

**PROPOSED AMENDMENT TO REGULATIONS FOR APPLICABILITY OF
ELECTRONIC DEVICES AS PART OF UNIVERSAL WASTE RULE**

Amend California Code of Regulations, title 22, division 4.5, chapter 23, article 1, section 66273.3 to read:

§ 66273.3. Applicability-Electronic Devices.

(a) Electronic devices covered pursuant to chapter 23.

(b) Electronic devices not covered pursuant to this chapter.

The requirements of this chapter do not apply to persons managing the following electronic devices:

(4) Electronic devices that are destined for recycling (or are recycled) by being "used in a manner constituting disposal," as described in section 66266.20, or that are destined for disposal (or are disposed) to a class I landfill. Such electronic devices shall be managed as hazardous waste pursuant to chapters 10 through 16, 18, and 20 through 22 of this division.

Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9 and 58012, Health and Safety Code; and Sections 42475, Public Resources Code. Reference: Sections 25141, 25150, 25159.5, 25201 and 25214.9, Health and Safety Code.

**PROPOSED AMENDMENT TO REGULATIONS FOR
RETAINING RECORDS FOR TRACKING UNIVERSAL WASTE SHIPMENTS**

Amend California Code of Regulations, title 22, division 4.5, chapter 23, article 3, section 66273.39 to read:

§66273.39. Tracking Universal Waste Shipments.

(a) Receipt of shipments. A universal waste handler shall keep a record of each shipment of universal waste received at the universal waste handler's facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received shall include the following information:

(1) The name and address of the originating universal waste handler from which the universal waste was sent;

(2) The quantity [count or weight, consistent with, for example, section 66273.32, subsection (d)] of each type of universal waste received (e.g., batteries, thermostats, lamps, electronic devices, CRTs, CRT glass); and

(3) The date of receipt of the shipment of universal waste.

(b) For purposes of compliance with subsection (a) of this section, a universal waste handler who receives universal wastes from household generators and conditionally exempt small quantity universal waste generators, as defined in section 66273.9, may

(1) in lieu of the originating universal waste handler's name and address, record "household generator" and/or "CESQUWG", and

(2) record the total quantity of each type of universal waste as an aggregate from households and/or conditionally exempt small quantity universal waste generators, as defined in section 66273.9.

(c) Shipments offsite. A universal waste handler shall keep a record of each shipment of universal waste sent from the universal waste handler's facility to another facility. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent shall include the following information:

(1) The name and address of the universal waste handler or destination facility to which the universal waste was sent;

(2) The quantity [count or weight, consistent with, for example, section 66273.32, subsection (d)] of each type of universal waste sent (e.g., batteries, thermostats, lamps, electronic devices, CRTs, CRT glass);

(3) The date of departure of the shipment of universal waste.

(d) Record retention.

(1) A universal waste handler shall retain each record described in subsection (a) of this section for at least three years from the date of receipt of the corresponding shipment of universal waste.

(2) A universal waste handler shall retain each record described in subsection ~~(b)~~ (c) of this section for at least three years from the date of departure of the corresponding shipment of universal waste.

NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25219.1, 25219.2 and 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1 and 25219.2, Health and Safety Code; 40 CFR Section 273.39.