

FACT SHEET



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Recycling Activity Reporting Requirements

Office of Program Support

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Background:

The Indiana Department of Environmental Management (IDEM) developed this fact sheet to inform industries and citizens about current state regulation. In 2014, the Indiana General Assembly enacted House Enrolled Act 1183 (HEA 1183) which in part:

- Established a goal to recycle at least 50 percent of Indiana's municipal solid waste.
- Requires recyclers to report the quantity of each type of recyclable material they process from Indiana's municipal waste stream to IDEM.

HEA 1183 created [Indiana Code \(IC\) 13-20-25](#) and added or amended sections of [IC 13-11-2](#) that define terms used in IC 13-20-25. This fact sheet summarizes the mandatory recycling activity reporting requirement for recyclers as well as the voluntary reporting opportunity available to those who are not subject to the reporting requirement.

Environmental Impacts:

IDEM uses recycling activity data to identify the universe of recycling companies and recycled materials in the state, and to measure the state's progress toward reaching its recycling goal. With a reporting system in place, IDEM is building an infrastructure of reliable data. The agency is improving communications with recyclers, communities, and the solid waste management industry to better understand and address the challenges in moving the state toward a 50 percent recycling goal.

Mandatory Reporting:

Persons who fit the definition of "recycler" are required to submit a recycling activity report to IDEM. Details on specific reporting requirements follow on page two. Below are applicable legal definitions:

- **"Recycler"** means a person who recycles recyclable materials generated by more than one person.
- **"Person"** means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a solid waste management district established under IC 13-21.
- **"Recycle"** means to take action by which recyclable materials are recovered from the solid waste stream for the purposes of use or reuse, conversion into raw materials, or use in the production of new products.
- **"Recyclable material"** means municipal waste that is suitable for recycling.
- **"Municipal waste"** means any garbage, refuse, industrial lunchroom waste, office waste, or other similar material that results from the operation of residential, municipal, commercial, or institutional establishments and community activities.

The term "**recycler**" includes:

1. A "**recyclable materials broker**," which means a person that engages in the business of arranging for the collection, transportation, delivery, recycling, or reuse of recyclable materials; but does not take title to, or physical possession of, the recyclable materials. This definition includes a person who arranges for:
 - a. Shipment of recyclables from in-state commercial generators to Indiana recycler facilities, Indiana manufacturers, or out-of-state facilities.
 - b. The brokering of recyclables such as cardboard and plastics hauled from Indiana retail stores, manufacturers, and commercial facilities to market destinations.
2. The **owner or operator of a solid waste disposal facility** regulated under IC 13-20-8 at which recycling occurs.
3. The **owner or operator of a material recovery facility**.
4. A **solid waste management district** established under IC 13-21 or IC 13-9.5 (before its repeal).

Voluntary Reporting:

Voluntary reporters include persons who:

1. Are not required to submit a recycling activity report under IC 13-20-25-9; but recycled recyclable materials during a calendar year;
2. Meet the definition of scrap metal processing facility (IC 8-23-1-36), automotive salvage recycler (IC 9-13-2-10), recycling facility (IC 9-13-2-150.3), automotive salvage rebuilder (IC 9-32-2-5), scrap metal processor (IC 13-11-2-196.5), core buyer (IC 25-37.5-1-0.2), valuable metal dealer (IC 25-37.5-1-1[b]); or are engaged in business subject to IC 9-22-3 such as facilities that recover and/or reuse materials from destroyed vehicles and individuals that rebuild salvage vehicles; or
3. Are not required to submit a recycling activity report under IC 13-20-25-9; but took action during a calendar year to recover from the solid waste stream, for purposes of use or reuse, conversion into raw materials, or use in the production of new products, materials that were not municipal waste.

IDEM highly encourages these entities to voluntarily report so the agency can gain a more comprehensive view of recycling in Indiana and include this data in IDEM's annual [recycling activity summary](#). IDEM also encourages facilities that generate recyclables as part of their operations for off-site recycling – which may include retail stores, manufacturers, commercial facilities, distribution facilities, colleges and universities, institutions (e.g., daycares, hospitals, churches), government entities (e.g., cities, towns, and counties), and not-for-profit organizations – to submit a report. Voluntary reporters should contact IDEM to discuss reporting details.

Reporting Procedures:

Recyclers are required to submit reports to IDEM through the Re-TRAC Connect [online reporting system](#).

Voluntary reporters should follow the same procedure. IDEM requests the following information:

1. The name and location of the recycler's establishment.
2. A description of the principal business activities conducted at the recycler's establishment.
3. The quantity, in tons, of each type of recyclable material (e.g., glass, ferrous metal, nonferrous metal, paper and paper products of all grades, plastic and plastic products, single stream recyclable materials, and any other distinct type of recyclable material) that was:
 - Transported from the recycler's establishment or (in the case of a recyclable materials broker) transported or delivered by arrangement of the recycler to:
 - Other in-state recyclers,
 - In-state persons who are not recyclers (including persons who may employ the recyclable material as a raw material or a new product without further recycling), and
 - Persons located outside Indiana.
4. The city and state in which the receiving recycling facility (e.g., a materials recovery facility with intermediate consolidating, sorting, shredding, or baling operations) is located, as well as the name of the facility.
5. The principal address (city and state) of the broker (e.g., shipments transported through a broker to final destinations), as well as the name of the broker.
6. The state or foreign country in which the manufacturer (end user) (e.g., a production facility of basic products that uses the recyclables as a raw material without further off-site recycling) is located.

Reporting Time Frames:

The recycling activity report must cover recycling activities conducted during a calendar year (January 1 to December 31). *(In 2015 the Indiana General Assembly enacted House Enrolled Act No. 1350, which amended IC 13-20-25 to change the reporting time frame from fiscal year to calendar year.)* The report can be submitted on either an annual or quarterly basis. It is due to IDEM by March 1 (annually) or within 30 days following the end of the quarter period.

More Information:

- IDEM's [Recycle Indiana](#) website provides additional guidance on recycling activity [reporting requirements](#), the agency's annual [recycling activity summary](#), and information on many other recycling topics.
- For assistance with reporting requirements and procedures, please contact the Recycling and Reporting Branch of IDEM's Office of Program Support at (317) 232-8172 or (800) 988-7901 (toll free within Indiana).