

**State of California
Office of Administrative Law**

In re:
**Department of Resources Recycling and
Recovery**

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 18660.40

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0913-01

OAL Matter Type: Emergency Readopt (EE)

This emergency filing by the Department of Resources Recycling and Recovery ("CalRecycle") amends 14 CCR § 18660.40, which lists the Electronic Waste Recycling Fees for certain electronic devices. Specifically, this emergency rulemaking action is a biennial adjustment of the recycling and recovery fees paid by consumers on purchases of electronic devices containing video screens. CalRecycle reviews and adjusts the amounts of these fees for the purpose of maintaining the appropriate revenue levels in the Electronic Waste Recovery and Recycling Account to fund the statewide Electronic Waste Recycling Program. This rulemaking action increases the current fees established during CalRecycle's 2014 emergency rulemaking effort and effective January 1, 2017.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 9/23/2016 and will expire on 9/24/2018. The Certificate of Compliance for this action is due no later than 9/23/2018.

Date: September 22, 2016



Peggy J. Gibson
Senior Attorney

For: Debra M. Cornez
Director

Original: Scott Smithline
Copy: Meagan Wilson

EMERGENCY

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2016-0913-01EE
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For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

SEP 22 2016

1:59 PM

2016 SEP 13 A 9:49
OFFICE OF
ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
Department of Resources Recycling and Recovery (CalRecycle)

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Electronic Waste Recycling Fees	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2014-0912-02E per agency request
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND Section 18660.40
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) September 23, 2016
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Meagan Wilson	TELEPHONE NUMBER 916-341-6077	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) meagan.wilson@calrecycle.ca.gov
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B. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Elliott Block</i>	DATE 9/12/16
TYPED NAME AND TITLE OF SIGNATORY Elliott Block, Chief Counsel	

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ENDORSED APPROVED

SEP 22 2016

Office of Administrative Law

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, ~~2013~~2017, ~~three~~ five dollars (\$~~3~~5), for each covered electronic device with a screen size of less than 15 inches measured diagonally.
- (b) On or after January 1, ~~2013~~2017, ~~four~~ six dollars (\$~~4~~6), 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, ~~2013~~2017, ~~five~~ seven dollars (\$~~5~~7), for each covered electronic device with a screen size greater than or equal to 35 inches measured diagonally.

Note:

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

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