

VII. Proprietary, Confidential, or Trade Secret Information, and VIII. Service Payments to CalRecycle

Note: This is the last section of a set of discussion documents concerning a proposed rulemaking for carpet stewardship. The final proposed regulations will include other sections on other topics as noted below. These will eventually be combined into one document.

I. Definitions

II. Stewardship Submittal Instructions

III. Criteria for Plan Approval

IV. Criteria for Evaluating Annual Reports

V. Enforcement

VI. Record Retention

VII. Proprietary, Confidential, or Trade Secret Information

1. The public disclosure of records supplied to the Department pursuant to this Article that are, at the time of submission, claimed to be proprietary, confidential, or trade secret shall be subject to the disclosure provisions in Title 14, California Code of Regulations, Division 7, Chapter 1, Article 4 (commencing with Section 17041).

VIII. Service Payments to CalRecycle

1. The department, using information provided in annual reports, its actual program costs for previous years, plans submitted in prior years, information from other sources, and assessing program needs; shall estimate the costs to be incurred by the department in connection with the administration and enforcement of the requirements of this chapter for the next fiscal year.
2. The department director, or his/her delegated authority, shall approve the administrative fee charged for each stewardship plan for the full administration and enforcement costs by April 30 each year starting 2012.
3. Any department fee shall be prorated, if there is more than one stewardship plan, by the number of plans submitted.

Note: CalRecycle's workload is mostly dependant on the number of plans and annual reports that must be reviewed and approved, hence the formula above to divide the fee by the number of plans. AB 2398 says the department may charge a variable fee. Other alternatives exist and comments are welcome on this topic.

4. The department will issue invoices for each plan by May 31 each year. Payment is due annually on July 1. The department's approval of a plan shall be revoked if payment is not received. Plans revoked for lack of payment may be reinstated upon payment.