



Indiana E-Cycle 2014 Report

August 1, 2014

Indiana Department of Environmental Management
Office of Pollution Prevention & Technical Assistance

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Summary

Electronic waste (e-waste) continues to be one of the fastest growing waste streams worldwide. To help ensure that this waste stream is managed responsibly, the Indiana Electronic Waste Law (Indiana Code 13-20.5), effective July 1, 2009, was passed. Indiana is currently one of 25 states with e-waste legislation and plays an important role in efforts to manage the numerous challenges presented by the significant volumes of e-waste generated each year in the United States.

Covered electronic devices (CEDs):

- VDDs (televisions or computer monitors, including laptops, netbooks, notebooks, tablets, and e-readers, that contain a cathode ray tube or flat panel screen with a screen size that is greater than four inches measured diagonally)
- Computers (i.e., computer towers)
- Fax machines
- Peripherals including keyboards, external hard drives, printers, mice, and any other device that is sold exclusively for external use with a computer and provides input into or output from a computer
- An all-in-one printer/copier/scanner or a projector can be considered a peripheral provided that item is designed to be used exclusively with a computer.
- DVD players (including gaming systems that are able to play DVDs)
- Video cassette recorders
- Digital photo frames
- Digital media players
- iPods/MP3 players
- Camcorders/Cameras
- DVR/TiVo devices (including cable boxes and satellite boxes but not satellite dishes)
- Portable GPS navigation systems

businesses, and public schools in Indiana are known as covered entities. While baseline data on e-waste recycling rates prior to the passage of the Indiana E-Waste Law is not available, IDEM is confident that more e-waste has been recycled in the State since the implementation of the law than would have been recycled otherwise.

The Indiana E-Waste Law established a state-wide program for the collection and recycling of e-waste, which was branded as Indiana E-Cycle in 2013.

The Indiana Department of Environmental Management (IDEM) was tasked with the implementation and management of the program. Amongst other responsibilities, the law states that the department shall:

1. adopt forms for use by manufacturers, collectors, and recyclers for all registration statements, certifications, and reports required by the law;
2. establish procedures for receipt and maintenance of the registration statements and certifications filed with the department under IC 13-20.5-1; and
3. make statements and certifications easily available to manufacturers, retailers, and the public.

An analysis of the first four years of the Indiana E-Cycle program reveals that each program year, manufacturers collectively exceeded their recycling obligation, to date recycling a total of 87,108,096 pounds of **covered electronic devices (CEDs)** (actual pounds without incentives) from Hoosier **households, small businesses, and public schools**. Households, small

Household: occupants of a dwelling located in Indiana who use a VDD at the dwelling 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:
 - The business has not more than:
 - 100 employees; and
 - average annual gross receipts of \$10,000,000.
 - If the business is a manufacturing business, the business does not have more than one hundred (100) employees.

Public School: a K-12 public school or charter school.

Overview of the Law

The Indiana E-Waste Law created an extended producer responsibility (EPR) program, known as Indiana E-Cycle, under which **manufacturers of video display devices (VDDs)** are required to collect and recycle e-waste from covered entities. Such programs are established based on the belief that producers of certain types of goods should share in the responsibility of managing the products they produce at end of life.

The law requires that manufacturers of VDDs that offer their products for sale to Indiana households annually register with and report to IDEM. Each year these manufacturers are required to collect and recycle 60 percent by weight equivalent of the total weight of VDDs they sold to Indiana households during the previous twelve months. They can collect and recycle a broader range of products of any brand, known as covered electronic devices (CEDs), to meet their obligation.

All collectors and recyclers that collect and/or recycle CEDs on behalf of a manufacturer must also register with and report results to IDEM annually. If collectors and/or recyclers do not register with the program, CEDs collected and recycled cannot be credited toward a manufacturer's recycling obligation.

The law also contains a disposal prohibition which, as of January 1, 2011, prohibits covered entities from disposing of CEDs with trash that is intended for disposal at a landfill or for disposal by burning or incineration.

Effective July 1, 2012, the Indiana General Assembly enacted the following changes to the Indiana E-Waste Law:

- **Manufacturers**

original manufacturer program year	April 1 – March 31
manufacturer program year beginning PY4 (2013)	January 1 – December 31
original manufacturer registration deadline	April 1
manufacturer registration deadline beginning PY4 (2013)	January 1

- **Collectors and Recyclers**

- Collectors and recyclers now have a single registration date of November 1.
- Recyclers are now required to include in their annual reports the names of collectors from which they received CEDs.

Manufacturer: a person that:

- Manufactures VDDs to be sold under the person's own brand or a brand the person licenses as identified by the person's own brand label or the brand label the person licenses;
- Sells VDDs manufactured by others under the person's own brand or a brand the person licenses as identified by the person's own brand label or the brand label the person licenses; or,
- Assumes the responsibilities and obligations of a manufacturer.

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 (4) inches measured diagonally and is marketed by a manufacturer for use by covered entities.

Implementation Report

This report fulfills the requirements contained in IC 13-20.5-7-4. IDEM is to submit a report concerning the implementation of the Indiana E-Waste Law to the general assembly, the governor, the Environmental Quality Service Council (now known as the Interim Study Committee on Environmental Affairs), and the Indiana Recycling Market Development Board before August 1.

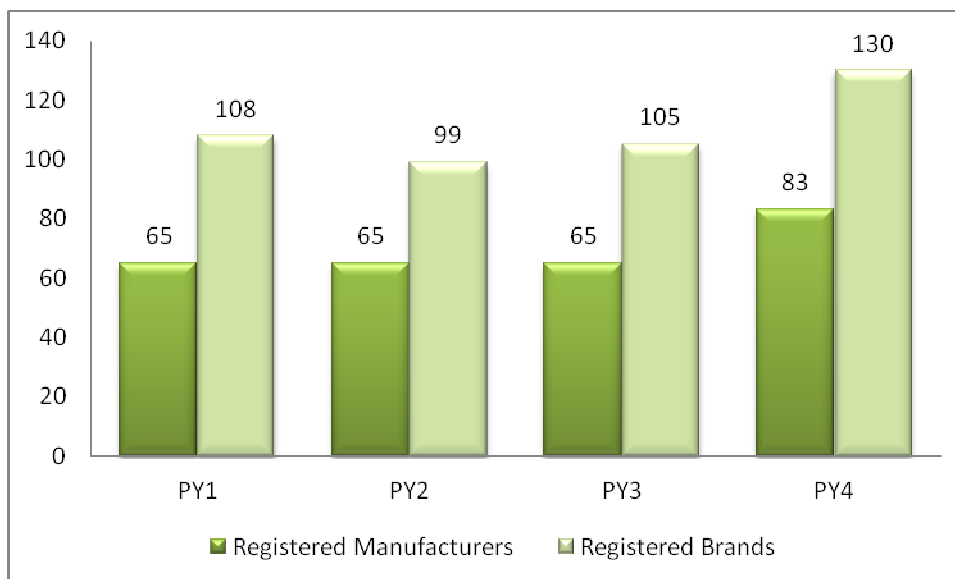
Required content:

- A summary of information in the annual reports submitted by manufacturers and recyclers.
- Information regarding the total weight of CEDs recycled.
- The various collection programs used by manufacturers to collect CEDs.
- Information regarding CEDs that are being collected by persons other than registered manufacturers, collectors, and recyclers.
- Information about CEDs, if any, being disposed of in landfills in Indiana.
- A description of enforcement actions under the Indiana E-Waste Law.

Program Participation

Program Year 4 (PY4) was the first program year in which the number of registered manufacturers exceeded 65 (Figure 1). While it is encouraging that the number of registered manufacturers is increasing, there remain nearly 100 manufacturers that are subject to Indiana E-Cycle registration requirements but have not registered with the program. The number of registered manufacturers is expected to continue to increase in future years as new manufacturers enter the market and unregistered manufacturers are made aware of the registration requirement and come into compliance. IDEM routinely conducts research to determine which companies selling VDDs to Indiana households have failed to register with Indiana E-Cycle. These manufacturers are contacted and informed of the registration requirement and provided with a registration form.

Figure 1: Registered Manufacturers and Brands



Manufacturers that sold at least 100 units of VDDs to Indiana households during the previous year are required to pay a \$5000 registration fee for the first program year they register and a \$2500 registration fee each year thereafter for which sales of VDDs to Indiana households during the previous year were 100 units or more. The registration fees are used exclusively to fund the administration of Indiana E-Cycle and do not fund recycling directly.

Manufacturers registered with Indiana E-Cycle utilize three types of collection programs to fulfill their recycling obligations:

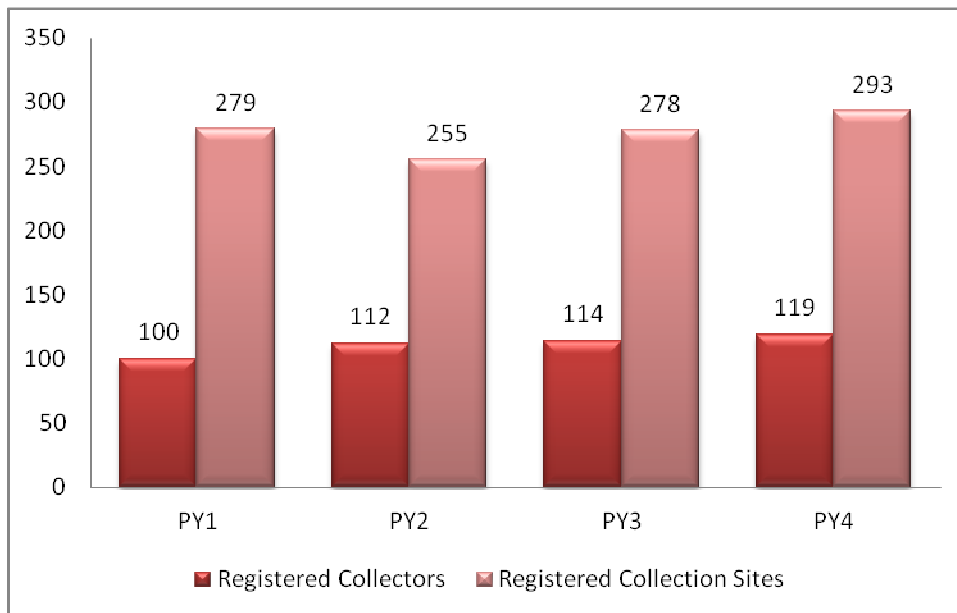
1. permanent collection sites,
2. temporary/special collection events, and
3. manufacturer take-back programs.

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.

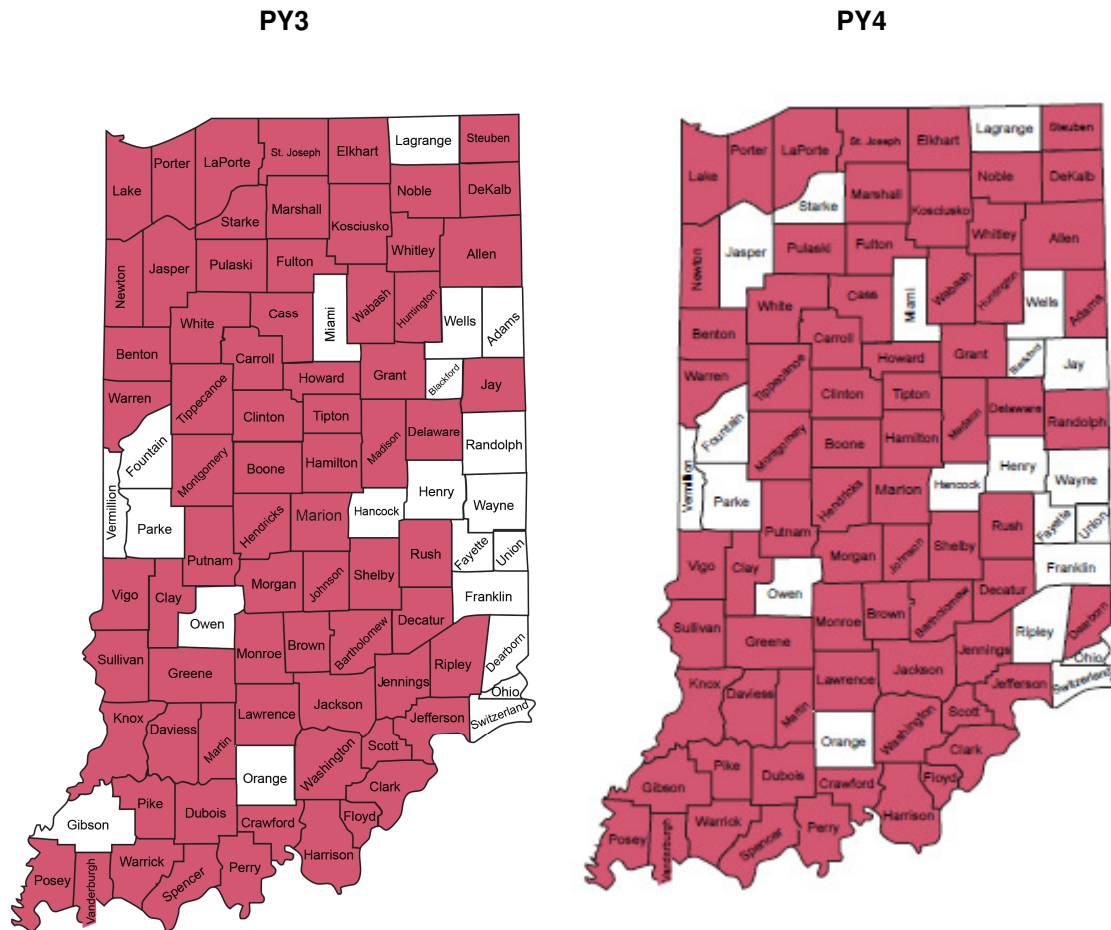
The number of both registered **collectors** and registered collection sites saw a slight increase from Program Year 3 (PY3) to PY4 (Figure 2) to a total of 119 collectors and 293 collection sites. There were 19 more collectors and 14 more collection sites registered during PY4 than during PY1. Collectors and collection sites do not have to be located in Indiana to participate in the program. Collectors are not allowed to perform any dismantling of CEDs. Dismantling of CEDs requires registration as a recycler. Most registered recyclers are also registered as collectors; however, most collectors are not also recyclers.

Figure 2: Registered Collectors and Collection Sites



In both PY3 and PY4, there were registered e-waste collection sites in 71 of Indiana's 92 counties (Figure 3), though there was a slight change in which counties comprised the 71 between the two years. These collection sites include all registered permanent collection locations in the State and some, but not most, temporary and special collection events.

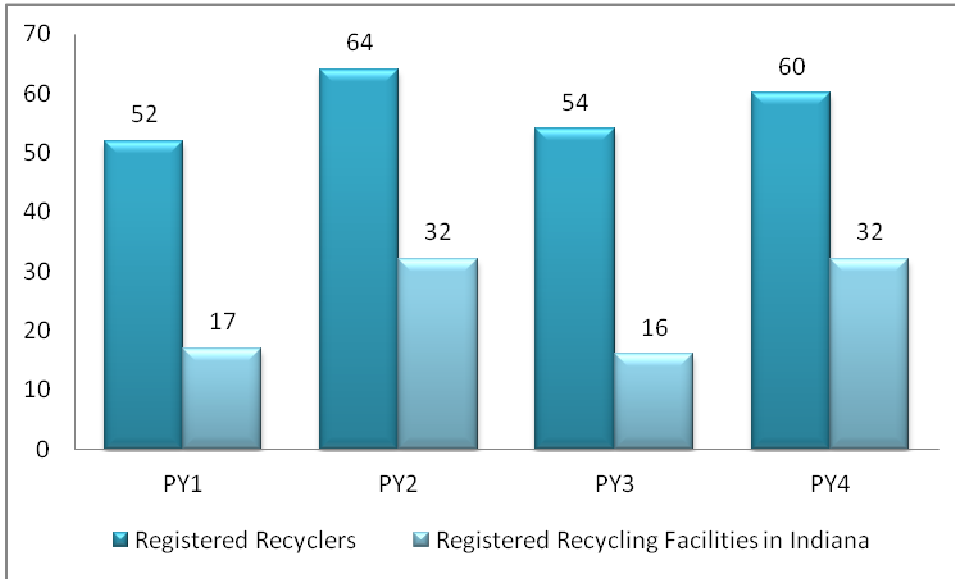
Figure 3: Counties with Registered Collection Sites



Of the three groups required to register with Indiana E-Cycle, **recyclers** have had the most inconsistent registration numbers from year to year (Figure 4). IDEM is not sure at this time what the reason(s) is for this variation. Though registration is only required for recyclers that recycle CEDs on behalf of a registered manufacturer, the majority of the recyclers registered in PY4 did not work with a registered manufacturer; only 20 of the 60 recyclers registered in PY4 recycled e-waste for a manufacturer as part of the Indiana E-Cycle program.

Recycler: an individual or public entity that accepts CEDs from covered entities and collectors for the purpose of recycling.

Figure 4: Registered Recyclers and Registered Recycling Facilities in Indiana



Program Results

It is important when reviewing the results in this report to keep in mind that for the first three program years, there was a difference in the timeframes for which the data was gathered and reported. The original difference in program year schedules/reporting timeframes presented a significant challenge in analyzing the program results from Program Years 1 - 3. See the chart below for a list of the program year timeframes. As of 2013, the manufacturer program year is January 1 to December 31, as the program year has been for collectors and recyclers since Indiana E-Cycle began.

PY3 was shortened for manufacturers due to the transition in program year timeframe, but the manufacturers' recycling obligations for PY3 were not affected by this change since they were based on sales data from the prior 12 months. The dates for the program years referenced in this report are as follows:

	Manufacturers	Collectors	Recyclers
PY1	Apr 1, 2010 - March 31, 2011	Jan 1, 2010 - Dec 31, 2010	Jan 1, 2010 - Dec 31, 2010
PY2	Apr 1, 2011 - March 31, 2012	Jan 1, 2011 - Dec 31, 2011	Jan 1, 2011 - Dec 31, 2011
PY3	Apr 1, 2012 - Dec 31, 2012	Jan 1, 2012 - Dec 31, 2012	Jan 1, 2012 - Dec 31, 2012
PY4	Jan 1, 2013 - Dec 31, 2013	Jan 1, 2013 - Dec 31, 2013	Jan 1, 2013 - Dec 31, 2013

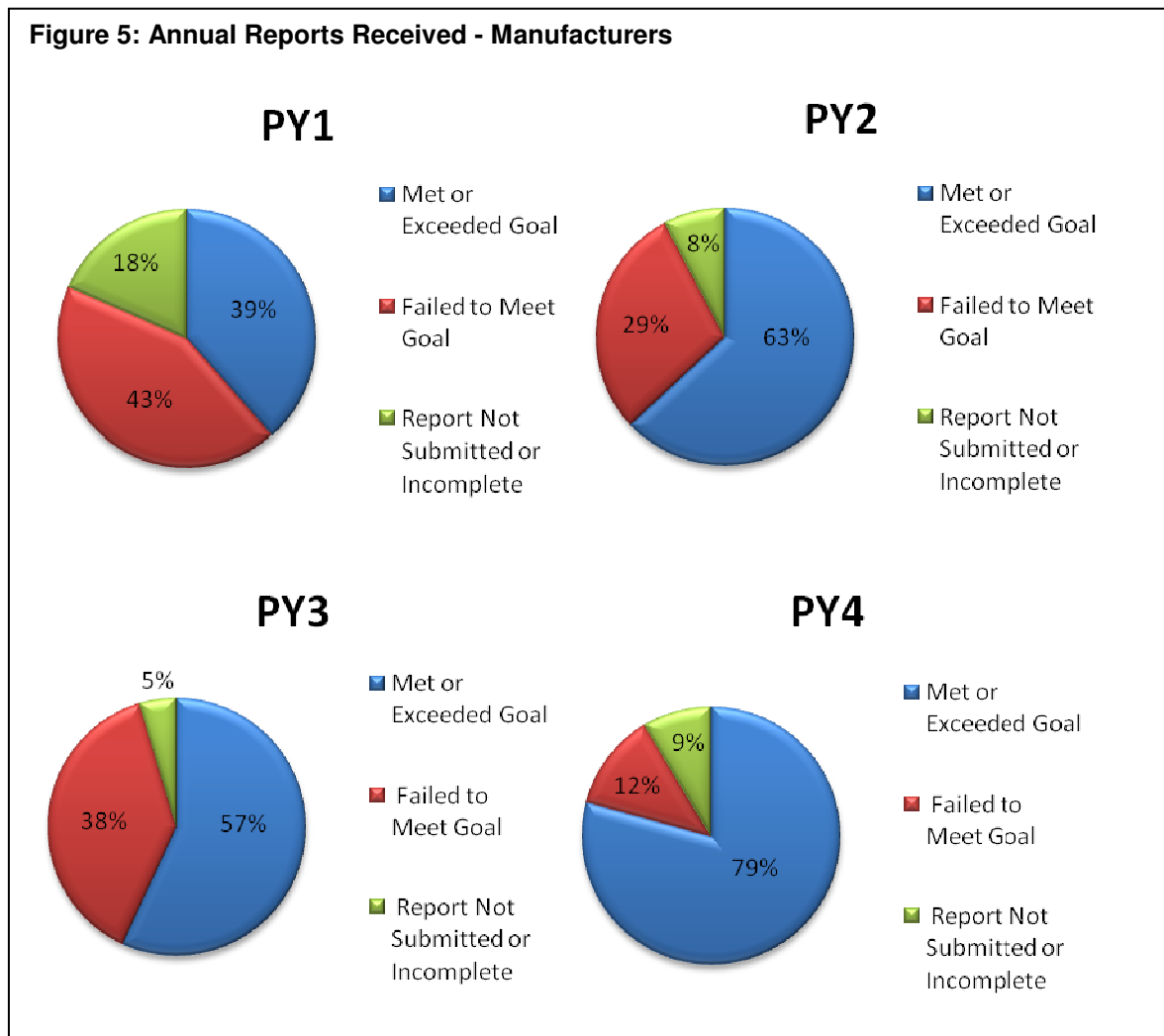
Manufacturers

PY4 was the first year for which manufacturers and recyclers reported on the same timeframe (calendar year), which allowed IDEM to cross-check the reports and resolve discrepancies between them, of which there were many.

After peaking at 95% in PY3, the percentage of registered manufacturers that submitted a complete report decreased in Program Year 4 to 91% (Figure 5). However, PY4 saw the largest percentage of manufacturers that either met or exceeded their recycling obligation. This result was anticipated, as PY4 is the first program year for which manufacturers that do not fulfill their recycling obligation are subject to a shortfall fee, known as the variable recycling fee (VRF). The variable recycling 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.

Figure 5: Annual Reports Received - Manufacturers



Of the manufacturers that either met or exceed their goal, 55% met their obligation exactly (Figure 6), indicating that those manufacturers contracted with recyclers for precisely the amount they were responsible for recycling rather than recycling all of the eligible CEDs that were collected at a given location or event.

An even closer look at the reports of the 65 manufacturers that either met or exceeded their recycling obligation reveals that 14% of those manufacturers had a goal of zero pounds (Figure 7). Manufacturers can have a recycling obligation if they did not have any qualifying sales during the previous year. This is a reflection of the language in the statute that requires registration for manufacturers of video display devices sold *or offered for sale* to households. IN PY4, 9% of the manufacturers met their goal exclusively through the use of credits and/or the purchase of pounds, meaning that they did not implement a recycling plan in the State during 2013.

Figure 6: Manufacturer Annual Reports - Met or Exceeded Goal Percentages

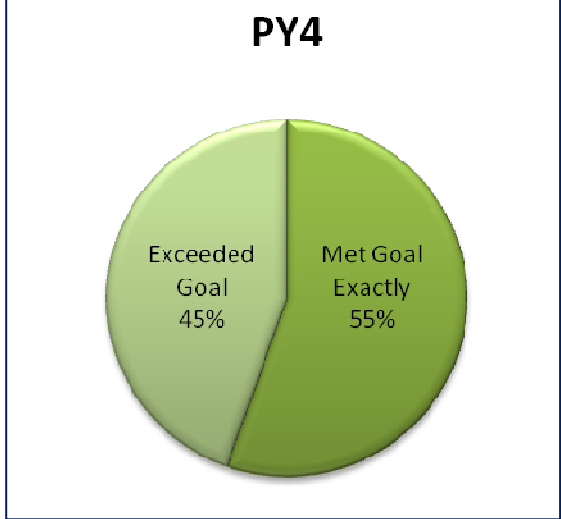
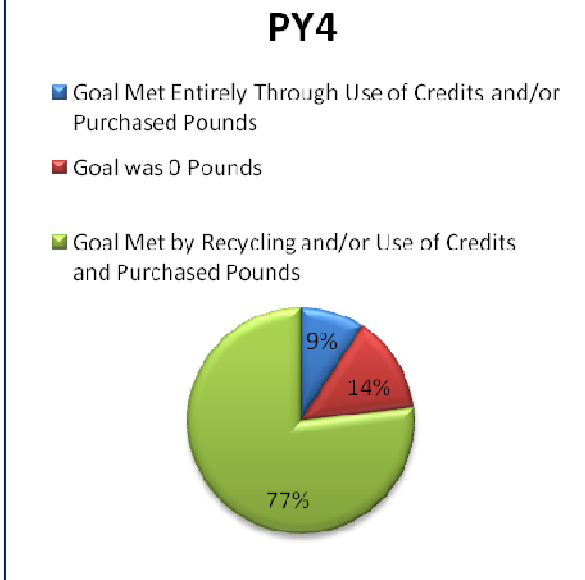
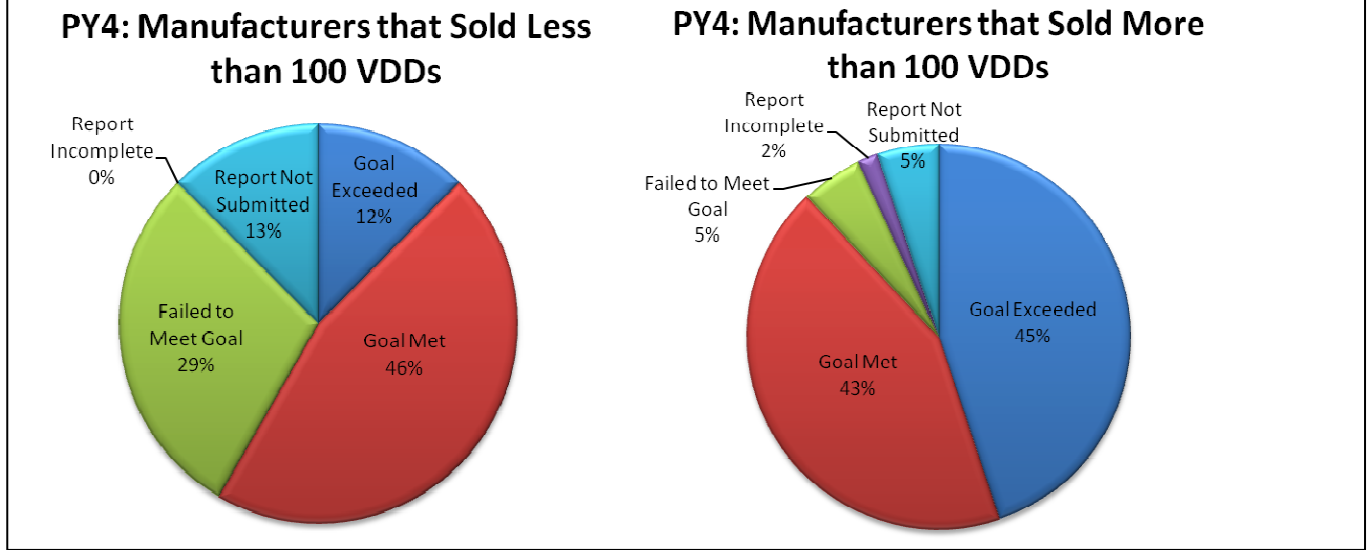


Figure 7: Manufacturer Annual Reports - Met or Exceeded Goal Details



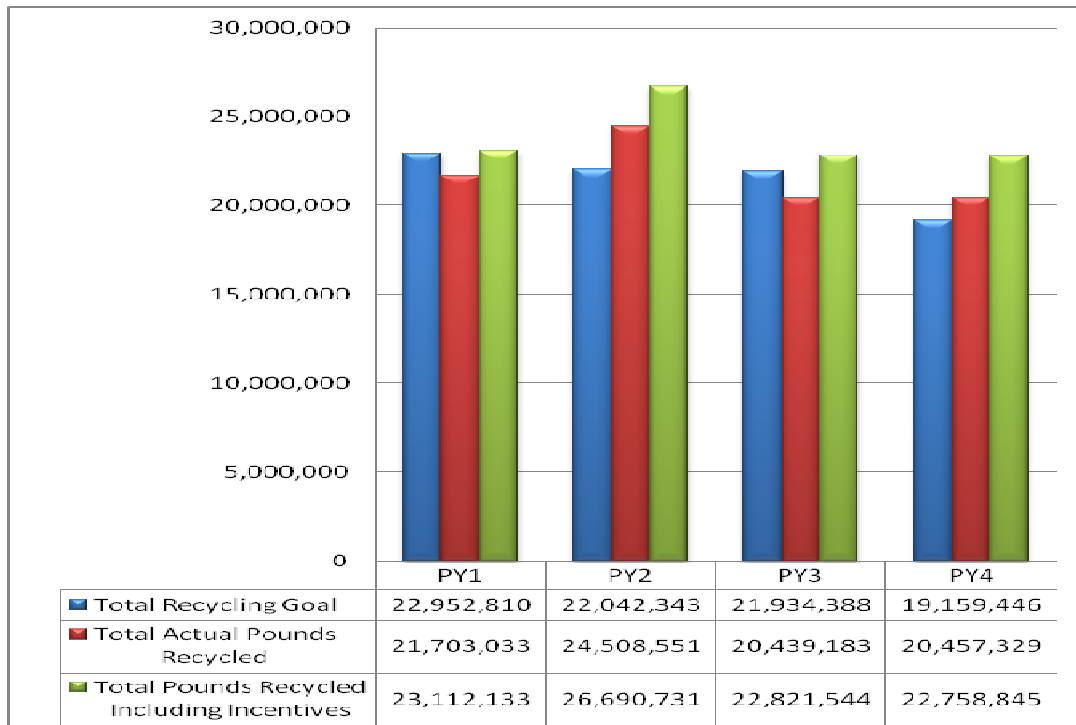
Also striking is the difference in compliance rates between small and large manufacturers. Large manufacturers have a significantly better rate of report submittal and are much more likely to meet or exceed their recycling obligation than manufacturers with a smaller market share (Figure 8). Manufacturers that sold less than 100 units of VDDs to households in Indiana during the previous year are exempt from paying the VRF if they fail to fulfill their recycling obligation. Two of the three large manufacturers that did not submit a PY4 annual report have gone out of business.

Figure 8: Small vs Large Manufacturer Compliance



Altogether, manufacturers exceeded their recycling obligation again in PY4 (Figure 9). This was the second program year for which this was achieved before the inclusion of incentives. A 50% incentive is earned for collecting CEDs from non-metropolitan counties in the State and a 10% incentive is earned for recycling CEDs at a registered facility in Indiana. These incentives can be combined- each pound of CED collected from a non-metropolitan county and recycled at an in-state recycling facility is counted as 1.6 pounds recycled.

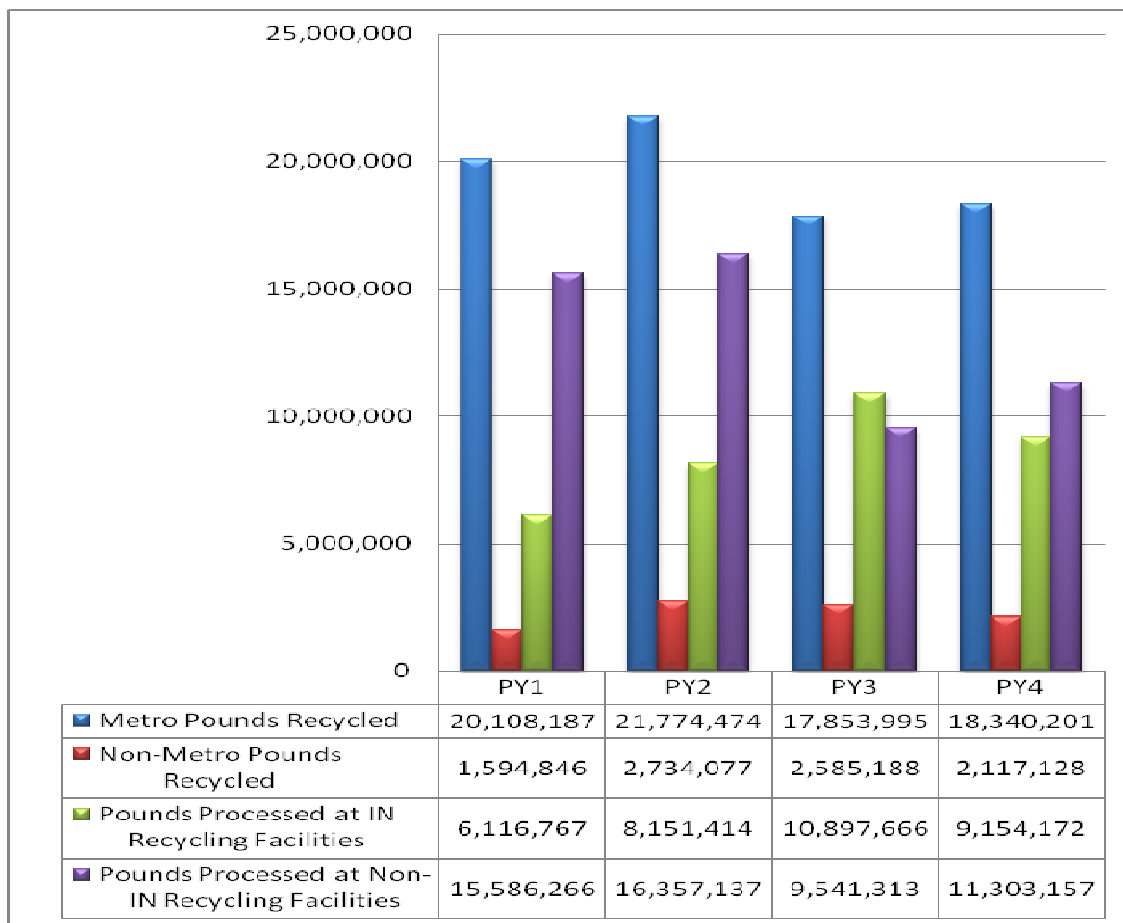
Figure 9: Pounds Recycled - Manufacturers



The addition of incentives earned to the total amount of CEDs physically recycled adds an additional 1.97 million pounds to the amount of recycling credited to registered manufacturers during PY4. The total amount recycled in PY4 of 22,758,845 pounds also includes credits applied as well as pounds purchased.

Despite the incentives offered for collecting CEDs in non-metropolitan counties in Indiana, the vast majority of e-waste collected by manufacturers under Indiana E-Cycle continues to be collected in metropolitan counties in the State (Figure 10). Consistent with PY1 and PY2, PY4 again saw more pounds of CEDs recycled at recycling facilities in other states than in Indiana, though the gap has narrowed significantly since the beginning of the program.

Figure 10: Pounds Recycled Details (Actual Pounds) - Manufacturers



Because of the diversity among the 25 state e-cycling programs currently legislated throughout the country, it is difficult to compare results between programs in a way that is meaningful due to the wide variety in how recycling targets, if any, are established and what electronic devices are covered by the program. One of the few results that can be compared across states is pounds of e-waste recycled per resident. Though not perfect, this information at least provides an indication as to how e-cycling rates compare across the country. Per capita e-cycling rates are most often compared without the inclusion of incentives since not all state programs offer incentives. The results of Indiana E-Cycle in terms of pounds of e-waste recycled per resident are as follows:

	<u>Lbs/Capita (Actual Pounds)</u>	<u>Lbs/Capita (Including Incentives)</u>
PY1	3.35	3.56
PY2	3.78	4.12
PY3	3.13	3.49
PY4	3.11	3.46

When compared to the results from other states, Indiana E-Cycle's per capita rate is in the median range both amongst all of the states with e-cycle programs and amongst the states in the Midwest with e-cycle programs.

If a manufacturer exceeds their recycling obligation, 25% of the excess pounds are converted to recycling credits that can be used by the manufacturer in any of the three immediately following program years to make up a shortfall or sold to another manufacturer. Due to the implementation of the shortfall fee (VRF), PY4 was the first year during which manufacturers bought and sold program credits, though many more credits expired in PY4 than were used or sold. Credits details are as follows:

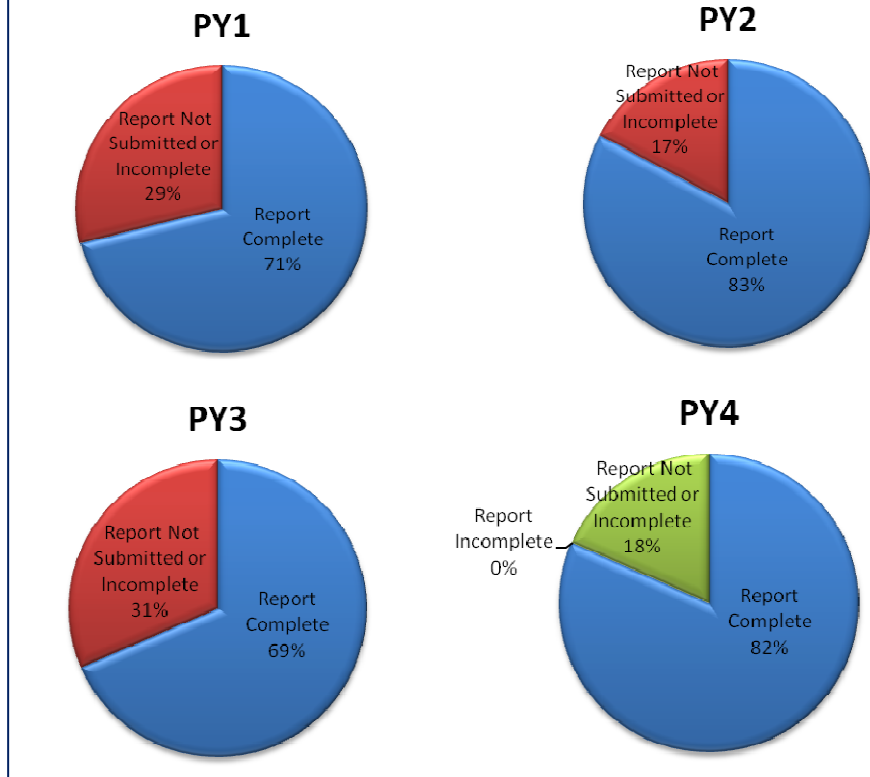
	<u>Credits Earned</u>	<u>Credits Bought/ Sold</u>	<u>Credits Used</u>	<u>Credits Expired</u>	<u>Credits Retained</u>	<u>Manufacturers Holding Credits</u>	<u>Percent of Registered Manufacturers Holding Credits</u>
PY1	1,074,733	0	n/a	n/a	1,074,733	18	28%
PY2	1,623,705	0	19,253	n/a	2,653,837	23	35%
PY3	555,630	0	116,758	n/a	3,090,762	26	40%
PY4	967,292	87,256	104,592	809,875	3,039,188	37	45%

Recyclers

The annual report submittal rate for recyclers continues to be an challenge and a concern (Figure 11). Because registration with the program is voluntary for recyclers unless they are recycling for a manufacturer, it is more difficult to motivate them to submit reports than it is manufacturers. There is a significant difference in the report submittal rate of those who recycle on behalf of registered manufacturers and those who do not.

For PY4, the annual report submittal rate for recyclers recycling on behalf of at least

Figure 11: Annual Reports Received - Recyclers



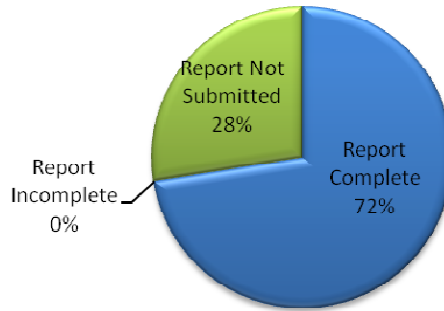
one registered manufacturer was 100%; of the recyclers without a manufacturer contract, only 72% of the required reports were submitted (Figure 12). Use of an online reporting system such as Re-TRAC Connect could potentially increase the reporting rate for recyclers as the use of <http://www.ecycleregistration.org/> has increased the efficiency of the manufacturer registration process and led to an increase in manufacturer registrations since it began being used by Indiana E-Cycle in PY4.

Figure 12: Annual Report Compliance - Recyclers

PY4: Recyclers that Recycled on Behalf of Registered Manufacturer(s)

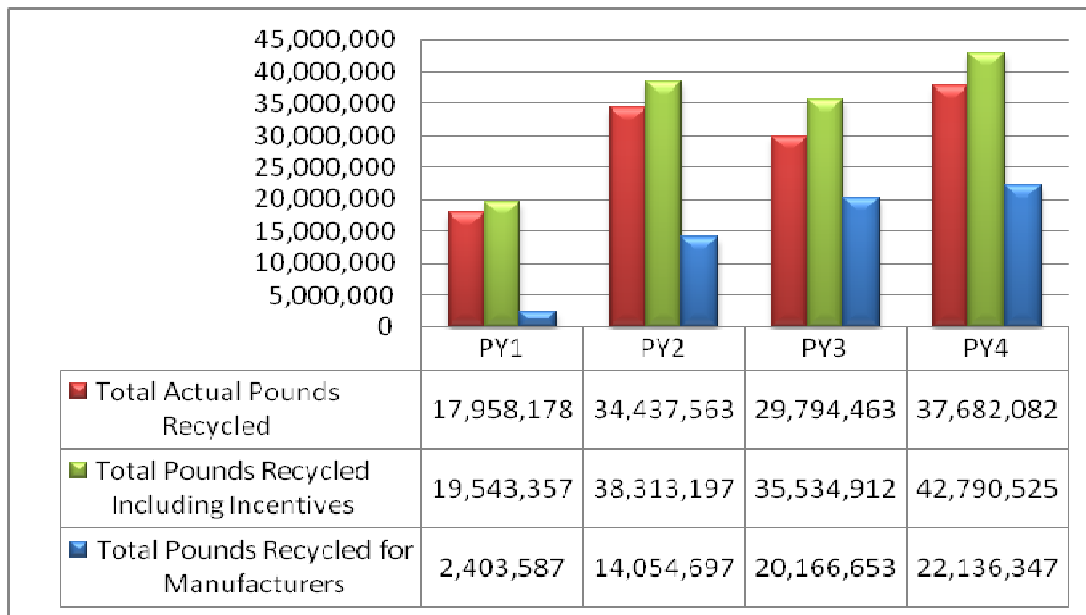


PY4: Recyclers that Did Not Recycle on Behalf of Registered Manufacturer(s)



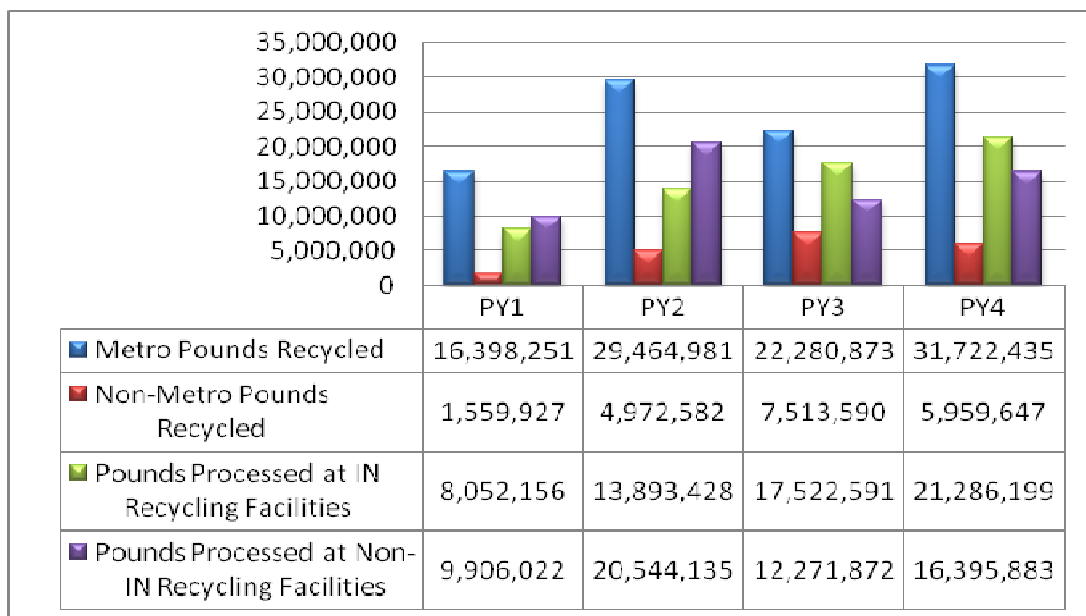
There continues to be more e-waste being recycled than registered manufacturers are responsible for recycling. This does not include the pounds from the 11 recyclers that did not report for PY4 or the e-waste that is being recycled outside the scope of Indiana E-Cycle (Figure 13).

Figure 13: Pounds Recycled - Recyclers



PY4 was the first year for which recyclers reported a decrease from the previous year in the pounds of CEDs collected from non-metropolitan counties in the State (Figure 14). Conversely, pounds recycled at in-state facilities continue to increase.

Figure 14: Pounds Recycled Details (Actual Pounds) - Recyclers



It is anticipated that the demand for CEDs in need of recycling in Indiana will continue to significantly exceed the amount of CEDs that manufacturers are responsible for recycling given that new VDDs are increasing lighter than older CEDs; that the list of items that meet the definition of CED is much more extensive than the list of items that are defined as VDDs; and that manufacturers' recycling obligations are based solely on their sales of VDDs to households, while CEDs collected to meet their recycling obligations can come from households, small businesses, and public schools. It is therefore imperative that the Indiana E-Waste Law be reevaluated on a regular basis to incorporate needed revisions based on the experience of implementing the law thus far and the experience of other states in implementing their e-waste laws. Each year there are revisions proposed to the e-cycling programs in numerous states as the programs grow and adapt to the constantly evolving electronics on the market as well as the complex e-cycling industry.

Other Collection & Recycling Efforts

This report is required to include information about CEDs that are being collected by persons other than registered manufacturers, collectors, and recyclers as well as information about CEDs, if any, being disposed of in landfills in Indiana. This information has not been included because there is no comprehensive mechanism in place to collect such data.

Multistate Collaboration

The Indiana E-Waste Law permits IDEM to participate in and to join regional multistate organizations or compacts to assist in implementing the article. IDEM has taken advantage of this opportunity and participates in regular conference calls with the other Midwestern states, which are coordinated by U.S. EPA's Region 5 office. The majority of the states that participate in the calls also have e-waste laws, most notably, Minnesota and Wisconsin, which have laws comparable to Indiana's. The information shared and the coordination achieved on these calls is incredibly valuable in assisting with the implementation of the law.

Additionally, IDEM is an active voting member of the Electronics Recycling Coordination Clearinghouse (ERCC), a forum for coordination and information exchange among the state and local agencies that are implementing electronics recycling laws and all impacted stakeholders. Membership has proven very beneficial in providing the manager of the Indiana E-Cycle program with a forum for information exchange with the managers of the other state e-cycle programs. The ERCC also provides members the opportunity to have a unified voice when addressing issues facing multiple states and a potentially stronger and more effective means by which to contact manufacturers that are not in compliance.

Compliance & Enforcement Issues/Policy Recommendations

A complete analysis of the implementation of Indiana E-Cycle is not possible as not all registrants submit the required annual report. The Indiana E-Waste law does not include enforcement authority; therefore, manufacturers and retailers continue to be non-compliant with the requirements of the law.

Issue #1: Need to Update/Revise E-Waste Law

Because IC 13-20.5 is relatively new and the e-waste recycling industry is constantly growing and evolving, it is vital to the success of Indiana E-Cycle that the Indiana E-Waste Law may be amended as appropriate. Many other states with e-waste laws regularly re-evaluate and update their laws and it is important that Indiana do the same.

Policy Recommendation: Need to Update/Revise E-Waste Law

IDEM suggests that a provision be added to IC 13-20.5 that every three years the law and Indiana E-Cycle are reviewed and IDEM and the public be invited to provide recommendations for changes to the law and Indiana E-Cycle.

Issue #2: Manufacturer Compliance

No enforcement mechanisms are currently available for penalizing manufacturers that do not register or do not submit a complete and timely annual report. Pursuant to IC 13-20.5-1-2, a manufacturer may not sell, offer for sale, or deliver to a retailer for subsequent sale a new VDD unless the manufacturer has submitted a registration to IDEM; however, the department does not have the authority to prohibit the sale of VDDs by manufacturers that are not registered with Indiana E-Cycle, of which there are many.

Policy Recommendations: Manufacturer Compliance

The ability to list non-compliant manufacturers on IDEM's website.

Explanation: while it is helpful that the list of registered manufacturers is posted online, lists of which manufacturers have failed to register, which manufacturers have failed to report, and which manufacturers have failed to meet their recycling obligation could potentially improve compliance. Companies are generally concerned about their public image and this is important information that should be disseminated to the public. Several other states currently have such lists available on their websites and have reported increased compliance rates as a result.

Issue #3: Retailer Compliance

Because there are no enforceable consequences for violating the requirements regarding retailers in the Indiana E-Waste Law, IDEM has not pursued any enforcement actions against non-compliant retailers. The law requires retailers of new VDDs to provide information to households that describes where and how households may recycle VDDs and to advise households of opportunities and locations for the convenient collection of VDDs for recycling. Research by IDEM indicates that many of the retailers to which these requirements apply are in compliance.

Policy Recommendation: Retailer Compliance

IDEM is not recommending any specific changes to address the problem of retailer non-compliance at this time, but will continue to contact retailers and inform them of their obligations under the law.

Issue #4: Limited Scope of Manufacturer & VDD Definitions

The current definition of manufacturer holds only a small number of those companies that supply electronics to the marketplace responsible for helping to manage their products at end of life.

Policy Recommendations: Limited Scope of Manufacturer & VDD Definitions

In addition to manufacturers of VDDs, IDEM proposes that manufacturers of desktop computers, printers, and scanners also be subject to the requirements of the Indiana E-Waste Law and that the 4 inch screen size minimum be removed from the definition of VDDs.

Issue #5: Refurbishment

Many recyclers refurbish and resell CEDs. Currently these items cannot be counted toward a manufacturer's recycling obligation despite the responsible and beneficial way they are being processed.

Policy Recommendation: Refurbishment

To encourage the reuse of products that are able to be refurbished, IDEM proposes that refurbished and resold or donated CEDs be eligible to count toward manufacturers' recycling obligations.

Issue #6: Implementation Report Contents

1. This report is required to discuss the required information for each state fiscal year. This is not possible because the program year timeframes for which manufacturers, collectors, and recyclers register and report are not, and have never been, fiscal years. IDEM, therefore, does not have program results for state fiscal years.
2. This report is required to discuss “information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers.” There is no mechanism in place for collecting this information so it is not possible to include it in the report.
3. This report is required to discuss “information about covered electronic devices, if any, being disposed of in landfills in Indiana.” There is no mechanism in place for collecting this information so it is not possible to include it in the report.

Policy Recommendation: Implementation Report Contents

Revise IC 13-20.5-7-4 as follows:

Department report on program implementation

Sec. 4. (a) Before August 1, 2013, and before August 1 of each year thereafter, the department shall submit a report concerning the implementation of this article to:

- (1) the general assembly in an electronic format under IC 5-14-6;
 - (2) the governor;
 - (3) the environmental quality service council established by IC 13-13-7-1; and
 - (4) the Indiana recycling market development board established by IC 4-23-5.5-2.
- (b) For each **state fiscal program** year, the report submitted under subsection (a):
- (1) must discuss the total weight of covered electronic devices recycled in **the state fiscal each program year as part of the program** and a summary of information in the reports submitted by manufacturers and recyclers under IC 13-20.5-3;
 - (2) must discuss the various collection programs used by manufacturers to collect covered electronic devices, ~~information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers, and information about covered electronic devices, if any, being disposed of in landfills in Indiana;~~
 - (3) must include a description of enforcement actions under this article during **the state fiscal each program** year; and
 - (4) may include other information received by the department regarding the implementation of this article.

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 at the dwelling 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:
 - The business has not more than 100 employees and not more than average annual gross receipts of \$10,000,000.
 - If the business is a manufacturing business, the business does not have more than 100 employees.
- 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 a brand the person licenses as identified by the person's own brand label or the brand label the person licenses;
 - Sells VDDs manufactured by others under the person's own brand or a brand the person licenses as identified by the person's own brand label or the brand label the person licenses; 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.
- Variable recycling fee (VRF): a fee charged to manufacturers that fail to meet their recycling obligation. The fee will be charged beginning in 2014 and will be based on the results of the previous program year. The fee will be 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.
- 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 (4) inches measured diagonally and is marketed by a manufacturer for use by covered entities.