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## **MEMORANDUM**

**WMPSC-C 10-2019**

**Subject: Proposed Producer Responsibility Framework for Waste Electrical and Electronic Equipment and Batteries**

**Date: Monday, February 25, 2019**

**To: Waste Management Planning Steering Committee**

**From: Jennifer Mazurek, Acting Manager, Waste Policy and Planning**

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This memorandum provides an update on recent actions related to batteries and Waste Electrical Electronic Equipment (WEEE), in support of the Province's Waste Free Ontario Act, 2016 (last update in WMPSC-C 23-2018). It also provides Committee with a copy of Waste Management staff comments (attached as Appendix A) to the Ministry of the Environment, Conservation and Parks (MECP), in regards to the stakeholder consultations sessions on the Proposed Producer Responsibility Framework for WEEE and batteries (Proposed Framework).

Under the Resource Recovery and Circular Economy Act, 2016 (RRCEA), the Province is shifting to a producer responsibility framework for products and packaging, making producers and brand holders accountable for recovering resources and reducing waste associated with products. The Waste Diversion Transition Act, 2016, allows for the products and packaging managed under existing waste diversion programs to be transitioned to the new producer responsibility framework. Batteries are currently part of an existing larger waste diversion program, the Municipal Hazardous or Special Waste (MHSW) program. A revised direction letter (Appendix B) was issued on December 11, 2018 by the MECP to Stewardship Ontario (SO), instructing SO to wind up the battery portion of the MHSW program by June 30, 2020, which is the same day that the WEEE program will cease operation. SO is a not-for-profit organization that manages recycling programs in Ontario, including the MHSW and WEEE programs. It is funded and governed by industry stewards, who are the brand owners, first importers or franchisors of the products and packaging materials. SO is accountable to the Resource Productivity and Recovery Authority (RPRA) and provides partial funding to municipalities that operate recycling programs at the local level. The change in timeline, for single-use batteries only, will allow for a coordinated policy approach as WEEE and batteries are often used together. The waste diversion program for the remaining designated wastes under MHSW will cease operation on December 31, 2020 (date unchanged). SO must develop a plan to wind up waste diversion program for all designated MHSW materials and submit to the Resource Productivity and Recovery Authority (RPRA) by June 30, 2019. Until the respective wind up dates, programs will continue to operate without disruption.

On January 10, 2019 and January 16, 2019, the Province hosted webinars for all stakeholders on the Proposed Framework and posed a series of questions for feedback, related to policy considerations. Additionally, attendees had the opportunity to pose questions to the Province. The slides released by the Province are attached as Appendix C.

Niagara Region currently accepts WEEE for recycling at permanent public drop off depots year round (Recycling Centre, Niagara Road 12 Landfill, Humberstone Landfill and Bridge Street Residential Drop-Off Depot). Under contract, and at no cost to Niagara Region, Ontario Electronic Stewardship (OES) also provides collection service to eligible Multi-Residential properties. Additional details about this program are available in WMPSC-C 20-2016. OES is an Industry Funding Organization (IFO), operating for SO, to run the recycling program for WEEE in Ontario.

Niagara Region currently accepts MHSW, including batteries, at permanent depots year round (Niagara Road 12 Landfill, Humberstone Landfill, Thorold Yard Household Hazardous Waste Drop-off Depot and Bridge Street Residential Drop-Off Depot). Since the pilot in 2012, Niagara Region has also offered an annual one-week curbside battery collection period. In 2018, 8,948 kg of batteries were collected curbside (WMPSC-C 27-2018) and collection will occur again in April 2019. The program operates with minimal net cost and 100% of the batteries collected are recycled.

Staff will advise Council accordingly if funding models change for any of our current collection programs with the transition to a producer responsibility model. All Waste Management staff comments and answers to question from the stakeholder consultation webinars reflect previously approved comments and positions by Niagara Region Committees and Council. If additional comments are brought forward, staff will include them in the response to the MECP during the next formal review period.

It is recommended that Niagara Region support the Provincial transition to a producer responsibility framework for management of WEEE and batteries, subject to the comments that were submitted to the MECP. Staff will continue to be active participants in future consultations related to the Proposed Framework and related guides and regulations, and will report back to Committee with updates. At minimum, the Province estimates there will be an EBR posting related to the Proposed Framework released in spring of 2019. Staff will also continue to be involved in industry/municipal associations that play a role in shaping the Proposed Framework.

Respectfully submitted and signed by,

A handwritten signature in cursive script, reading "Jennifer Mazurek".

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Jennifer Mazurek  
Acting Manager, Waste Policy and Planning

### **Appendices**

- Appendix A Niagara Region letter to Ministry of The Environment Re: Proposed Producer Responsibility Framework for Waste Electrical and Electronic Equipment and Batteries
- Appendix B Ministry of the Environment, Conservation and Parks Direction Letter
- Appendix C Ministry of the Environment, Conservation and Parks Slides for Stakeholder Consultation Sessions