

(II) THE ACTUAL TONNAGE OF RECYCLED MATERIAL CONTAINED IN THE DIRECTORY STOCK USED BY THE PUBLISHER FOR THE YEAR.

(E) (1) A PUBLISHER OF A TELEPHONE DIRECTORY DISTRIBUTED IN THE STATE SHALL COMPLETE AND FILE WITH THE SECRETARY:

~~(I) A QUARTERLY REPORT, ON OR BEFORE THE LAST DAY OF THE MONTH THAT FOLLOWS EACH CALENDAR QUARTER; AND~~

~~(II) AN ANNUAL REPORT, ON OR BEFORE JANUARY 31 FOLLOWING EACH CALENDAR YEAR.~~

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A REPORT REQUIRED UNDER THIS SUBSECTION SHALL:

(I) BE IN THE FORM AND MANNER AND CONTAIN ANY INFORMATION THAT THE SECRETARY REQUIRES BY REGULATION; AND

(II) STATE, FOR THE PERIOD COVERED BY THE REPORT:

1. THE TOTAL WEIGHT OF DIRECTORY STOCK USED BY THE PUBLISHER; AND

2. THE WEIGHT OF RECYCLED MATERIAL CONTAINED IN THAT DIRECTORY STOCK.

(3) THE SECRETARY MAY NOT REQUIRE THE DISCLOSURE OF THE PRICE PER TON OF DIRECTORY STOCK PAID BY ANY PUBLISHER IN ANY REPORT REQUIRED UNDER THIS SUBSECTION.

(4) A PUBLISHER SHALL PAY ANY DIRECTORY RECYCLING INCENTIVE FEE REQUIRED FOR A CALENDAR YEAR WITH THE ANNUAL REPORT THAT COVERS THAT YEAR.

(5) ANY PUBLISHER OF TELEPHONE DIRECTORIES DISTRIBUTED IN THE STATE WHO FAILS TO SUBMIT THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL BE DEEMED TO HAVE FAILED TO MEET THE PERCENTAGES ESTABLISHED IN SUBSECTION (C) OF THIS SECTION.

(F) (1) ON WRITTEN APPLICATION OF A DIRECTORY PUBLISHER, THE SECRETARY MAY EXEMPT A DIRECTORY PUBLISHER FROM COMPLIANCE WITH THE PROVISIONS OF THIS SECTION IF THE SECRETARY DETERMINES THAT THE DIRECTORY PUBLISHER WAS UNABLE TO OBTAIN:

(I) AN ADEQUATE SUPPLY OF DIRECTORY STOCK CONTAINING RECYCLED MATERIALS COMPARABLE IN PRICE AND QUALITY TO VIRGIN STOCK; OR

(II) DIRECTORY STOCK THAT IS RUNABLE.