



Covered Electronic Waste Recycling Program

RESIDUAL CRT MANAGEMENT

PROPOSED REGULATORY CHANGES

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PROPOSED CHANGES TO CURRENT CEW RULES

- Applicable rules are found in 14 CCR 18660.5 et seq
- Associated workshop document presents proposed changes in underline and ~~strikethrough~~
- Focus of changes is lifting CRT disposition restrictions
 - Improving ultimate disposition documentation / awareness
 - Placing limits on location and timing of certain activities
- CalRecycle recognizes there are other rules requiring attention

14 CCR 18660.5 DEFINITIONS

(46) “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, however the costs and/or revenues associated with managing treatment residuals shall be factored into the net cost of recycling CEW. ~~In some cases, t~~ Treatment residuals may be used to demonstrate the prior processing of CEWs, and ~~bills of lading for~~ documentation demonstrating the subsequent movement and/or ultimate disposition of the material residuals may be required as part of the claim for payment submitted by an approved recycler.

14 CCR 18660.5 DEFINITIONS

(47) “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.

14 CCR 18660.6 APPLICABILITY AND LIMITATIONS

(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.~~

(2) Approved recyclers are not eligible for CEW recycling payments if treatment residuals are managed in a noncompliant or nonconforming manner.

(3) Treatment residuals shall be managed for recycling to the extent economically feasible.

(A) Economic feasibility may be determined by an approved recycler based on current market conditions for legal management options.

(B) CalRecycle may demand demonstration of economic infeasibility.

14 CCR 18660.6 APPLICABILITY AND LIMITATIONS

(h) Limitations on recycling payments on exported CEWs and the disposition of treatment residuals:

(4) Approved recyclers that ship treatment residual CRTs or CRT glass for the purposes of recycling shall be capable of demonstrating to CalRecycle or its designee upon demand that the material has reached an ultimate disposition within one year of the initial shipment.

(5) If treatment residuals are disposed, an approved recycler shall ensure that the disposal is compliant with all applicable laws and conforms to any conditions of authorization or approval under which the approved recycler managed the CEW from which the treatment residuals were derived.

14 CCR 18660.6 APPLICABILITY AND LIMITATIONS

(h) Limitations on recycling payments on exported CEWs and the disposition of treatment residuals:

(6) Disposal of treatment residual CRT glass by an approved recycler at a Class II or Class III waste management unit as defined in Title 27 of the California Code of Regulations shall be limited to facilities located within the state of California.

(7) CalRecycle may demand demonstration of compliance and/or conformance with all laws associated with treatment residual disposition.

14 CCR 18660.21 REQUIREMENTS FOR RECYCLER

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

~~(4) Records for all bills of lading for treatment residuals including the following information:~~

(4) Applicable records for all shipments of treatment residuals, including but not limited to weight certificates, packing lists, bills of lading, manifests, destination receipts, invoices, and payments.

Applicable records shall be maintained pursuant to Section 18660.8 of this Chapter and be capable of demonstrating the following information:

(A) Date of shipment.

(B) Quantity and material type in shipment.

(C) The full name and address of shipping service.

(D) The full name and address of the buyer or other transferee, and destination name and address if different.

(E) Identification and description of the ultimate disposition of the treatment residuals.

14 CCR 18660.22 REQUIREMENTS FOR CLAIMS

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

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

(A) "I hereby declare under penalty of perjury that:"

...

14 CCR 18660.22 REQUIREMENTS FOR CLAIMS

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 off-site to an end-use destination authorized to receive and further treat or legally dispose of those treatment residuals.”

...

4. “This payment claim, including any and all accompanying documents has been examined by me and is true, and ~~correct and complete.~~”

5. “I understand that errors or omissions on my part may result in CalRecycle delaying or denying payment”

14 CCR 18660.22 REQUIREMENTS FOR CLAIMS

(c) Prior to submitting a payment claim for cancelled CEWs, an approved recycler shall:

(1) Ship off-site all the following treatment residuals derived from the cancelled CEWs to an end-use destination authorized to receive and further treat or legally dispose of the treatment residual:

(A) CRT glass cullet if conducting CRT or CRT-containing CEW cancellation through crushing or shredding.

(B) Bare CRTs and/or CRT glass cullet if conducting CRT or CRT-containing CEW cancellation through dismantling to a bare CRT after relieving the vacuum.

14 CCR 18660.23 REQUIREMENTS FOR CLAIMS

(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:

(4) Verification of post cancellation disposition, including:

(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~~ compliant with applicable law and conformant with the approved recycler's conditions of authorization.

1. All documentation necessary to demonstrate compliant material disposition shall be included in the discussion.

2. CalRecycle may demand additional documentation as necessary from an approved recycler to determine the legality of material disposition.

14 CCR 18660.24 REQUIREMENTS FOR CLAIMS

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

(4) Verification of post cancellation disposition, including:

(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~~ compliant with applicable law and conformant with the approved recycler's conditions of authorization.

1. All documentation necessary to demonstrate compliant material disposition shall be included in the discussion.

2. CalRecycle may demand additional documentation as necessary from an approved recycler to determine the legality of material disposition.

14 CCR 18660.X MISCELLANEOUS

14 CCR 18660.23 & .24

(e) (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 off-site to an end-use destination authorized to receive and further treat or legally dispose of those treatment residuals.

14 CCR 18660.X MISCELLANEOUS

14 CCR 18660.23 & .24

(h) In addition to the documentation required in subsection (g), an approved recycler shall attach to the payment claim a description and ~~qualification~~ quantification 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.

NEXT STEPS

- Receive, review, incorporate comments
- Prepare “Request for Approval” and post notice
- Summarize proposal at June CalRecycle Monthly
- Seek approval to submit emergency regulation package to OAL

- Questions? Comments?