

PROPOSED REGULATION TEXT

Covered Battery-Embedded Waste Recycling Fee
Materials Management and Local Assistance Division

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

ARTICLE 2.6

Amend section 18660.40, California Code of Regulations, title 14

ARTICLE 2.6: Covered Electronic Waste Recycling Fee

Section 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, 2024, four dollars (\$4), for each covered electronic device with a screen size of less than 15 inches measured diagonally.
- (b) On or after January 1, 2024, five dollars (\$5), 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, 2024, six dollars (\$6), for each covered electronic device with a screen size greater than or equal to 35 inches measured diagonally.
- (d) On or after January 1, 2026, 1.5 percent of the retail sales price for each covered battery-embedded product sold for use in this state by a retailer.

- (1) There is a rebuttable presumption that a covered battery-embedded product is purchased for use in this state if either of the following is true:

- (A) The covered battery-embedded product is purchased from a retailer physically located in this state.
- (B) The address to which the retailer ships the purchased covered battery-embedded product is located in this state.
- (2) This section applies to the purchase of covered battery-embedded products only. It does not apply to any determination regarding whether Covered Electronic Waste (CEW), as defined in Section 18660.5(a)(18) of Title 14 of the California Code of Regulations, is generated from a California Source, as defined in Section 18660.5(a)(12) of Title 14 of the California Code of Regulations.

NOTE: Authority cited: Sections 40502 and 42475.2, Public Resources Code.
Reference: Sections 42464, 42464.2 and 42464.4, Public Resources Code.