

AMENDED IN SENATE APRIL 17, 2002

SENATE BILL

No. 1619

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Introduced by ~~Senator Romero~~ *Senators Romero and Sher*  
(Coauthor: Senator Soto)

February 21, 2002

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~~An act to add Chapter 8.2 (commencing with Section 42460) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste, An act to add Sections 42586, 42587, 42588, and 42589 to the Public Resources Code, relating to solid waste, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1619, as amended, Romero. Solid waste: ~~hazardous electronic scrap~~ *cathode ray tubes and CRT devices*.

Existing law requires the California Integrated Waste Management Board to administer state programs to recycle plastic trash bags, plastic packaging containers, waste tires, newsprint, and other specified materials.

This bill, *in conjunction with SB 1523*, would establish a program administered by the board to recover, reuse, and recycle ~~hazardous electronic scrap~~ *cathode ray tubes and CRT devices*, as defined.

The bill would require *the board to use funds in the Cathode Ray Tube Recycling Account, which SB 1523 would establish as a continuously appropriated account in the Integrated Waste Management Fund, for the purposes of providing (1) matching grant funds to local governments to establish and maintain local programs that provide for the convenient and cost-effective collection and processing of cathode ray tubes and CRT devices; (2) annual recycling incentive payments to CRT material handlers that collect and process cathode ray tubes and*

*CRT devices; (3) grants to nonprofit agencies that refurbish cathode ray tubes and CRT devices for reuse; (4) grants to provide financial assistance to nonprofit organizations in order to assist those organizations in the disposal of cathode ray tubes and CRT devices that they receive as donations; and (5) loans and loan guarantees to manufacturers for research and development of environmentally friendly cathode ray tubes and CRT devices, as defined in SB 1523. By requiring the money in the account to be used for these additional purposes, the bill would make an appropriation.*

*The bill would provide state goals relating to the diversion, reuse, and recycling of cathode ray tubes and CRT devices.*

*The bill would require that on and after January 1, 2004, all hazardous electronic devices, as defined cathode ray tubes and CRT devices, and packaging containing those tubes and devices, include a clear and conspicuous label of a size and format approved by the Department of Toxic Substances Control, containing certain information regarding the proper disposal of hazardous electronic scrap the tubes and devices.*

*The bill would provide that its provisions shall become operative only if SB 1523 of the 2001–02 Regular Session is enacted and becomes operative.*

*The bill would require, on and after January 1, 2004, that every manufacturer of hazardous electronic devices be able to demonstrate that it has labeled, as specified above, all hazardous electronic devices produced by it and has been certified by the board as having a recovery and reuse or recycling system for hazardous electronic scrap that meets specified recovery and recycling goals.*

*The bill would authorize the board to grant a waiver from the specified requirement if a manufacturer of hazardous electronic devices pays to the board a hazardous electronics device recovery fee, as specified, on all of the manufacturer's hazardous electronic devices that are sold in this state. The fee would be equal to or less than an amount computed by subtracting the average scrap value (including negative scrap value) of the hazardous electronic scrap or the hazardous waste disposal cost of that scrap from the actual average cost of collecting, processing, and recycling the hazardous electronic scrap, as determined by the board.*

*The bill would require the board, if it determines, on or after January 1, 2004, that specified recovery or recycling goals are not being met, to develop and implement a deposit system in conjunction with the sale of*



~~hazardous electronic devices in order to promote increased recovery and recycling of hazardous electronic scrap.~~

~~The bill would authorize the board to prepare, publish, or issue any materials that the board determines to be necessary for the dissemination of information concerning the activities of the board under these provisions.~~

~~The bill would require the board to deposit fees received under these provisions into the Hazardous Electronic Scrap Recovery, Reuse, and Recycling Account, which the bill would establish in the Integrated Waste Management Fund. The bill would continuously appropriate the money in the account to the board solely for expenditure by the board to assist in the establishment and operation of recovery and reuse or recycling systems for hazardous electronic scrap and to defray any costs incurred for the dissemination of information specified above. The bill would prohibit the board from expending any money in the account for the administration of these provisions, except as specified, unless that money is appropriated for that purpose by the Legislature in the annual Budget Act.~~

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1.~~ Chapter 8.2 (commencing with Section 42460)

2 *SECTION 1. Section 42586 is added to the Public Resources*

3 *Code, to read:*  
4 *42586. (a) The board shall use funds in the account to do all*

5 *of the following:*  
6 *(1) Provide matching grant funds to local governments to*  
7 *establish and maintain local programs that provide for the*  
8 *convenient and cost-effective collection and processing of cathode*  
9 *ray tubes and CRT devices.*

10 *(2) Provide annual recycling incentive payments to CRT*  
11 *material handlers that collect and process cathode ray tubes and*  
12 *CRT devices, if those facilities comply with all of the applicable*  
13 *provisions of Sections 66273.80 to 66273.90, inclusive, of Title 22*  
14 *of the California Code of Regulations. In awarding annual*  
15 *recycling incentive payments under this section, the board shall*  
16 *place highest priority on supporting CRT material handling*



1 facilities that have obtained registration pursuant to Standard No.  
2 14001 of the International Standards Organization (ISO 14001).

3 (3) Provide grants to nonprofit agencies that refurbish cathode  
4 ray tubes and CRT devices for reuse.

5 (4) Provide grants to nonprofit organizations as follows:

6 (A) In order to assist nonprofit organizations in the disposal of  
7 cathode ray tubes and CRT devices that they receive as donations,  
8 the board shall establish a grant program to offset the cost that  
9 these organizations incur in the disposal of tubes and devices in  
10 accordance with this division.

11 (B) The grants shall be available to any nonprofit organization  
12 that receives cathode ray tubes and CRT devices for the purpose  
13 of refurbishing the tubes or devices for resale or for providing  
14 training in the repair and refurbishing of those tubes or devices,  
15 whether the tubes or devices are accepted as donations or are  
16 electronic scrap left at unattended donation locations.

17 (C) The amount of the grants shall be based upon the average  
18 annual costs incurred by the nonprofit organization in disposing  
19 of the tubes or devices at landfills, recycling centers, or through  
20 waste disposal companies.

21 (5) Provide loans and loan guarantees to manufacturers for  
22 research and development of environmentally friendly cathode ray  
23 tubes and CRT devices.

24 (6) The board shall adopt regulations governing the making of  
25 grants, incentive payments, loans, and loan guarantees under this  
26 section.

27 SEC 2. Section 42587 is added to the Public Resources Code,  
28 to read:

29 42587. (a) The board shall administer this chapter, except for  
30 those provisions that require administration by the Department of  
31 Toxic Substances Control. For organizational purposes, the board  
32 may establish a new division, office, or unit to administer this  
33 chapter.

34 (b) The board may adopt any regulations pursuant to Chapter  
35 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
36 Title 2 of the Government Code that the board determines may be  
37 necessary or useful to carry out this chapter or any of the board's  
38 duties or responsibilities imposed under this chapter.

39 (c) The board may prepare, publish, or issue any materials that  
40 the board determines to be necessary for the dissemination of



1 *information concerning the activities of the board under this*  
2 *chapter.*

3 *(d) In carrying out this chapter, the board may solicit and use*  
4 *any and all expertise available in other state agencies, including,*  
5 *but not limited to, the Department of Toxic Substances Control, the*  
6 *Department of Conservation, and the State Board of Equalization.*  
7 *If an existing state agency performs functions of a similar nature*  
8 *to the board's functions under this chapter, the board may contract*  
9 *with or cooperate with that agency in carrying out this chapter.*

10 *SEC 3. Section 42588 is added to the Public Resources Code,*  
11 *to read:*

12 *42588. (a) The Legislature finds and declares that existing*  
13 *law prohibits the disposal of cathode ray tubes and CRT devices*  
14 *in landfill facilities and requires that the tubes and devices be*  
15 *disposed of in accordance with provisions of law relating to*  
16 *disposal of hazardous waste.*

17 *(b) Accordingly, the Legislature further finds and declares that*  
18 *the following shall be the goals of the state regarding the diversion,*  
19 *reuse, and recycling of cathode ray tubes and CRT devices:*

20 *(1) On and after January 1, 2004, not less than 80 percent of*  
21 *cathode ray tubes and CRT devices shall be diverted from disposal*  
22 *in landfill facilities.*

23 *(2) On and after January 1, 2006, not less than 95 percent of*  
24 *cathode ray tubes and CRT devices shall be diverted from disposal*  
25 *in landfill facilities.*

26 *(3) On and after January 1, 2004, not less than 25 percent of*  
27 *cathode ray tubes and CRT devices shall be diverted from disposal*  
28 *at a hazardous waste facility and recovered for reuse or recycling.*

29 *(4) On and after January 1, 2007, not less than 50 percent of*  
30 *cathode ray tubes and CRT devices shall be diverted from disposal*  
31 *at a hazardous waste facility and recovered for reuse or recycling.*

32 *(5) On and after January 1, 2010, not less than 75 percent of*  
33 *cathode ray tubes and CRT devices shall be diverted from disposal*  
34 *at a hazardous waste facility and recovered for reuse or recycling.*

35 *(c) This section is intended to provide goals to facilitate and*  
36 *encourage compliance with existing laws relating to the disposal*  
37 *of hazardous waste. Nothing in this section is intended to*  
38 *supercede any other provision of law relating to the disposal of*  
39 *hazardous waste.*



1 SEC 4. Section 42589 is added to the Public Resources Code,  
2 to read:

3 42589. On and after January 1, 2004, all cathode ray tubes  
4 and CRT devices, and packaging containing those tubes or  
5 devices, shall include a clear and conspicuous label of a size and  
6 format approved by the Department of Toxic Substances Control,  
7 containing all of the following:

8 (a) A warning statement approved by the Department of Toxic  
9 Substances Control specifying that the cathode ray tube or CRT  
10 device contains one or more hazardous materials, the disposal of  
11 which may pose a threat to public health and the environment.

12 (b) A listing of the hazardous materials contained in the  
13 cathode ray tube or CRT device.

14 (c) Information on opportunities for and the appropriate means  
15 of discarding the cathode ray tube or CRT device, including a  
16 toll-free telephone number or Internet address where consumers  
17 can get specific information on convenient, no-cost opportunities  
18 for discarding cathode ray tubes and CRT devices for reuse,  
19 recycling, or proper waste management.

20 SEC 5. This act shall become operative only if Senate Bill  
21 1523 of the 2001–02 Regular Session is enacted and becomes  
22 operative.

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**All matter omitted in this version of the  
bill appears in the bill as introduced in the  
Senate, February 21, 2002 (JR 11)**

