

Addition to the list of common electronic hazardous wastes in Title 22, Chapter 11,
Appendix X, subsection(c)
Department Reference Number: R-04-12
Emergency Regulations

Amend Appendix X to chapter 11 to read:

Appendix X
List of Chemical Names and Common Names for Hazardous
Wastes and Hazardous Materials

(c) This subdivision sets forth a list of electronic wastes that are presumed to be hazardous wastes unless it is determined that the electronic waste is not a hazardous waste pursuant to the procedures set forth in section 66262.11. The hazardous characteristics that serve as a basis for listing the common names of electronic wastes are indicated in the list as follows: (X) toxic, (C) corrosive, (I) ignitable, (R) reactive. For purposes of Health and Safety Code section 25214.10.1, devices marked with a pound symbol (#) were listed herein on or before July 1, 2004.

~~(X) toxic, (C) corrosive, (I) ignitable, (R) reactive.~~

- # Cathode ray tube containing devices (CRT devices) with CRTs greater than four inches measured diagonally (X)
- # Cathode ray tubes (CRTs) greater than four inches measured diagonally (X);
- # Computer monitors containing cathode ray tubes greater than four inches measured diagonally (X)
- # Laptop computers with liquid crystal display (LCD) screens greater than four inches measured diagonally (X)
- # LCD containing desktop monitors greater than four inches measured diagonally (X)
- # Televisions containing cathode ray tubes greater than four inches measured diagonally (X)
- Televisions containing liquid crystal display (LCD) screens greater than four inches measured diagonally (X) (added December 2004)
- Plasma televisions with screens greater than four inches measured diagonally (X) (added December 2004)

Note: Authority cited: Sections 25140, 25141, ~~and 25214.9~~, 25214.10.1 and 25214.10.2, Health and Safety Code; and Sections 42475, 42475.1 and 42475.2, Public Resources Code. Reference: Sections 25117, 25140, 25141, ~~and 25214.9~~ and 25214.10.1, Health and Safety Code; and Section 42463, Public Resources Code.

§66260.201 Classification of an Electronic Device as a Covered Electronic Device

(a) ~~An~~ Subsequent to the dates set forth in Health and Safety Code section 25214.10.1, subdivision (d)(1) or (2) as appropriate, an electronic device that is listed in subdivision (c) of Appendix X to Chapter 11 shall be managed as a “covered electronic device” under chapter 8.5 of part 3 of division 30 of the Public Resources Code (section 42460 et seq.) unless the manufacturer of the device has obtained the Department’s concurrence that the device is nonhazardous pursuant to subsection (d). Upon issuance of the department’s concurrence, the electronic device shall cease to be a covered electronic device. Health and Safety Code section 25214.10.1, subdivision (e)(1) prescribes the date on which the device is no longer subject to management under chapter 8.5.

(b)(1) Each manufacturer of electronic devices sold in the State shall determine if it produces any device(s) of the types listed in subdivision (c) of Appendix X of Chapter 11, and if so, shall send notices to retailers and the Board of Equalization pursuant to Health and Safety Code section 25214.10.1, subdivision (c)(1) and (c)(2). ~~designate those devices covered electronic devices for its retailers in the State. Commencing January 01, 2005, a manufacturer of one or more covered electronic devices shall, by April 01 of each calendar year, provide a list of covered electronic devices produced by the manufacturer to all its retailers of those devices in the State. If a manufacturer subsequently distributes any covered electronic device that was not included in the notice which is not on the list the manufacturer provided to its retailers during the first quarter of the calendar year, or if a manufacturer did not previously provide a list notice,~~ the manufacturer shall notify each retailer to which the manufacturer distributes the covered electronic device(s) at least ten days prior to distributing the covered electronic device(s).

(2) The identification of the covered electronic devices in the notice shall include:
~~The list shall contain the following information—~~

- (A) The brand name (or brand names) of each of the covered electronic devices,
 - (B) A general description of each of the covered electronic devices (e.g., CRT-television, laptop computer, LCD monitor, etc.),
 - (C) The model number for each of the covered electronic devices, and
 - (D) The size of the screen or CRT in each of the covered electronic devices.
- (c) A manufacturer who incorrectly determines that a product it produces is not a listed device or fails to make a notification pursuant to this subsection is in violation of the requirements of this division.

(d) A manufacturer may determine that it produces an electronic device that is listed in subdivision (c) of Appendix X of Chapter 11 that is nonhazardous and apply to the Department for concurrence with its non-hazardous determination through the procedure set forth in section 66260.200(d).

Note: Authority cited: Sections 25140, 25141, ~~and 25214.9,~~ and 25214.10.2, Health and Safety Code; and Sections 42475, 42475.1 and 42475.2, Public Resources Code.
Reference: Sections 25140, 25141, ~~and 25214.9~~ and 25214.10.1, Health and Safety Code; and Section 42463(f)(1), Public Resources Code.