

Chapter 10

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

(a) 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 subsection (e) below and subsection (c) of Appendix X to Chapter 11 ~~shall be managed as~~ is 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 of part 3 of division 30 of the Public Resources Code.

(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~~ subsection (c) of Appendix X of Chapter 11, and if so, shall send an annual notice to retailers and the board of Equalization pursuant to Health and Safety Code section 25214.10.1, subdivision (c)(1) and (c)(2). The notice shall include all covered electronic devices listed in Appendix X of Chapter 11 that are manufactured by the manufacturer and shall include the information specified in subsection (b)(3) below.

(2) A manufacturer who distributes any covered electronic device for which a notice was not provided as required in subsection (b)(1), shall provide the notice to the retailer(s) no later than the date the retailer(s) first receives the covered electronic device. A manufacturer who provides a notice pursuant to subsection (b)(2) remains subject to penalties for any noncompliance with subsection (b)(1) above.

(3) The ~~identification of the covered electronic devices in the~~ notice shall include:

(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 viewable screen size for each covered electronic device. As used in this section, viewable screen size means the diagonal measurement of the output surface, as viewed by the operator of the covered electronic device, excluding any plastic, wood, metal, or other bezel material that surrounds the video display surface.

(D) At least one of the following: the product group or family, model number or series, part number or series, or a similar descriptor for each covered electronic device that will enable the retailers to determine that the electronic device is a covered electronic device. For example, a notification could include a statement such as "All (brand name) XYZ series, 15-inch through 21-inch, LCD-desktop computer monitors and all bundled computer systems containing these monitors," rather than delineating each XYZ monitor individually.

(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~~ subsection (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).

(e) The following devices are covered electronic under chapter 8.5 of part 3 of division 30 of the Public Resources Code (section 42460 et seq.):

(1) Cathode ray tube containing devices (CRT devices) with CRTs greater than four inches measured diagonally;

(2) Cathode ray tubes (CRTs) greater than four inches measured diagonally;

(3) Computer monitors containing cathode ray tubes greater than four inches measured diagonally;

(4) Laptop computers with liquid crystal display (LCD) screens greater than four inches measured diagonally;

(5) LCD containing desktop monitors greater than four inches measured diagonally;

(6) Televisions containing cathode ray tubes greater than four inches measured diagonally;

(7) Televisions containing liquid crystal display (LCD) screens greater than four inches measured diagonally (added December 2004) [excluding LCD projection televisions]

(8) Plasma televisions with screens greater than four inches measured diagonally (added December 2004) [excluding plasma projection televisions]

§66260.202 Restrictions on the Use of Heavy Metals in Covered Electronic Devices

(a) No person shall sell or offer for sale in California, a covered electronic device that contains concentrations of heavy metals exceeding the maximum concentration values published in the Official Journal of the European Union on 18 August 2005 adopting the Commission Decision amending Directive 2002/95/EC of the European Parliament and of the Council of the European Union for the purpose of establishing the maximum concentration values for certain hazardous substances in electrical and electronic equipment.

(b) In determining the concentrations of metals for compliance with subsection (a) of this section, DTSC shall not consider any cadmium, chromium, lead, or mercury or any component containing those metals, which has been exempted by Directive 2002/95/EC or by any TAC decision as published in the Official Journal of the European Union.

Chapter 11

§66261.9. Requirements for Universal Waste.

(a) The hazardous wastes listed in this section are exempt from the management requirements of chapter 6.5 of division 20 of the California Health and Safety Code and its implementing regulations except as specified in chapter 23 and, therefore, are not fully regulated as hazardous wastes. The wastes listed in this section are subject to regulation under chapter 23 and shall be known as "universal wastes."

- (1) Batteries as described in section 66273.2;
- (2) ~~Thermostats~~ Mercury-containing devices as described in section 66273.4;
- (3) Lamps as described in section 66273.5 (including, but not limited to, M003 wastes);
- (4) Cathode ray tubes materials, as described in section 66273.6;
- (5) Cathode ray tube glass, as described in section 66273.7;
- (6) ~~Universal waste~~ Electronic devices as described in section 66273.3;
- (67) Aerosol cans as specified in Health and Safety Code section 25201.16;
- (7) ~~Mercury-containing motor vehicle light switches as specified in Health and Safety Code section 25214.5~~ (M001 Wastes) and motor vehicles that contain such switches, as described in section 66273.7.1;
- (8) ~~Non-automotive mercury switches and products that contain such switches (including, but not limited to, M002 Wastes),~~ as described in section 66273.7.2;
- (9) ~~Dental amalgam wastes, as described in section 66273.7.3;~~
- (10) ~~Mercury-containing pressure or vacuum gauges, as described in section 66273.7.4;~~
- (11) ~~Mercury-added novelties (including, but not limited to, M004 Wastes), as described in section 66273.7.5;~~
- (12) ~~Mercury counterweights and dampers, as described in section 66273.7.6;~~
- (13) ~~Mercury thermometers, as described in section 66273.7.7;~~
- (14) ~~Mercury dilators and weighted tubing, as described in section 66273.7.8;~~
- (15) ~~Mercury-containing rubber flooring, as described in section 66273.7.9, and~~
- (16) ~~Mercury gas flow regulators, as described in section 66273.7.10.~~

(b) Universal wastes shall be managed as hazardous wastes after arrival at a destination facility.

**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 ~~and that are covered electronic wastes under chapter 8.5 of part 3 of division 30 of the Public Resources Code (section 42460 et seq.)~~ 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 is toxicity 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.~~

- #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) [excluding LCD projection televisions]
- Plasma televisions with screens greater than four inches measured diagonally ~~(X)~~ (added December 2004) [excluding plasma projection televisions]