

AMENDED IN SENATE JUNE 23, 2016

AMENDED IN SENATE JUNE 15, 2016

AMENDED IN SENATE JUNE 1, 2016

AMENDED IN ASSEMBLY MAY 5, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1419**

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**Introduced by Assembly Member Eggman**

February 27, 2015

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An act to add Section 25143.2.5 to the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1419, as amended, Eggman. Hazardous waste: cathode ray tube glass.

Existing law prohibits the management of hazardous waste, except in accordance with the hazardous waste laws. Existing law requires the Department of Toxic Substances Control to regulate the management and disposal of hazardous waste. Under existing regulations, the department classifies a waste as hazardous waste if the waste exceeds certain total threshold limitation concentrations, which are established by the department for various substances, including barium. A violation of the hazardous waste laws is a crime.

This bill, except as specified, would provide that used, broken cathode ray tube (CRT) panel glass and processed CRT panel glass that exceeds the total threshold limit concentration only for barium is not a waste and is not subject to regulation by the department if that panel glass meets certain requirements. The bill would provide that used, broken

CRT panel glass and processed CRT panel glass that is recycled is not subject to the department’s regulations on the export of materials. The bill would prohibit the use of that CRT panel glass except in specified end uses. Because a violation of this requirement would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 25143.2.5 is added to the Health and  
 2 Safety Code, to read:  
 3 25143.2.5. (a) For purposes of this section, the following  
 4 definitions apply:  
 5 (1) “Cathode ray tube” or “CRT” means a vacuum tube or  
 6 picture tube used to convert an electrical signal into a visual image.  
 7 (2) “CRT device” means any electronic device that contains  
 8 one or more CRTs including, but not limited to, computer monitors,  
 9 televisions, cash registers, and oscilloscopes.  
 10 (3) “CRT funnel glass” means any glass separated from CRT  
 11 panel glass that is derived from the treatment of a CRT and that  
 12 consists of the neck and funnel section of a CRT, including the  
 13 frit.  
 14 (4) “CRT panel glass” means glass separated from CRT funnel  
 15 glass that is derived from the treatment of a CRT and that consists  
 16 only of the face plate of a CRT containing a phosphor viewing  
 17 surface. CRT panel glass does not include the frit.  
 18 (5) ~~“Processed CRT panel glass”~~ “*CRT panel glass without*  
 19 *phosphor*” means CRT panel glass ~~with the phosphor removed.~~  
 20 *that has undergone treatment by an authorized universal waste*  
 21 *handler to remove the phosphor.*  
 22 (b) ~~Except as provided in subdivision (d), used,~~ *Used*, broken  
 23 CRT panel glass that exceeds the total threshold limit concentration  
 24 (TTLC) only for barium is not a waste and is not subject to  
 25 regulation by the department pursuant to this chapter, including

1 the prohibition on the use of that glass in a manner constituting  
2 disposal, if it is recycled and meets the requirements of Section  
3 261.39 of Title 40 of the Code of Federal Regulations.

4 (c) ~~Except as provided in subdivision (d), processed-CRT panel~~  
5 glass *without phosphor* that exceeds the TTLC only for barium is  
6 not a waste and is not subject to regulation by the department  
7 pursuant to this chapter, including the prohibition on the use of  
8 that glass in a manner constituting disposal, if that glass meets the  
9 requirements of Section 66273.81 of Title 22 of the California  
10 Code of Regulations and is managed in accordance with the  
11 requirements of Section 261.39 of Title 40 of the Code of Federal  
12 Regulations.

13 (d) CRT panel glass meeting the requirements of subdivision  
14 (b) or (c) that is recycled may be used only for the following end  
15 uses:

- 16 (1) Tiles, including floor or wall tiles.
- 17 (2) Fiberglass.
- 18 (3) Automotive glass.
- 19 (4) Reflective glass beads.
- 20 (5) Radiation shielding glass.
- 21 (6) Foam glass insulation.
- 22 (7) Decorative glass.
- 23 (8) Bricks.
- 24 (9) Cast concrete.
- 25 (10) Blasting media.
- 26 (11) Construction block.
- 27 (12) Any other end uses identified by the department, in  
28 consultation with the Department of Resources Recycling and  
29 Recovery, that pose no risk to the public health and safety.

30 ~~(e) Subdivisions (b) and (c) do not apply to any CRT panel glass~~  
31 ~~that is used to manufacture any product or packaging intended to~~  
32 ~~be used for food or food products, including pet food and livestock~~  
33 ~~feeds, any medicines or drugs, any medical devices, any baby~~  
34 ~~bottles, any other food service items, including wine glasses, plates,~~  
35 ~~bowls, or drinking glasses, or any other manufactured articles or~~  
36 ~~products for which the department declares that that use may have~~  
37 ~~a potential adverse impact upon human health. Such a declaration~~  
38 ~~by the department need not be risk-based and need not meet the~~  
39 ~~peer review requirements that may otherwise be required by law.~~

1 (e) *The department may prohibit any previously authorized end*  
 2 *use if the department determines that the end use potentially poses*  
 3 *environmental or public health harm. The department shall notify*  
 4 *the recyclers of the prohibition not less than 60 days prior to the*  
 5 *effective date of the prohibition.*

6 (f) ~~Notwithstanding other laws, used, Used,~~ broken CRT panel  
 7 glass and processed CRT panel glass that exceeds the TTLC only  
 8 for barium and that is recycled is not subject to any requirement  
 9 implementing this chapter regarding export of materials.

10 (g) Except regarding the barium threshold, this section does not  
 11 affect, in any manner, the regulations adopted pursuant to this  
 12 chapter regulating the processing of CRT panel glass for disposal.

13 (h) This section does not affect the identification or classification  
 14 of a waste that is derived from the end use products listed in or  
 15 identified pursuant to subdivision (d).

16 (i) This section does not affect, in any manner, the authority of  
 17 the Department of Resources Recovery and Recycling under  
 18 Section 41821.5 of, or Chapter 8.5 (commencing with Section  
 19 42460) of Part 3 of Division 30 of, the Public Resources Code.

20 (j) *This section does not apply to any CRT panel glass that is*  
 21 *used to manufacture any product or packaging intended to be used*  
 22 *for food or food products, including pet food and livestock feeds,*  
 23 *any medicines or drugs, any medical devices, any baby bottles,*  
 24 *any other food service items, including wine glasses, plates, bowls,*  
 25 *or drinking glasses, or any other manufactured articles or products*  
 26 *for which the department declares that that use may have a*  
 27 *potential adverse impact upon human health. Such a declaration*  
 28 *by the department need not be risk-based and need not meet the*  
 29 *peer review requirements that may otherwise be required by law.*

30 (j)  
 31 (k) This section does not affect, in any manner, the Toxics in  
 32 Packaging Prevention Act (Article 10.4 (commencing with Section  
 33 25214.11)) or the Safe Drinking Water and Toxic Enforcement  
 34 Act of 1986 (Chapter 6.6 (commencing with Section 25249.5)).

35 SEC. 2. No reimbursement is required by this act pursuant to  
 36 Section 6 of Article XIII B of the California Constitution because  
 37 the only costs that may be incurred by a local agency or school  
 38 district will be incurred because this act creates a new crime or  
 39 infraction, eliminates a crime or infraction, or changes the penalty  
 40 for a crime or infraction, within the meaning of Section 17556 of

- 1 the Government Code, or changes the definition of a crime within
- 2 the meaning of Section 6 of Article XIII B of the California
- 3 Constitution.

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