

**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**

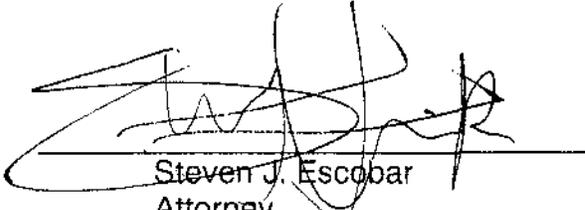
OAL File No. 2014-0912-02 E

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 maintains the current fee structure established during CalRecycle's 2012 emergency rulemaking effort and effective January 1, 2013. The amendments also include deleting language regarding the previous fee structure, which was effective January 1, 2011.

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 9/22/2014 and will expire on 3/24/2015. The Certificate of Compliance for this action is due no later than 3/23/2015.

Date: 9/22/2014



Steven J. Escobar
Attorney

Original: Caroll Mortensen
Copy: Deanna Gay-Tyler

For: DEBRA M. CORNEZ
Director

EMERGENCY

STATE OF CALIFORNIA - OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only
OF THE OFFICE OF

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2014-0912-02E
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2014 SEP 22 AM 11:35

Deanna Bowen
DEANNA BOWEN
SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only	
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 <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	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)
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 18660.40
TITLE(S) 14	REPEAL

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 §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.7(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 §§11349.3, 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, §§ 11342.4, 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 checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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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 56660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Deanna Gay-Tyler	TELEPHONE NUMBER (916) 341-6077	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) deanna.gay-tyler@calrecycle.ca.gov
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8. 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>Elliot Block</i>	DATE 9/2/14
TYPED NAME AND TITLE OF SIGNATORY Elliot Block, General Counsel	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

SEP 22 2014

Office of Administrative Law

PROPOSED AMENDMENT TO 14 CCR 18660.40

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, 2011, six dollars (\$6), and on~~ or after January 1, 2013, three dollars (\$3), for each covered electronic device with a screen size of less than 15 inches measured diagonally.
- (b) ~~On or after January 1, 2011, eight dollars (\$8), and on~~ or after January 1, 2013, four dollars (\$4), 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, 2011, ten dollars (\$10), and on~~ or after January 1, 2013, five dollars (\$5), 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.