dual entity, when acting as a collector, shall meet all the requirements in this Chapter for approved collectors.

(d) Unless there are specific "dual entity" provisions, an approved dual entity, when acting as a recycler, shall meet all the requirements in this Chapter for approved recyclers.

(e) Any application to recover and cancel battery-embedded products pursuant to this Section and Section 18660.11, or to change information contained in an approved application pursuant to Section 18660.18 to include the recovery and cancellation of battery-embedded products, shall be submitted to CalRecycle on or after November 1, 2025. Prior to April 1, 2026, this submission shall be sent electronically through email to ewasteapplications@calrecycle.ca.gov. On or after April 1, 2026, this submission shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

Authority cited: Sections 40502, 42475(b), ~~and 42475.2~~, and 42478, Public Resources Code. Reference: Sections 42474, 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.15. CalRecycle Review of Applications.

(a) Upon receipt of the application, CalRecycle will notify the applicant within 30 calendar days if the application is complete or incomplete.

(b) If CalRecycle determines the application is incomplete, with exception of a pending inspection by DTSC, CalRecycle notification will list the missing information, and the applicant will have 30 calendar days from the notification to provide the missing information or CalRecycle will deny the application.

(c) After CalRecycle determines that an application is complete, CalRecycle will notify the applicant within 30 calendar days whether the application has been:

(1) Approved, and if so, issue a proof of approval stating the type of approval granted:

(A) Approved collector, ~~or~~

(B) Approved recycler, or

(C) Approved dual entity.

(2) Denied, and if so, the cause(s) for denial will be listed. After denial, an application to become approved may be resubmitted at any time after the causes for denial have been corrected.

(d) CalRecycle shall not charge collector or recyclers to process an application.

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 18660.16. Approval Term and Applications for Renewal

(f) Prior to April 1, 2026, application renewals shall be sent electronically through email to ewasteapplications@calrecycle.ca.gov. On or after April 1, 2026, application renewals shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

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 18660.17. Prohibited Activities.

(a) CalRecycle may deny an application or revoke or suspend the approval of a collector, ~~or~~ recycler, or dual entity for any of the following prohibited activities:

(12) Failure to secure, maintain, submit, or transfer documentation as specified by this Chapter.

(13) Failure to notify CalRecycle of changes to information contained in the approved application as specified in Section 18660.18.

(14) Making a false statement or representation in any claim, report, or document filed, submitted, maintained or used for purposes of compliance with this chapter or Division 30, Part 3, Chapter 8.5 of the Public Resources Code.

Authority cited: Sections 40502, 42475(~~b~~) and 42475.2, Public Resources Code.
Reference: Sections 42474(~~e~~), 42475(~~a~~), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.18. Changes to Information Contained in an Approved Application

(a) An approved collector or an approved recycler shall notify CalRecycle in writing of changes to information contained in an approved application at least 30 calendar days prior to the effective date of any proposed changes. For purposes of this section, "CEWID" means a number provided to applicants when the department approves their application to be an approved collector or approved recycler.

(b) If an unforeseen change occurs, an approved collector or an approved recycler shall notify CalRecycle in writing of the change within ten calendar days after the unforeseen change.

(c) Beginning September 1, 2025, an approved collector seeking to recover types of CEWs that are different from, or in addition to, the CEWs identified in their application must notify CalRecycle as follows:

(1) The collector shall submit the following information to CalRecycle electronically:

(A) Name of organization and CEWID number.

(B) Mailing address and physical address.

(C) Name of the Authorized Signatory.

(D) Telephone number(s) of the Authorized Signatory and any other persons identified in the application.

(E) E-mail address of the Authorized Signatory, and any other persons identified in the application.

(F) The types of CEWs the approved collector intends to recover.

(G) The anticipated start date of recovery of the CEWs.

(H) A statement, signed under penalty of perjury by an Authorized Signatory, that the information submitted is true and correct, and that the collector has satisfied the requirements of section 18660.12 of this Chapter.

(2) Submission of this notification pursuant to this subsection shall not modify the expiration date of the collector's existing approved application.

(d) Beginning November 1, 2025, an approved recycler seeking to add new cancellation method(s) that were not identified in their approved application must notify CalRecycle as follows:

(1) The recycler shall submit the following information to CalRecycle electronically:

(A) Name of organization and CEWID number.

(B) Mailing address and physical address.

(C) Name of the Authorized Signatory.

(D) Telephone number(s) of the Authorized Signatory, and any other persons identified in the application.

(E) E-mail address of the Authorized Signatory.

(F) The additional or different types of CEWs cancelled, along with the anticipated start date of cancellation.

(G) If applicable, the additional or different cancellation methods the approved recycler intends to use, along with the anticipated start date of when these methods will be utilized.

(H) A copy of the DTSC inspection report demonstrating that the recycler has satisfied the requirements of section 18660.13 (a)(3)(B)(1) of this Chapter.

(I) A statement, signed under penalty of perjury, that the information submitted is true and correct, and that the recycler has satisfied the requirements of section 18660.13 (a)(3)(B)(1) of this Chapter.

(2) An approved recycler shall not claim recycling payments for different or additional types of CEWs cancelled prior to compliance with this subsection

(3) Submission of this notification pursuant to this subsection shall not modify the expiration date of the recycler's existing approved application.

(e) Beginning November 1, 2025, a dual entity seeking to add new cancellation method(s) that were not identified in their approved application must notify CalRecycle as follows:

(1) The dual entity shall submit the following information to CalRecycle electronically:

(A) Name of organization and CEWID number.

(B) Mailing address and physical address.

(C) Name of the Authorized Signatory.

(D) Telephone number(s) of the Authorized Signatory and any other persons identified in the application.

(E) E-mail address of the Authorized Signatory.

(F) The additional or different types of CEWs the dual entity intends to recover and cancel, along with the anticipated start date of recovery and cancellation.

(G) The additional or different cancellation methods the dual entity intends to use, along with the anticipated start date of when these methods will be utilized.

(H) A copy of the DTSC inspection report demonstrating that the recycler has satisfied the requirements of Section 18660.13 (a)(3)(B)(1) of this Chapter.

(I) A statement, signed under penalty of perjury, that the information submitted is true and correct, and that the dual entity has satisfied the requirements of Sections 18660.12 and 18660.13 (a)(3)(B)(1) of this Chapter.

(2) A dual entity shall not claim recycling payments for different or additional types of CEWs cancelled prior to compliance with this subsection.

(3) Submission of this notification pursuant to this subsection shall not modify the expiration date of the dual entity's existing approved application.

(f) CalRecycle shall review the notice specified in subsections (c), (d), and (e) using the procedures set forth in Section 18660.15 for review, approval, or denial of the notice.

(g) Prior to April 1, 2026, changes to information contained in an approved application shall be sent electronically through email to ewasteapplications@calrecycle.ca.gov. On or after April 1, 2026, changes to information contained in an approved application shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

Authority cited: Sections 40502, 42475~~(b)~~, and 42475.2 and 42478, Public Resources Code. Reference: Sections 42474, 42475~~(a)~~, 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.19. Appeal of Denial, Suspension or Revocation of Approval.

(a) If CalRecycle denies an application for approval or suspends or revokes an approval, the collector or recycler shall may appeal that decision ~~and request by requesting~~ a hearing within 30 calendar days after the date of the denial, suspension or revocation. Any appeal received by CalRecycle after 30 calendar days from the date of the denial, suspension or revocation shall be denied without a hearing or consideration of the appeal.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42463(b), 42474(e)(3) and 42479, Public Resources Code; and
Sections 11400.20 and 11415.10, Government Code.

ARTICLE 2.2: Electronic Waste Payment System – Business Requirements.

Section 18660.21. Requirements for an Approved Recycler.

(l) In addition to the general record keeping requirements in Section 18660.8 of this Chapter, an approved recycler shall maintain the following records:

(5) Records on the net costs associated with the management of all CRT CEW, and non-CRT CEW, and battery-embedded product CEW handled, and any additional administrative costs of providing recovery payments to approved collectors.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

ARTICLE 2.3: Electronic Waste Payment System – Recycling Payment Claims

Section 18660.22. General Requirements for Recycling Payment Claims.

(a) An approved recycler shall submit all of the following general information in a claim for recycling payments from CalRecycle:

(7) The ~~s~~Signature and title of ~~an person with signature authority~~ Authorized Signatory for payment claims as designated pursuant to Section 18660.11 of this Chapter. The signature block shall include the following certification statements:

(e) Prior to April 1, 2026, Aan approved recycler shall deliver recycling payment claims to CalRecycle's main business office, to the attention of the Accounting Section. An approved recycler shall mark the outside of the package containing the claims clearly with "Covered Electronic Waste Claim Enclosed." On or after April 1, 2026, all payment claims shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

(f) An approved recycler shall submit timely recycling payment claims so that CalRecycle receives each claim within 45 days of the end of the reporting month, as specified by Sections 18660.24 or 18660.25 of this Chapter. CalRecycle may return

without payment any claim received more than 45 days after the end of the reporting month, as specified by Sections 18660.24 or 18660.25 of this Chapter. Prior to April 1, 2026, CalRecycle shall determine a recycling payment claim's date of receipt as either the date of the postmark on the recycling payment claim package, or the date the claim package was physically received by CalRecycle, whichever is earlier. On or after April 1, 2026, CalRecycle shall determine a payment claim's date of receipt as the date the payment claim is submitted to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

Authority cited: Sections 40502, 42475(b) and 42475.2, 42478, Public Resources Code.
Reference: Sections 42474, 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

Section 18660.30. CalRecycle Review of Recycling Payment Claims

(a) CalRecycle shall review a recycling payment claim and determine if a recycling payment is due pursuant to this Chapter. If CalRecycle has cause to investigate any aspect of a claim, the review may be extended until resolution of all issues aspects under investigation.

(b) CalRecycle may deny or adjust payment for any of the following reasons:

(1) CalRecycle determines that:

(A) The signature on the claim is not that of a person with ~~signature authority~~ Signature Authority for recycling payment claims as designated pursuant to Section 18660.11 of this Chapter.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42475(a), 42476, 42477, 42478 and 42479, Public Resources Code.

ARTICLE 2.5: Electronic Waste Payment System – Manufacturer Payments

Section 18660.35. Manufacturer Registration.

(a) A manufacturer may apply to become registered, to renew an existing registration, or to revise an existing registration at any time by submitting a complete application.

(b) In an application for registration, manufacturers shall provide the following general information:

(6) Name of the employee or officer of the manufacturer who is the ~~primary applicant~~ Authorized Signatory ~~authorized to sign~~:

(A) Payment claims.

(B) Reports.

(C) Other payment-related documentation or correspondence required by CalRecycle.
(7) Name of the employee or officer of the manufacturer (if any), in addition to the primary applicant Authorized Signatory, who is authorized to sign:

(e) In an application for registration, a manufacturer shall make the following certification statements:

(2) "The undersigned manufacturer certifies under penalty of perjury under the laws of the State of California that the information provided herein is true and correct and that the undersigned has the authority to legally bind the manufacturer to the terms and requirements of the application."

(A) The name and ~~s~~Signature of the primary applicant ~~who has the authority to sign and bind the manufacturer to this application~~ Authorized Signatory.

(B) The date and location of application execution.

(f) In an application for registration, a manufacturer shall submit a completed "Payee Data Record" STD. 204 Form (Rev. 6-2003 or as revised) -- Department of Finance, State of California ~~with an original signature of the primary applicant~~. The form will be provided by CalRecycle and is hereby incorporated by reference.

Authority cited: Sections 40502, 42475~~(b)~~ and 42475.2, Public Resources Code.
Reference: Sections 42475~~(a)~~ and 42476, Public Resources Code.

Section 18660.36. Requirements for a Registered Manufacturer.

(g) In addition to the general record keeping requirements in Section 18660.8 of this Chapter, a registered manufacturer shall obtain and maintain the following records:

(1) A written description of the take back program, including the type of consumers from whom CEWs are accepted for take back.

(2) A record of the number of CEWs collected by ~~the p~~Product e~~Category~~, as defined in Section 18660.5(a)~~(3432)~~ of this Chapter.

Authority cited: Sections 40502, 42475~~(b)~~ and 42475.2, Public Resources Code.
Reference: Sections 42475~~(a)~~, 42476 and 42479, Public Resources Code.

Section 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 pProduct eCategory as defined in Section 18660.5(a)(3432).

(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 sSignature and title of a person with sSignatory re aAuthority 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:

(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~~ pProduct eCategories, as defined in Section 18660.5(a)(3432) of this Chapter.

(h) Prior to April 1, 2026, A 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." On or after April 1, 2026, all payment claims shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

(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. Prior to April 1, 2026, CalRecycle shall determine a payment claim's date of receipt as either the date of the postmark on the payment claim package, or the date the claim package was physically received by CalRecycle, whichever is earlier. On or after April 1, 2026, CalRecycle shall determine a payment claim's date of receipt as the date the payment claim is submitted to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

(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, 42478, and 42479, Public Resources Code.

Section 18660.38. CalRecycle Review of Manufacturer Payment Claims.

(a) CalRecycle shall review a manufacturer payment claim and determine if a manufacturer payment is due pursuant to this Chapter. If CalRecycle has cause to investigate any aspect of a claim, the review will be extended until resolution of all issues aspects under investigation.

(b) CalRecycle may deny payment for any of the following reasons:

(1) CalRecycle determines that:

(A) The signature on the claim is not that of a person with ~~s~~Signatory ~~ure a~~Authority for registered manufacturer payment claims as designated pursuant to Section 18660.35(b)(6) or (7) of this Article.

Authority cited: Sections 40502, 42475(b) and 42475.2, Public Resources Code.
Reference: Sections 42475(a) and 42476, Public Resources Code.

ARTICLE 3: Manufacturer Reporting

Section 18660.41. Reporting Requirements.

(b) The sales reporting shall include:

(1) Data on the number of covered electronic devices sold in the state by ~~p~~Product ~~e~~Category.

(2) An explanation of the methodology used to estimate data.

(c) The materials reporting shall include:

(1) An estimated average amount in milligrams for mercury, cadmium, lead, hexavalent chromium, including their alloys and compounds, and PBBs used in covered electronic devices, and all their component parts by ~~p~~Product ~~e~~Category.

(2) Estimates may be based on either physical testing or maximum tolerance levels of the material in product design specifications.

(3) An explanation of the methodology used to estimate data.

(d) ~~Recyclable~~ Recycled content reporting shall include:

(g) Prior to April 1, 2026, the notice sent to CalRecycle pursuant to Section 42466.2(b) of the Public Resources Code shall be sent electronically through email to CEDmanufacturers@calrecycle.ca.gov. On or after April 1, 2026, this notice shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

(hg) Manufacturers shall individually submit to CalRecycle samples of the consumer information and description of all methods used to comply with Section 18660.42 of this

Chapter. Manufacturers shall submit this information at the same time they comply with Section 18660.41(a) through (e), above.

(~~h~~) Each manufacturer shall maintain the report and all supporting documentation for three years after the report is submitted. If CalRecycle or DTSC requests a copy of the supporting documentation, the manufacturer shall submit the supporting documentation within 10 days of the request.

(~~i~~) Each manufacturer shall provide a certification under penalty of perjury that the information is true and correct.

(~~k~~) Collective reporting -- Compliance with the reporting required in Sections 18660.41(b) through (f), above, is the individual responsibility of each manufacturer. A manufacturer may comply with the reporting requirements in subsections (b) and (c), above, by submitting a collective report for the subsections containing sales and materials information, if the following conditions are met:

(1) A collective report must contain all of the information required in Sections 18660.41(b) and (c), above, but may combine the information for those manufacturers submitting information for the collective report;

(2) The collective report shall contain a list of all manufacturers whose reports are included in the collective report. This list shall include the name of the manufacturer and address of the manufacturer; and name, address, phone number, and email address for a contact person of the manufacturer;

(3) Each manufacturer shall provide a certification under penalty of perjury that the information provided for the collective report is true and correct; and

(4) Notwithstanding Section 18660.41(j)(1) through (3), above, CalRecycle may request, on a case-by-case basis, a manufacturer to submit an individual report with the information required in Sections 18660.41(b) and (c), above, and all supporting documentation of the information contained in the report. In response to CalRecycle's request, the manufacturer shall submit an individual report and supporting documentation within ten days of receiving CalRecycle's request.

(l) Prior to April 1, 2026, all reports pursuant to this Section, including the report submitted to CalRecycle pursuant to Section 42467 of the Public Resources Code, shall be sent electronically through email to CEDmanufacturers@calrecycle.ca.gov. On or after April 1, 2026, manufacturer reports shall be sent to CalRecycle's designated electronic information submittal system available from CalRecycle's website pursuant to Section 18660.7.

Authority cited: Sections 40502, 42466.2, 42467, 42475(b), and 42475.2, Public Resources Code. Reference: Sections 42465.2, 42466.2, 42467, 42478, Public Resources Code.

ARTICLE 7: Designated Approved Collectors

Section 18660.49. Proof of Designation.

(a) A Local Government may establish a Designation if:

- (1) The Local Government transmits a Proof of Designation to CalRecycle that meets all of the requirements of this Section;
 - (2) CalRecycle receives the transmitted Proof of Designation at least 30 calendar days in advance of any CEW collection activity conducted by the Designated Approved Collector pursuant to the Designation; and
 - (3) CalRecycle contacts the Local Government and the Designated Approved Collector, in writing, to confirm that CEW collection activities can begin under the Designation.
- (b) The Proof of Designation, as defined in Section 18660.5(a)(~~3334~~), shall establish the scope of the Designation and include the following information:

- (9) A certification statement signed and dated by a representative of the Designated Approved Collector stating the following:
 - (A) The representative is an Authorized Signatory listed in the application for approval pursuant to Section 18660.11(b)(7) of this Chapter; and

Authority cited: Sections 42475(~~b~~) and 42475.2, Public Resources Code. Reference: Sections 42463(~~b~~), 42475(~~a~~), 42476, 42477, 42478 and 42479, Public Resources Code.