



Calendar Year 2012 Recycling Reporting Guidance

I. Purpose

To determine the extent to which recycling is occurring, Title 7 §6056(a) requires all persons, including persons who collect, process or market recyclables, with the exception of those specified in §6053(e), must report to the Department on a calendar year basis, no later than February 15th of the following year, the type and quantity of recyclables managed, the method of recycling collection used (single or multiple streams), and the location of the recycling facilities used. The following guidance shall apply to recyclables generation data for calendar year 2012.

II. Definitions

Notwithstanding any definitions in Chapters 60 or 64 of Title 7 to the contrary, the following words and phrases shall have the meaning ascribed to them in this guidance unless the context clearly indicates otherwise.

- (a) 'Authority' means the Delaware Solid Waste Authority.
- (b) 'Commercial and Institutional Recyclables' means any recyclable material that is generated by stores, offices, restaurants, warehouses, and other manufacturing, industrial or processing activities, and enterprises such as social, charitable, educational, and government services.
- (c) 'Department' means Delaware Department of Natural Resources and Environmental Control.
- (d) 'End user of recyclables' means facilities that purchase or secure recovered materials for the purpose of recycling. Examples include recycling plants and composting facilities. Excludes waste disposal facilities.
- (d) 'Independent Recycling Collector/Hauler' means a person who provides recyclables collection services.
- (e) 'Multi-family' means 3 or more attached structures, such as condominiums or apartments, generally intended for occupancy by individuals or families and where centralized community trash disposal and collection services are typically provided.
- (f) 'Person(s)' means any municipality or commercial business (exclusive of households) who arranges for the recycling or beneficial reuse of Recyclable Material off-site (whether in Delaware or out-side of Delaware), including: all independent recycling collectors/haulers; self marketing generators; processors of recyclable materials; end users of recyclables; and all municipalities or other units of government in Delaware who collect, self market, or contract for collection of Recyclable Materials.

(i) The weight of material collected shall be determined either by direct measurement or by determining the weight of material sold or otherwise sent off-site or used on-site for recycling during the calendar year, adjusted by the difference in weight of material held in inventory on the first day and last day of the calendar year;

(ii) In cases where a reporting person is unable to provide exact weight information for the categories identified in paragraph (a)(i),(ii) & (iii) of this subsection, reasonable estimates allocating the weight of recyclable material from each source shall be made inclusive of an explanation of the method of estimation used.

(c) **Municipal Government Reporting Requirements/Reporting Exemption:**

Those municipal governments that collect and deliver all of their recyclables to an Authority recycling facility are exempt from these reporting requirements. However, the Authority shall report to the Department the tonnage of recyclables delivered to the Authority for each municipality that self hauls. Where necessary to estimate between single-family, multi-family and commercial & institutional recyclables delivered by an exempt municipality the reporting requirements of paragraph b(ii) of this subsection shall apply to the quantities reported by the Authority on behalf of the municipality. If a municipality chooses to deliver its recyclables to a location other than the Authority, then it shall be required to self report the disposition of those recyclables as required in section IV(a) & (b) of this guidance.

V. Report Submission and Management of Confidential Information

DSM Environmental Services, Inc. has been contracted to collect, collate and generate the aggregated materials data from the required recycling reports such that no individual company data is reported to the Department or the public thereby maintaining the confidentiality of individual company data. To the extent that generators of recyclables are already known, and as new generators are discovered, they will be emailed the following attachments:

- Attachment A is the Department's letter explaining the requirement to report.
- Attachment B is DSM's letter explaining the reporting process.
- Attachment C is the actual reporting form.
- Attachment D is an example of how the aggregated data is reported by the Department.

It is requested that all reports be delivered directly to DSM via fax or email as indicated on the reporting form.

If the decision is ever made to have this information reported directly to DNREC please note that the Department's Freedom of Information Act (FOIA) requirements specify the procedures and criteria under which a person may request that certain records or portions of records submitted to the Department be held confidential. For more information visit the Department's FOIA regulation at: <http://www.dnrec.de.us/dnrec2000/FOIA.pdf>

ATTACHMENT A



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

TELEPHONE: (302) 739-9403
FAX: (302) 739-5060

February 11, 2013

Subject: Calendar Year 2012 Annual Recycling Report due February 15, 2013

Dear Recyclables Generator:

This letter serves as a reminder that your company's calendar year **2012** recyclables generation data is due February 15, 2013. Title 7 §6056(a) of the Delaware Code made reporting the type and quantity of recyclables generated mandatory. The first effective reporting deadline was February 15, 2012 starting with the recycling activity that took place in calendar year 2011. This is the second year of this mandatory reporting requirement and each calendar year reports are due by February 15th for the prior year.

If you are amongst the majority of respondents that reported recyclables generation data for 2011, thank you for your response. As Delaware's Recycling Public Advisory Council's (RPAC) responsibilities include advising the legislature on recycling policy for Delaware, accurate information is critical to making practical recommendations. For this reason your participation in these reporting requirements is vital to maintaining sound recycling policy in Delaware. The requested information is also critical to accurately calculate the state's recyclables diversion rate and track progress toward meeting the State's established diversion goals. This cannot be achieved if those persons responsible for managing recyclables fail to report.

If you did not respond, **please be aware that reporting is mandatory** and that 7 *Del. C.* § 6059 affords the Department enforcement authority, inclusive of the ability to impose monetary fines of \$100 to \$500 for each day of violation. While this enforcement option was not exercised during the first year transition period of mandatory reporting, the Department intends to pursue one hundred percent compliance with the calendar year 2012 reporting requirement.

DSM Environmental Services, Inc. (DSM) worked with RPAC to design the survey and has used the survey to collect and aggregate data on an annual basis, under both voluntary and mandatory reporting requirements, for several years now. DSM offers survey participants the option of keeping their report confidential, and has always aggregated the survey data in its annual report to RPAC to assure that individual company data are not reported. A copy of last year's report can be found in Appendix C at: <http://www.dnrec.delaware.gov/whs/awm/Recycling/Documents/The%20Eleventh%20Annual%20Report%20FINAL%20DRAFT.pdf>

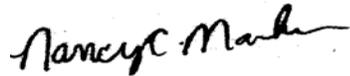
DSM also analyzes the data to ensure double counting does not occur and determines the total quantity of materials recycled in Delaware. This aggregated data is then supplied to RPAC for the purpose of verifying Delaware's recyclables diversion rate. This process has worked well and for this reason DSM will also manage calendar year 2012 survey data.

Delaware's good nature depends on you!

The Universal Recycling Reporting Guidance is available for your review at: <http://www.dnrec.delaware.gov/whs/awm/Recycling/Documents/Reporting2012.pdf>.

Attached to this letter you will find DSM's letter requesting the recycling data and the 2012 reporting form. If you have any questions regarding "completion of the reporting form" please call Natalie Starr or Mike Cammock of DSM at 802-674-2840. If you have questions about the mandatory reporting requirement please contact James Short at 302-739-9403. I thank you in advance for your cooperation and commend you for your ongoing recycling efforts.

Sincerely,



Nancy C. Marker
Environmental Program Administrator
Solid and Hazardous Waste Management Section

NCM:JDS:krc
MandatoryRepLtr021113

Attachments

cc: BJ Vinton, Chair RPAC
Mike Parkowski, DSWA

ATTACHMENT B

February 5, 2013

Re: **Delaware Recycling Report for Calendar Year 2012**

To Whom It May Concern:

DSM Environmental Services, Inc. (DSM), with funding from the Delaware Solid Waste Authority, is working with the Delaware Department of Natural Resources and Environmental Control (DNREC) and the Delaware Recycling Public Advisory Council (RPAC) to complete the annual survey of all generators, haulers and brokers of recyclables in the State of Delaware during calendar year 2012. As indicated in the letter from DNREC, **reporting is now mandatory and due by February 15, 2013**. The resulting report will become part of RPAC's required annual report to the Legislature on Delaware's recycling rate. For more information past RPAC recycling reports can be found at:

<http://www.dnrec.delaware.gov/whs/awm/info/pages/rpac.aspx>.

DSM is once again acting as an independent third party to carry out the survey and offer survey participants the opportunity for their data to remain confidential. As in past years, all survey data collected will be aggregated by the weight of each material type for reporting purposes. No individual company data will be reported. Please refer to *Appendix C, Table 2 and 3* of the following web link to view how the data collected will be reported out to RPAC:

<http://www.dnrec.delaware.gov/whs/awm/Recycling/Documents/The%20Eleventh%20Annual%20Report%20FINAL%20DRAFT.pdf>

Please report the weight of material collected, either by direct measurement or by determining the weight of material sold or otherwise sent off-site or used on-site for recycling during the calendar year 2012, adjusted by the difference in weight of material held in inventory on the first and last day of the calendar year. If you are unable to provide exact weight information, reasonable estimates allocating the weight of recyclable material from each source should be made. If you are using estimation methods to report, we request that you follow the same protocol from year to year in order to maintain consistency. We also ask you to list where you send materials for processing or marketing in order to ensure that double counting of material does not occur.

Along with the letter from DNREC explaining the mandatory reporting requirement, I have also enclosed the reporting form for 2012. Please fill out the form with the amount of material your company recycled in 2012 and email or fax it back to DSM. You can also find the form on our website at:

www.DSMenvironmental.com.

Please contact Mike Cammock (or me) at DSM if you have any questions about completion of the reporting form at (802) 674-2840. If you have questions about the reporting law or the deadline, please contact James Short at DNREC at 302-739-9403. Thank you for your help.

Regards,
DSM Environmental Services, Inc.



Natalie Starr

Additional Explanation of Information Requested on the Recycling Survey Form:

Below is the main component of the Recycling Reporting Form with some additional information that may be helpful to you in completing the form. If you have questions about how to complete this form, please do not hesitate to contact DSM Environmental Services at:

E-mail: DSM@DSMEnvironmental.com
 Telephone: (802) 674-2840
 Fax: (802) 674-6915

Mailing Address: DSM Environmental Services, Inc.
 PO Box 2
 Windsor, VT 05089

Example of Materials Typically Reported for Recycling	Description of Information Requested:			
	Company or location where you send the material for Recycling, Processing or End Use	Percent Commercial (%)	Percent Residential (%)	Approximate percent of material originating from Delaware only
Corrugated Cardboard	<i>This information is important so that DSM does not double count material that is handled by another recycler that participates in the survey. If you broker direct to an end user outside of Delaware, and you would prefer not to list them, just list "End-User outside of DE" on the form. Please understand that we may need to contact you for more information to confirm that double counting has not occurred.</i>	<i>Percentage of each material listed originating from commercial sources. This is important so that a commercial recycling rate can be separately calculated for Delaware.</i>	<i>Percentage of each material listed originating from residential sources. This is important so that a residential recycling rate can be separately calculated for Delaware.</i>	<i>Percentage of each material listed originating from generators located in Delaware as opposed to out of State. The recycling rate must be calculated from Delaware generated materials that are recycled only.</i>
Mixed Paper				
Newspaper				
Office Paper				
Glass Bottles and Containers				
Plastic Bottles and Containers				
Aluminum Cans				
Mixed Recyclables or Single Stream				
Retail Bags				
Shrink Wrap				
Pallets				
Mixed Plastics (non-industrial)				
Textiles				
Carpet (and Padding)				
Electronics				
Fluorescent Bulbs				
Oil Filters				
Tires (used in engineered products, retreaded or otherwise recycled but not burned)				
Lead Acid Batteries				
Other Batteries				
White Goods/Appliances				
Food Waste				
Fats-Oils-Grease				
Leaf and Yard Waste				
Trees and Branches				
Clean Wood				
Other Material, please list:				

ATTACHMENT C

Attachment D - Example of Aggregated Data

Material Category	2009 CY		2008 CY		Difference	
	Total (tons)	MSW (tons)	Total (tons)	MSW (tons)	Total (tons)	MSW (tons)
Paper						
Corrugated (OCC)	58,384	58,384	67,191	67,191	-8,807	-8,807
Newspaper (ONP)	2,728	2,728	3,735	3,735	-1,007	-1,007
Sorted Office Paper	6,359	6,359	5,496	5,496	863	863
Mixed Paper (1)	9,218	9,218	10,509	10,509	-1,290	-1,290
Subtotal:	76,690	76,690	86,930	86,930	-10,241	-10,241
Packaging						
Glass	0	0	23	23	-23	-23
Shrink Wrap	2,178	2,178	1,983	1,983	195	195
Plastic Containers	27	27	23	23	4	4
Aluminum Cans	171	171	49	49	122	122
Pallets (2)	1,954	1,954	4,465	4,465	-2,511	-2,511
Mixed Recyclables (3)	4,950	4,950	7,044	7,044	-2,094	-2,094
Subtotal:	9,279	9,279	13,585	13,585	-4,306	-4,306
Metals						
White Goods	18,174	18,174	22,485	22,485	-4,311	-4,311
Aluminum	1,158	unknown	1,305	unknown	-147	unknown
Ferrous	113,584	unknown	142,918	unknown	-29,334	unknown
Non-ferrous	12,315	unknown	39,330	unknown	-27,014	unknown
Scrap Cars	6,323	0	8,351	0	-2,028	0
Subtotal:	151,555	18,174	214,389	22,485	-62,835	-4,311
Green Waste						
Leaf and Yard Waste	65,886	65,886	60,986	60,986	4,900	4,900
Trees and Branches	53,281	53,281	55,247	55,247	-1,966	-1,966
Clean Wood	0	0	280	0	-280	0
Subtotal:	119,167	119,167	116,513	116,233	2,653	2,933
Vehicle Waste						
Tires (4)	22,737	18,735	10,148	8,815	12,589	9,921
Lead Acid Batteries	1,917	1,917	1,992	1,992	-75	-75
Oil Filters	195	195	321	321	-126	-126
Subtotal:	24,849	20,847	12,461	11,128	12,387	9,719
Special Wastes						
Textiles (5)	3,155	3,155	3,305	3,305	-150	-150
Electronics	449	449	295	295	154	154
Florescent Bulbs	33	33	34	34	-1	-1
Carpet	15	15	15	15	0	0
Subtotal:	3,653	3,653	3,649	3,649	4	4
Ag and Food Wastes						
Fats, Oil, Grease	8,826	8,826	8,393	8,393	433	433
Food Waste	9,812	9,812	5,650	5,650	4,163	4,163
Subtotal:	18,639	18,639	14,042	14,042	4,596	4,596
Industrial Waste Recovery						
Mixed Plastics	1,338	669	2,029	1,014	-691	-345
Subtotal:	1,338	669	2,029	1,014	-691	-345
Total Recovery:	405,168	267,117	463,599	269,067	-58,430	-1,950