



# Changes in the CEW Recycling System Rules to Accommodate CRT Glass Options

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# Electronic Waste Recycling Act

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- *PRC 42461. The Legislature finds and declares all of the following:*
  - *(a) The purpose of this chapter is to enact a comprehensive and innovative system for the reuse, recycling, and proper and legal disposal of covered electronic devices...*
  - *(b) It is the further purpose of this chapter to enact a law that establishes a program that is cost free and convenient for consumers and the public to return, recycle, and ensure the safe and environmentally-sound disposal of covered electronic devices.*

# Electronic Waste Recycling Act

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- *PRC 42461. The Legislature finds and declares all of the following:*
  - *(c) It is the intent of the Legislature that the cost associated with the handling, recycling, and disposal of covered electronic devices is the responsibility of the producers and consumers of covered electronic devices...*
  - *(d) In order to reduce the likelihood of illegal disposal of these hazardous materials, it is the intent of this chapter to ensure that any cost associated with the proper management of covered electronic devices be internalized by the producers and consumers...*

# Existing CEW System Rules

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- Pays for the recovery and cancellation of CEW
- Currently places payment conditions on the disposition of certain residuals...
  - CRTs and CRT Glass
  - Plasma panels
  - Circuit boards\*

# Existing CEW System Rules

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- 18660.5(a)(47) "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 payment. In some cases, treatment residuals may be used to demonstrate the prior processing of CEWs, and bills of lading for the material may be required as part of the claim for payment submitted by an approved recycler.

# Changing the CEW System Rules

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At minimum, any changes will:

- Continue to reinforce all UW and HW management requirements
- Piggyback on UW and HW documentation requirements
- Attempt to use same terminology

# Changing the CEW System Rules

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- Absent clear directive from statute, changes propose to accommodate legal management of treatment residuals
- Breadth of overhaul still under consideration
- Focusing on CRT glass now; other changes later

# Definitions

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- For the purposes of accommodating alternative recycling methods and/or disposal of CRT glass, only minor changes identified.
- *Modify or eliminate term “End-use Destination”*
- *May need to define “Ship” and/or “Off-site”*

# Applicability and Limitations

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- 18660.6 (h) Limitations on recycling payments on exported CEWs and the disposition of treatment residuals:
  - ...*(2) If treatment residuals are disposed to land, water or air, then a recycler shall not be eligible for recycling payments for the original CEWs unless the treatment residual is not economically feasible to recycle and/or cannot be recycled because it would pose a hazard to public health, safety or the environment.*

# General Requirements for Recycling Payment Claims

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- 18660.22 (a)...(7)...The signature block shall include the following certification statements:
  - (A) “I hereby declare under penalty of perjury that:”
    - ...
    - 2. *“All claimed CEWs have been cancelled as specified in Section 18660.32 and are unable to re-enter the payment system, and **all treatment residuals specified in Section 18660.22(c) derived from the claimed CEWs have been shipped to an end-use destination authorized to receive and further treat those treatment residuals.**”*

# General Requirements for Recycling Payment Claims

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- 18660.22 (c) Prior to submitting a payment claim for cancelled CEWs, an approved recycler shall:
  - ***(1) Ship\* all the following treatment residuals derived from the cancelled CEWs\*\* to an end-use destination authorized to receive and further treat the treatment residual....:***
  
- Propose clarification
  - \* “...off-site...”
  - \*\* “...being claimed...”)

# General Requirements for Recycling Payment Claims

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- 18660.22 (c)(1) ...
  - *(A) CRT glass cullet if conducting CRT or CRT-containing CEW cancellation through crushing or shredding.*
  - *(B) Bare CRTs if conducting CRT or CRT-containing CEW cancellation through dismantling to a bare CRT after relieving the vacuum.*
  - *(C) Gas plasma display glass cullet if conducting non-CRT-containing CEW cancellation through crushing or shredding.*
  - *(D) Bare gas plasma display panels if conducting non-CRT-containing CEW cancellation through dismantling to a bare panel.*

# Additional Requirements for Recycling Payment Claims: 18660.23 &.24

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- ...*(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\**.
- \*Propose clarification on **what** glass was shipped (i.e. "...in fulfillment of 18660.22(c)...")
- First shipment? Last shipment?
  - Operative limitation is one claim per month.

# Additional Requirements for Recycling Payment Claims: 18660.23 &.24

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- *(g) An approved recycler shall attach...*
  - *(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:....*

# Additional Requirements for Recycling Payment Claims: 18660.23 &.24

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- *(g) ... (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.***

# Other Ideas

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- Allow for staggered payment system?
  - Accept claims without glass shipment
    - Partially pay to cover recovery costs
    - Pay balance upon demonstration of glass disposition
- Differential payment depending on processing and disposition methods?
  - Not feasible due to uncertainties of fate
  - Statute appears to tie payments to **average** costs, not particular methods

# Other Ideas

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- More radical overhaul?
  - Disassociate CEW claims from CRT glass management
    - Simply rely on accumulation limits
    - What about cost accounting and/or accrual?
- Stick with minor tweaks now?