



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

# Electronic Waste Program Recyclers

[www.idem.IN.gov](http://www.idem.IN.gov)

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## Background:

- Effective July 1, 2009, the Indiana Legislature enacted the Indiana Electronic Waste (E-Waste) Law (IC 13-20.5). The law created an extended producer responsibility program that holds certain electronics manufacturers responsible for collecting and recycling a percentage of the products they sell in Indiana. The program will help 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 of computer monitors (including laptops, netbooks, notebooks, tablet PCs and e-readers) and televisions (collectively known as video display devices or VDDs) sold or offered for sale to Indiana households are responsible under the law for annually collecting and recycling or arranging for the collection and recycling of 60 percent, by weight, of the VDDs they manufacture and sell to Indiana households.
  - As a result, manufacturers registered through the program can coordinate directly with recyclers and collectors to meet their annual recycling goal. Any collectors and/or recyclers that work with a manufacturer must be registered with the Indiana E-Waste Program.
  - Manufacturers can count the collection and recycling of a variety of electronics (referred to as covered electronic devices or CEDs) collected from any covered entity (household, public school or small business) towards meeting their 60 percent recycling goal.
- A recycler in the Indiana E-Waste Program is any entity that accepts CEDs from Indiana covered entities or collectors for the purpose of recycling.
  - Recyclers must annually register with the Indiana Department of Environmental Management (IDEM) in order to work with manufacturers as part of the program.
  - Recyclers can be physically located in or outside of Indiana as long as all CEDs recycled as part of the program were collected from Indiana covered entities.

## Definitions:

- 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.
  - Public school – a 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.
  - 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.
- Video display device (VDD) – a television or computer monitor, including a laptop computer, netbook, notebook, tablet PC, and 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.

- Covered electronic device (CED) – Please note: VDDs are included in the definition of CEDs. IDEM has determined, based on various definitions applicable to the Indiana E-Waste Law, that the following items are included under the definition of CED:
  - VDDs
  - 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 or output into or from a computer.
    - A printer/copier/scanner all-in-one 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
  - 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

The term CED does not include cell phones, white goods, typewriters, calculators or stereo equipment. It also does not include any electronics accepted from entities other than Indiana covered entities.
- Collector – a public or private entity that receives CEDs or collects CEDs from covered entities and arranges for the delivery of the CEDs to a recycler.
- Recycling – the process of collecting and preparing CEDs for use in manufacturing processes or for recovery of usable materials followed by delivery of the materials for use.
  - The term does not include destruction by incineration or another process; land disposal; or reuse, repair, or any other process through which CEDs are returned to use for covered entities in their original form.

**Registration requirements:**

- Recyclers must register with the Indiana E-Waste Program in order to assist a manufacturer in meeting its 60 percent recycling goal. Anything recycled by a non-registered recycler in conjunction with a manufacturer recycling program will not count towards the manufacturer's recycling goal.
- Recyclers that wish to participate in the Indiana E-Waste Program must submit an annual registration form to IDEM. Registration can happen at any time throughout the year, but IDEM encourages recyclers to register by January 1 each year.
  - There is no annual registration fee for recyclers.
  - Program years for recyclers are January 1 through December 31.
  - Forms are provided by IDEM and are available on IDEM's website at [www.recycle.IN.gov/6443.htm](http://www.recycle.IN.gov/6443.htm).
- As part of the annual registration, recyclers must provide the following information:
  - Contact information for person responsible for ensuring compliance with the Indiana E-Waste Law (IC 13-20.5).
  - A listing of all recycling locations that will be participating in Indiana's program.
  - A certification that the recycler is compliant with Indiana's e-waste management rules (329 IAC 16). These rules oversee registration of e-waste storage and processing facilities physically located in Indiana. If you are a recycler not located in Indiana, Indiana's e-waste management rules are not applicable to your facility. The recycler must indicate one of the following on the registration form:
    - That the recycler is a registered facility under 329 IAC 16. The recycler must provide their e-waste registration number that will be internally verified at IDEM.
    - That the recycler is exempt from registering under 329 IAC 16. IDEM may conduct inspections of the facility to verify exemption under the rules. Recyclers may be exempt for any of the following reasons and must specify one of the following exemptions on their registration form:
      - The facility is storing less than 23 tons of e-waste on-site at any one given time.
      - The facility is storing e-waste for less than five days at a time.



- The facility holds a valid permit under Indiana’s hazardous waste management facility rules (329 IAC 3.1), solid waste land disposal facility rules (329 IAC 10) or solid waste processing facility rules (329 IAC 11).
  - That the recycler is not physically located in Indiana and therefore not subject to Indiana’s e-waste management rules.
- If a recycler decides to no longer participate in the Indiana E-Waste Program and has not recycled any CEDs in conjunction with a manufacturer’s program, written notification of withdrawal from the program must be submitted to IDEM.

**Manufacturer relationships:**

- Manufacturers assume the financial responsibility for implementing their recycling plan and meeting their recycling goal.
  - Many manufacturers will pay a recycler per pound to assist them in meeting their recycling goal. As a result, recyclers should look closely at developing relationships with manufacturers. By working in conjunction with a manufacturer program, the manufacturer may pay for all or part of the recycling of a certain weight of CEDs to be counted towards their recycling goal.
  - The manufacturer will likely place the responsibility of finding local collection programs on the recycler. Be sure that any collector utilized by a recycler in conjunction with a manufacturer recycling program is also registered with the Indiana E-Waste Program.
  - Recyclers that are working in conjunction with a manufacturer program may choose to and are encouraged to pass on cost savings to local collection programs by reducing or eliminating the costs associated with recycling CEDs.
  - While the law does not encourage or prevent consumer or collector recycling fees, one goal is to reduce or eliminate recycling fees for the public as well as help alleviate some of the financial burden of e-waste collection on local programs.
- Manufacturers receive incentives for utilizing an Indiana recycler as well as for collecting CEDs from non-metropolitan counties in Indiana. A listing of non-metropolitan counties in Indiana can be found on IDEM’s website at [www.recycle.IN.gov/6411.htm](http://www.recycle.IN.gov/6411.htm).

**Collection and recycling efforts:**

- Recyclers must track all CEDs from covered entities that they recycle during each program year regardless of whether they are working in conjunction with a manufacturer program.
- Recyclers must keep track of the collector from which the CEDs came as well as the county in which the CEDs were collected designated as metropolitan versus non-metropolitan.
  - Recyclers should work out the details ahead of time with collectors for the separation of CEDs from non-CEDs and metropolitan CEDs from non-metropolitan CEDs.
  - It is suggested the recyclers weigh the CEDs after any CEDs designated for refurbishment or reuse have been removed, but before the official recycling process begins.
  - Recyclers must keep documentation for the amount of CEDs, in pounds, recycled and the collector from which those CEDs were received. IDEM will only ask for this documentation if there are issues with tracking the pounds of CEDs collected and recycled in conjunction with a manufacturer’s program.
- CEDs collected and recycled from non-covered entities (such as private schools, not-for-profits, government agencies and large businesses) and non-CED items cannot count towards a manufacturer’s recycling goal.
- The term recycler can include those recyclers that accept CEDs for refurbishment and/or repair. However, CEDs that are reused, repaired, resold and/or donated cannot be counted towards a manufacturer’s recycling goal.

**Reporting requirements:**

- By April 1, 2011, and by April 1 of each year thereafter, a recycler must report, on the forms provided by IDEM, the following information:
  - The total weight, in pounds, of CEDs recycled by the recycler.
    - IDEM will not ask for a breakdown of the type of CED recycled.
  - The county (designated as metropolitan versus non-metropolitan) from which those pounds of CEDs were collected and sent for recycling. If possible, include the name of the collector.
  - The name, if any, of the manufacturer that contracted for the recycling of the CEDs as part of their annual recycling plan.



- The recycler must also verify compliance with Indiana's e-waste management rules (329 IAC 16).
- Recyclers may voluntarily provide in their annual report the total weight of non-CED items recycled from non-covered entities to help IDEM track the total amount of e-waste recycled from all Indiana sources.

**IDEM's Role:**

- IDEM is responsible for protecting human health and the environment while providing for safe industrial, agricultural, commercial and governmental operations vital to a prosperous economy.
- IDEM's Office of Pollution Prevention and Technical Assistance (OPPTA) is responsible for administering the Indiana E-Waste Program. OPPTA will be responsible for overseeing recycler enrollment and gathering annual reports. OPPTA is also responsible for administering the registration program under the Indiana e-waste management rules (329 IAC 16) for e-waste storage and processing facilities.

**More Information:**

- For more information on the Indiana E-Waste Program, please visit IDEM's website at [www.recycle.IN.gov/6411.htm](http://www.recycle.IN.gov/6411.htm).
- For questions and concerns, contact IDEM's Office of Pollution Prevention and Technical Assistance at (800) 988-7901.
- For more information on the Indiana Electronic Waste (E-Waste) Law, please visit [www.IN.gov/legislative/ic/code/title13/ar20.5/](http://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](http://www.IN.gov/legislative/iac/T03290/A00160.PDF).

