

FACT SHEET



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Indiana E-Cycle: Manufacturers Office of Program Support

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Background

- Electronics contain heavy metals, including lead, mercury, cadmium and hexavalent chromium that can be harmful if released into the environment. Recycling electronics ensures that these materials are safely managed, and that valuable materials such as steel, glass, plastic and precious metals are reclaimed for the manufacturing of new products.
- Effective July 1, 2009, the Indiana General Assembly enacted the Indiana Electronic Waste (E-Waste) Law (IC 13-20.5). The law created an extended producer responsibility (EPR) program (known as Indiana E-Cycle) that holds manufacturers of video display devices (VDDs) (televisions, computer monitors, laptops, netbooks, notebooks, tablet computers, and e-readers) responsible for collecting and recycling covered electronic devices (CEDs) from households, small businesses and public schools in Indiana equal to at least 60percent by weight of the VDDs they manufacture and sell to Indiana households.
- The program aims to reduce the amount of e-waste being sent to Indiana landfills and ensure that hazardous substances found in e-waste are being managed in an appropriate and environmentally responsible manner.
- Manufacturers subject to the requirements of the Indiana E-Waste Law are required to register with the Indiana Department of Environmental Management (IDEM) annually. These manufacturers are able to count the collection and recycling of a variety of CEDs from Indiana households, small businesses, and public schools toward their individual recycling obligations.
- Manufacturers operate on a calendar year (January 1 – December 31).
- Manufacturers whose VDDs are not sold, offered for sale, or marketed to Indiana households, public schools, or small businesses are exempt from complying with the requirements of the Indiana E-Waste Law.



Registration

- Manufacturers that participate in the Indiana E-Cycle Program must submit an online registration and annual report by March 1. This report covers the previous calendar year, ending on December 31, and can serve as both the registration for the current year and the annual report for the previous calendar year. Manufacturers can access the online report through IDEM's Re-TRAC portal: <https://connect.re-trac.com/registration/idem>.
 - A manufacturer that begins to sell or offer for sale VDDs to households in the state must submit a registration form within 20 days of the date the manufacturer begins to sell or offer for sale the VDDs.
 - Sales include lease or sales contracts, including transactions through sales outlets (retail stores), catalogs, the internet or other electronic means.
- Registration includes a fee of \$5,000 for the initial year of registration for which a fee applies, and \$2,500 for each year thereafter that a fee applies.
 - Manufacturers that sold less than 100 units of VDDs to Indiana households during the 12 months prior to registration are exempt from paying a registration fee.
- All manufacturers must provide the following information as part of their registration:

- An estimate of the total weight, in pounds, of VDDs sold to Indiana households during the 12 months that precede the date of registration (or the most recent 12 months for which data is available); and
- A list of brand(s) of VDD(s) offered for sale in Indiana with an indication of the type of VDD(s) covered by the brand.
- If a registered manufacturer changes the brand(s) of VDD(s) sold or offered for sale, the registration must be updated within 10 days of when the change occurs.
- An annual plan for meeting the company's recycling obligation. At a minimum, the name of the recycler(s) that the manufacturer will utilize must be provided.
- A manufacturer may not sell, offer for sale, or deliver to a retailer for subsequent sale new VDDs in Indiana if the manufacturer has not registered with IDEM. VDDs must be labeled with the manufacturer's brand permanently affixed and readily visible.

Collection and Recycling Efforts

- Manufacturers are able to count the collection and recycling of any brand of CEDs toward their recycling obligation, however, manufacturers may choose to collect and recycle only their own brand(s) of electronics provided they are able to meet their recycling obligation by doing so.
 - CEDs that are reused, repaired, resold, and/or donated are not eligible to be counted toward a manufacturer's recycling obligation. Only devices that are recycled can be included with the pounds credited toward a manufacturer's obligation.
 - Possible methods of collection and recycling include contracting with local collectors and recyclers or implementing a manufacturer mail-back program.
- Manufacturers must ensure that all collectors and recyclers utilized are registered with the Indiana E-Cycle Program.
 - Any CEDs collected by non-registered collectors and/or recycled by non-registered recyclers do not count toward the recycling obligation.
- Manufacturers are encouraged through incentives to utilize recycling facilities located in Indiana (e.g., 10 percent incentive - each pound can be counted as 1.1 pounds), as well as to expand their collection efforts into non-metropolitan Indiana counties (50 percent incentive - each pound can be counted as 1.5 pounds).
 - These incentives are not mutually exclusive; a 60 percent incentive (each pound can be counted as 1.6 pounds) is provided for pounds of CEDs that are both collected in a non-metropolitan county and recycled in state.
- List of metropolitan and non-metropolitan counties in Indiana: www.IN.gov/idem/recycle/2380.htm.
- Manufacturers that collect and recycle above their mandated 60 percent recycling obligation will receive credits in the amount of 25 percent of the overage collected and recycled (100 pounds collected and recycled above the goal = 25 pounds credit).
 - Credits can be used, in whole or in part, in any of the three program years immediately following the program year they were earned.
 - Credits can be sold, in whole or in part, between manufacturers during the program year in which they will be applied.

Reporting

- Manufacturer annual reports are due each year for the previous program year. This annual report is included with the new online registration and reporting system and is due March 1, 2017. The report must include the following information about the previous program year:
 - The total weight, in pounds, of CEDs the manufacturer collected in the state and recycled, or arranged to have collected and recycled; and
 - An account of any recycling credits earned, purchased, or sold during the program year, as well as the number of recycling credits added to the total

- pounds recycled for the program year (i.e., number of credits used/“cashed in”).
- Manufacturers must also provide the name(s) of the recycler(s) with which they worked and the total pounds of CEDs recycled by each on their behalf.

Shortfall Fee

- Manufacturers that fail to meet their recycling goal are subject to a variable recycling fee. The fee is calculated as follows:
 - Forty cents per pound of shortfall for manufacturers that recycle less than 50 percent of their goal.
 - Thirty cents per pound of shortfall for manufacturers that recycle at least 50 percent, but less than 90 percent, of their goal.
 - Twenty cents per pound of shortfall for manufacturers that recycle at least 90 percent of their goal.
- Manufacturers that sold less than 100 VDDs to Indiana households, as reported on their registration form, are not subject to the variable recycling fee.
- Beginning in 2014, IDEM will provide a statement to each manufacturer subject to a variable recycling fee by each September 1.
- Manufacturers may petition the Recycling Market Development Board for relief from the variable recycling fee.
 - Petitions must be received within 60 days of the date of the fee statement provided to the manufacturer.

IDEM's Role

- IDEM is responsible for protecting human health and the environment while providing for safe industrial, agricultural, commercial and governmental operations that are vital to a prosperous economy.
- IDEM's Office of Program Support (OPS) is responsible for administering the Indiana E-Cycle Program. OPS manages all aspects of the program, including registration, reporting, and compliance.

Definitions

- Collector**: a public or private entity that:
 - receives CEDs from covered entities and arranges for the delivery of the CEDs to a recycler; or,
 - collects CEDs directly from covered entities, including curbside collection.
- Covered electronic device (CED)**: a computer, fax machine, DVD player (including gaming systems that can play DVDs), video cassette recorder, digital photo frame, digital media player, MP3 player, camcorder, camera, DVR, portable GPS navigation system, video display device, or peripheral (including keyboards, mice, external hard drives, and printers) that is sold to a covered entity by means of retailer, wholesale or electronic commerce. An all-in-one printer/scanner/copier or a projector can be considered a peripheral if the item is designed exclusively for external use with a computer.
- Covered entity**: an Indiana household, public school or small business.
 - Household**: occupants of a dwelling located in Indiana who use a VDD primarily for personal use or home office use.
 - Small business**: a business that satisfies all of the following:
 - The business is independently owned and operated.
 - The principal office of the business is located in Indiana.
 - The business satisfies either of the following:
 - Public school**: a K-12 public school or charter school.
 - A public school is a school maintained by a public school corporation established by Indiana law.
 - A charter school is a public elementary school or secondary school that is nonsectarian and nonreligious and operates under a charter.
- Manufacturer**: a person that:

- Manufactures VDDs to be sold under the person's own brand or license as identified by the person's own brand label or license;
- Sells VDDs manufactured by others under the person's own brand or license as identified by the person's own brand label or license; or
- Assumes the responsibilities and obligations of a manufacturer.
- Recycler: an individual or public entity that accepts CEDs from covered entities and collectors for the purpose of recycling.
- Video display device (VDD): a television or computer monitor, including a laptop computer, netbook, notebook, tablet computer, or e-reader, that contains a cathode ray tube or flat panel screen with a screen size that is greater than four inches measured diagonally and is marketed by a manufacturer for use by covered entities.

Additional Information

- For registration and reporting forms please visit the Indiana E-Cycle manufacturers page: <http://www.in.gov/idem/recycle/2379.htm>.
- General information about the Indiana E-Cycle Program, including lists of registered collectors and recyclers, can be found here: www.IN.gov/idem/recycle/2373.htm.
- For information about the Recycling Market Development Board, visit www.IN.gov/idem/recycle/2358.htm.
- For more information on the Indiana E-Waste Law, please visit www.IN.gov/legislative/ic/code/title13/ar20.5/.
- For more information on Indiana's Electronic Waste Management Rules, please visit www.IN.gov/legislative/iac/T03290/A00160.PDF
- If you have any questions or concerns, please contact IDEM's Office of Program Support at (800) 988-7901 or E-Cycle@idem.IN.gov.