

# **Manitoba Product Stewardship Program for End-of-Life Electrical and Electronic Equipment**

***Prepared by:***

Electronics Product Stewardship Canada, Retail Council of Canada, and  
Canadian Appliance Manufacturers Association

***Submitted to:***

Manitoba Conservation

**August 17, 2010**

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Honourable Bill Blaikie  
Minister of Environment  
330 Legislative Building  
450 Broadway  
Winnipeg, Manitoba  
R3C 0V8

Dear Mr. Blaikie,

In accordance with the Guideline for Electrical and Electronic Equipment Stewardship, Electronics Product Stewardship Canada (EPSC), Retail Council of Canada (RCC) and the Canadian Appliance Manufacturers Association (CAMA) present this Plan for a Manitoba Product Stewardship Program for End-of-Life Electrical and Electronic Equipment.

We look forward to working with your department and all Manitoba stakeholders to implement this stewardship program for the province.

Yours truly,

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President and CEO (EPSC)

Lanny McInnes  
Director, Government Relations and Member Services, Manitoba and Saskatchewan (RCC)

Larry Moore  
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## **1.0 INTRODUCTION**

Electronics Product Stewardship Canada (EPSC), Retail Council of Canada (RCC), and Canadian Appliance Manufacturers Association (CAMA) are pleased to provide the following proposal for the development and implementation of a stewardship program for end-of-life (EOL) electrical and electronic equipment in the province of Manitoba. Designated products are listed in Appendix A<sup>1</sup>.

EPSC, RCC, and CAMA would also like to acknowledge the assistance of InterGroup Consultants and Product Care Association in the development of this plan.

The Province of Manitoba, specifically, Manitoba Conservation, is responsible for the administration and enforcement of the Electrical and Electronic Equipment Stewardship Regulation and the Waste Reduction and Prevention Act with respect to designated products and stewards of designated products under the Regulation.

This plan has been assembled using the draft Manitoba Guideline for Electrical and Electronic Equipment Stewardship. If the final Manitoba Guideline differs materially from the draft, additional time (estimated at between four and six weeks) will be required for document revision and subsequent consultation if necessary. Any delay in receipt of the final Manitoba Guideline may affect the date of Program implementation, currently set under the Regulation for April 1, 2011. In addition, delays related to Plan approval could affect the ability of industry to implement the Program by this date.

The structure of this document is as follows. Section 2.0 provides a summary of key Program characteristics and Section 3.0 lists the Program principles. Table 1 provides a description of the remainder of the document along with reference to the specific sections of the Guideline and Regulation addressed by the Plan.

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<sup>1</sup> The Manitoba draft Guideline and Regulation refer to products that fall under the Regulation as “designated materials”; for purposes of ensuring clarity, the Stewardship Plan will refer to “designated materials” as “designated products”.

**Table 1**  
**Section Headings and Reference to Draft Manitoba Guideline and Regulation**

<b>Section</b>	<b>Heading</b>	<b>Reference to Draft Manitoba Guideline</b>	<b>Reference to Manitoba Regulation</b>
4.0	Program Oversight and Management	Sections A and B	Sections 4(1), 4(2)(a,b), and 19(a,b)
5.0	Public Consultation Process	Section C	Sections 4(2)(i) and 19(d)
6.0	Design of Collection System	Section D	Sections 4(2)(c) and 19(d)
7.0	Performance Targets and Measures	Sections B(7,13), E, and F	Section 19(c,d)
8.0	Dispute Resolution	Section G	Section 19(d)
9.0	Annual Report	Section H	Sections 16, 17, 18(2), and 19(d)
10.0	Pollution Prevention and Best Management Practices	Section I	Section 4(3)(c)
11.0	Definition of Products	N/A	Sections 2 and 19(d)
12.0	Nature of Program Funding	Section B(4)	Sections 1, 4(2)(d,e,h), and 19(d)
13.0	Communication and Public Awareness Methods	Sections A(3,5) and B(1,8)	Section 4(2)(f,g)

In some cases, specific topics (e.g., performance measures) are covered in several different sections throughout the Guideline. The intent of this document is to systematically address the requirements of the Guideline while placing them into an orderly, easy to read format.

## **2.0 SUMMARY**

This document outlines a product stewardship program to divert end-of-life electrical and electronic equipment from landfill and from illegal export, through the collection and subsequent recycling of these products. Membership into the Program will be made available to all stewards obligated under the Regulation.

The proposed Stewardship Program for Manitoba is based on a shared responsibility model where manufacturers, retailers, consumers, and government all play a role. Consumers, representing the residential, industrial, commercial, and institutional sectors, will be able to drop off designated end-of-life electrical and electronic equipment without additional cost at collection sites. Industry will manage the Program effectively and efficiently and ensure materials are recycled in a manner that safeguards the environment and worker health and safety. Government will enforce the Regulation (or any plan approved by the Minister) to ensure full Program compliance.

To provide the necessary Program funding, the Program will implement an Environmental Handling Fee (EHF) on new sales in Manitoba of all designated electrical and electronic products under the Regulation (or any plan approved by the Minister).

Designated products will be collected and recycled under a contractual agreement with service providers (i.e., collection depots, recyclers, processors, etc.) to be determined by the Board of Directors. The service providers will be required to meet the EPSC's Electronic Recycling Standard (ERS), complete the Recycling Vendor Qualification Program (RVQP), and comply with any other standards approved by the Program. The Program will seek to maximize recycling activities within the province, providing this delivers cost effective and environmentally responsible solutions.

Key stages of Program development and implementation will involve consultations with relevant stakeholders. Program details will be disseminated through a communications plan, including a public education component. The Program is also committed to transparency in financial and environmental reporting.

Performance indicators will be harmonized with other electrical and electronic stewardship programs in Canada based on a review of a core suite of performance indicators. This will allow Program performance to be assessed not only year over year, but also relative to the performance of other provincial programs. In order to set realistic and meaningful performance targets, performance data will be collected for at least two years prior to establishing targets.

Annual reports will be submitted to Manitoba Conservation, be made available on the Program website, and include information on the following topics: educational materials and strategies, collection facilities, reducing environmental impacts, performance measures, and financial statements.

### 3.0 PROGRAM PRINCIPLES

The proposed end-of-life electrical and electronic equipment stewardship program will be consistent with the industry developed (EPSC) guiding principles for stewardship programs, including:

1. **Level playing field:** Provide a level playing field (fair competition), achieve a high level of compliance, and eliminate the potential for free-riders.
2. **Historic/orphaned products:** Adequately address the issue of orphan, historic, and imported designated products from companies with no Manitoban or Canadian presence.
3. **Environmental standards:** Ensure designated products are recycled in a responsible manner that safeguards the environment and worker health and safety in accordance with the Electronics Recycling Standard (ERS) and the Recycling Vendor Qualification Program (RVQP).
4. **No cross-subsidization:** Ensure the collection of revenue from Program subscribers is in balance with the expenses for the Program, with fees closely reflecting the costs of managing each designated product.
5. **Operational efficiencies:** Ensure the Program is delivered effectively and efficiently at the lowest possible cost to keep Environmental Handling Fees paid by consumers to a minimum.
6. **Business sustainability:** Ensure sustainable management of the business by maintaining an appropriate operating contingency reserve (OCR), but not accumulating a surplus.
7. **Continuous improvement:** Adhere to provisions for best practices to strive for continuous improvement in environmental and economic performance.
8. **Harmonization:** To the greatest extent possible, harmonize with other end-of-life electrical and electronic stewardship programs to achieve economies of scale.

## **4.0 PROGRAM OVERSIGHT AND MANAGEMENT**

The Program will be managed by a nationally incorporated not-for-profit entity overseen by a Board of Directors, which will be made up of members of the founding associations, EPSC, RCC, and CAMA. This Board may establish a local Advisory Council for the Program. This body will provide stakeholder input and ongoing advice and guidance to the Board.

### **4.1 BOARD OF DIRECTORS**

Electronics Product Stewardship Canada (EPSC), Retail Council of Canada (RCC), and Canadian Appliance Manufacturers Association (CAMA) will establish a non-profit corporation representing obligated industries, which will oversee Program development, management, and operations. The corporation will be managed by an interim Board of Directors selected by EPSC, RCC, and CAMA. This Board may provide simultaneous oversight to multiple provincial stewardship programs. Board membership will be established after Plan approval.

### **4.2 PROGRAM STAFFING AND MANAGEMENT**

The Board of Directors will ensure the Program is designed and operated to consider provincial, urban, and rural perspectives. To implement the Program and manage the core day-to-day activities of operations, finances, and communications, staff resources will be deployed through either direct employment or contractual arrangements. These services may be managed locally or through shared service agreements with other programs.

### **4.3 ADVISORY COUNCIL**

The Board of Directors may establish a local Advisory Council. The Advisory Council will provide stakeholder feedback on plans and ongoing advice and guidance to the Board. The Council will provide an avenue for stakeholder issues to be raised to the Board of Directors, but will not vote on Board decisions. The Board of Directors may establish a dispute resolution role for the Advisory Council at a later date. Manitoba stakeholders that may be represented on the Advisory Council include, but are not limited to: local and provincial governments, academics, First Nations, and non-governmental organizations.

EPSC, RCC, and CAMA recognize the important role that a broader group of stakeholders, including service providers may provide in implementing the Program. However, they are not expected to have specific representation on the Advisory Council.

## **5.0 PUBLIC CONSULTATION PROCESS**

A public consultation process will be implemented that will:

- Ensure that Stewardship Program decisions and activities include processes or measures for informing those affected by decisions and actions in a timely manner;
- Provide meaningful opportunity for public consultation and due process, including the timely release of pertinent information;
- Ensure that local governments and citizen groups are consulted; and
- Where appropriate, employ collaborative decision-making and consensus-building processes.

Stewards may seek input at strategic points (development and amendment of program plan, annual reporting, and continuous review of operations) from government (i.e., provincial, municipal, etc.), service providers, relevant external agencies (professional associations, non-governmental organizations), and the public.

Key aspects of any consultation will include the identification of:

- All relevant stakeholders (including those with a mandate or responsibility in an inter-related program area, those that are expected to implement the proposal, those expected to bear the cost of implementing the proposal, and anyone impacted by the proposed plan);
- The purpose of the consultation; and
- Techniques undertaken for consultation.

The consultation report associated with Stewardship Plan development can be found in Appendix C. It includes details on:

- Who was consulted in the process of developing and evaluating the Plan and/or proposal options;
- Any objections and concerns raised by those who were consulted; and
- Endorsement of proposed responsibilities by Program partners.

## **6.0 DESIGN OF COLLECTION SYSTEM**

EPSC, RCC, and CAMA are recommending the establishment of a collection and processing network based on an incentive model where entities providing collection, transportation, and processing services will receive a financial incentive for participating in the Program. The objective of the incentive model is to leverage existing service providers, attract new service providers, and ensure a competitive market on the basis of high environmental standards. Service providers selected by the Program will receive a weight-based financial payment for the volume of designated products handled under the Program. The process for selecting service providers will be established by the Board at a later date. Selection criteria are expected to include experience in delivering these services, facility and process standards related to environmental and workplace health and safety, coverage area, and others. The resulting collection system will be one that best addresses the needs of the Program.

The Board will seek to enter agreements with a variety of organizations to provide collection services for designated products, including retail locations, charitable organizations, waste collection companies, and municipalities. Consumers will be able to drop off designated products at any designated collection site, without additional charge. The Board will ensure there is sufficient province-wide collection coverage and will conduct special collection events where permanent collection sites cannot be established. The Program will accept materials from the residential, industrial, commercial, and institutional sectors.

Service providers in the Program must meet minimum standards for environmental and human health and safety and best practices already established in other areas of Canada, specifically via the Electronics Recycling Standard (ERS) and Recycling Vendor Qualification Program (RVQP). The location to which the products designated under the Program will be sent for recycling/processing will be determined by the Board at a later date.<sup>2</sup>

The Board will establish Guidelines for processes/manuals related to safety, training, and dismantling of products, like those already in use by other stewardship programs employing the EPSC ERS.

The ERS defines the minimum requirements needed to become an approved end-of-life electrical and electronic equipment processor for recycling programs operating in Canada. The ERS is intended to guide processors by ensuring materials are managed in a manner that safeguards worker health and safety and the environment from initial processing through final disposition.

The RVQP process has three primary objectives:

- To ensure all end-of-life electrical and electronic equipment and associated waste are handled, transported, processed, stored, and disposed of in an environmentally sound manner.

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<sup>2</sup> ERS and RVQP documentation is available at [www.epsc.ca](http://www.epsc.ca).

- To ensure that potentially hazardous components of end-of-life electrical and electronic equipment are processed in such a manner that reduces negative impacts on the environment and worker health and safety.
- To track the downstream flow of materials through to final processing or disposition, in order to ensure that potentially hazardous components are not sent to developing nations for the purpose of recycling and/or disposal.

The ERS and RVQP, working in concert, facilitate the development and ongoing operation of an environmentally sound and safe collection network.

## **7.0 PERFORMANCE TARGETS AND MEASURES**

In order for the performance of a program of this kind to be properly evaluated, multiple performance indicators are needed. No single performance indicator will provide a sufficient indication of Program performance. A review of a core suite of performance indicators was recently completed and adopted by Atlantic Canada Electronics Stewardship, Electronics Stewardship Association of British Columbia, Ontario Electronic Stewardship, and Saskatchewan Waste Electronic Equipment Program. We propose to adopt the same core suite of indicators as outlined below:

1. Operational:
  - a. Total end-of-life electrical and electronic equipment collected (tonnes).
  - b. Total end-of-life electrical and electronic equipment collected per capita (tonnes).
  
2. Accessibility:
  - a. Percent of population covered by collection sites.
  - b. Total collection sites.
  - c. Total collection events.
  
3. Awareness indicators:
  - a. Percent of population aware of the programs.
  
4. Financial indicators:
  - a. Total program costs per tonne.
  - b. Operational costs per tonne.
  - c. Overhead costs per tonne.

Adopting the same suite of core indicators as these other provincial programs will enable performance to be assessed not only year over year by the Program within Manitoba, but also relative to the performance of other provincial programs.

An indicator showing both the quantity of product that is recovered and the quantity that is not recovered would not be useful for measuring Program performance. Electrical and electronic products are durable goods that have much longer and more variable life-cycles compared to non-durable packaging. Considering their long life cycle, in a given year the sales of electrical and electronic equipment would not be directly related to the amount of end-of-life electrical and electronic equipment collected by the Program.

In order to support continuous improvement, performance measurement targets must be developed. To ensure that realistic and meaningful targets can be established, it is proposed that the Program first collect performance data for at least two full years of operation. Following the collection of data from this initial period, the Program will work with Manitoba Conservation to establish targets for future performance.

## **8.0 DISPUTE RESOLUTION**

A dispute resolution mechanism will be established between stewards and the Program prior to implementation. The contract between these parties will contain a dispute resolution mechanism and the wording of this will be provided to Manitoba Conservation on completion of the contract signing. Agreements between the Program and service providers will contain standard commercial language to address disputes. Although the exact dispute resolution process still needs to be determined, it may include:

- A requirement to meet to negotiate a resolution within a specific time of receiving notice of dispute;
- The appointment of a mediator should negotiations fail, including requirements to participate in mediation and procedures for payment of the mediator; and
- If the above steps do not resolve the dispute, the appointment of an Arbitrator (nature of this position to be determined) could be required.

Interactions with other stakeholders (including the general public) not covered by contractual arrangements do not require a formal dispute resolution mechanism. Should disagreements arise, the aggrieved party would have access to the designated Program manager, the Advisory Council and, ultimately, the Program Board of Directors.

## 9.0 ANNUAL REPORT

The Program will provide an annual report to Manitoba Conservation. It will also be made available on the Program website. This report will include, but not be limited to:

1. Educational Materials and Strategies:
  - a. Description of educational materials and strategies undertaken through the course of the year.
  - b. Description of related performance measures (e.g., effectiveness of efforts intended to raise public awareness).
2. Collection Facilities:
  - a. Information regarding location of collection and processing facilities.
3. Reducing Environmental Impacts:
  - a. Description of efforts undertaken to promote and communicate options for reuse in the province<sup>3</sup>.
  - b. Steps taken to foster continued improvement in the Program in relation to the reduction of environmental impacts.
4. Consistency with the Principles of Pollution Prevention and 4Rs Hierarchy:
  - a. This will be accomplished to the extent feasible through implementation of ERS and RVQP protocols.
5. Performance Measures (see section 7.0)
6. Financial Statements:
  - a. Including independently audited financial statements will be submitted for review.
  - b. Will reflect the Program commitment to financial transparency and accountability for how all funds collected from consumers are managed.
  - c. Will be subject to secure data reporting and management systems as per the Program operator/industry funding organization (IFO).
  - d. Will list Board members and staff.

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<sup>3</sup> The program is being established as an end-of-life electrical and electronic equipment program. As such, mechanisms to facilitate reduction and reuse of equipment (beyond simple promotion or communication) fall outside of the program's auspice.

## **10.0 POLLUTION PREVENTION AND BEST MANAGEMENT PRACTICES**

This stewardship program is designed to address the responsible recycling and recovery of end-of-life electrical and electronic equipment. The safe recycling, disposal, and recovery of the designated products will be achieved through the implementation of industry best practices, including the implementation of ERS and RVQP protocols.

While the reduction and reuse of electrical and electronic equipment falls outside the scope of the Program, the Program can commit to the following with respect to reduction and reuse of designated products:

- Reporting to the Province and stakeholders on “Design for Environment” and other industry initiatives to reduce the environmental impact of new designated electrical and electronic products.
- Providing communication to program users about reuse opportunities for designated electrical and electronic products administered by other programs and agencies.

The Program will promote local processing, manufacture, and use of products from designated end-of-life electrical and electronic equipment, where environmentally and economically sustainable. The Program will also operate in a manner supportive of national and international agreements.

## **11.0 DEFINITION OF PRODUCTS**

### **11.1 PRODUCTS INCLUDED AT PROGRAM STARTUP**

Upon Program commencement, the list of designated materials will be harmonized, where applicable, with other provincial programs. The following electric and electronic products will be designated as designated products at Program startup on April 1, 2011:

1. Desktop computers;
2. Portable computers;
3. Display devices;
4. Printers and fax machines;
5. Computer peripherals;
6. Computer scanners;
7. Personal/portable audio/video playback and/or recording system;
8. Home audio/video playback and/or recording system;
9. Home theatre in a box (HTB) systems;
10. Vehicle audio and video systems;
11. Non-cellular telephones and answering machines; and
12. Countertop microwave ovens;

Definitions of the designated products can be found in Appendix A. Given the nature of the industry (rapid technological advancements and product evolution), it will be necessary to continually monitor and update Program definitions to ensure full compliance and clarity.

The Canadian Wireless Telecommunications Association (CWTA) currently has a cellular phone collection program in place in Manitoba. Efforts will be made to work cooperatively with CWTA.

Similar effort will be made to work cooperatively with the Rechargeable Battery Recycling Corporation (RBRC) to manage batteries collected by the Program.

## **11.2 PRODUCT PHASE-IN**

The large size and cumbersome nature of photocopiers presents a unique challenge for stewards. British Columbia intends to add photocopiers to their program in April, 2012. In the interests of harmonization, this plan proposes adding photocopiers to the Program in April, 2012.

## **12.0 NATURE OF PROGRAM FUNDING**

The Program will be funded by an Environmental Handling Fee (EHF) remitted by the obligated stewards of designated products that have joined the Program as a member to discharge their legal obligations and ensure compliance with the Regulation. The membership rules will allow for two types of members: Remitter and Pay-on-Purchase (POP). To maintain membership, obligated stewards will be required to follow established rules regarding Program funding to ensure that the EHF is only collected once through the supply chain and ensure consistent application of the EHF within Manitoba and across Canada. Failure to follow these rules and non-compliance with the Regulation could lead to membership termination.

In general, the EHF will be shown separately by sellers on sales receipts without mark-up. Some companies may choose not to show the fee. In this case, the steward and/or seller would inform the consumer, through messaging at point-of-purchase, that the fee is included in the product price.

### **12.1 FEE DETAILS**

The EHF will not be a flat fee across all products, but will be set by product category, and will reflect the true costs of managing that product. The EHF will be subject to GST and PST whether it is included in the product price or shown separately on the sales receipt. The fee will fund:

- Collection, handling, and recycling;
- Communication and public education;
- Recycler evaluations;
- Administrative expenses (including board and travel);
- Compliance and enforcement provisions required over and above government measures;
- A prudent operating contingency reserve; and
- Continuous research and improvement.

The fee-setting methodology has yet to be determined, but in the short term, fees similar to those currently in place in other jurisdictions will be adopted. Once the Program has been established and costs accurately characterized, the fees will be revisited.

## **12.2 FUNDING FLOW**

Stewards will remit fee payments based on net designated product sales (which accounts for such things as product returns). The membership rules will require Remitter members to remit monthly EHF payments to the Program based on the total number of net designated products supplied during that previous month to any entity that is not another Remitter member (i.e., end consumers or POP members). POP members will pay the EHF charged by their supplier and will not be required to provide monthly remittances for products from their suppliers. The collected funds will be disbursed to pay for the operation of the Program. A detailed schematic describing the flow of funding for the Program can be found in Appendix B.

## **12.3 PRODUCT STEWARDS**

Regulation Definitions, Clauses 1(3) and 3(2) currently state that a Steward is a person who is deemed to be the first person who supplies to another person in Manitoba. This duty normally falls to the first importer, not the first person to sell or supply. To clarify for obligated Stewards and the remittance process in Manitoba, we interpret the Regulation to mean that Product Stewards include:

- a. Product manufacturers who sell, offer for sale, or distribute the product in Manitoba under the manufacturer's own brand;
- b. The owner or licensee of a trademark under which a product is sold or distributed in Manitoba, whether or not the trademark is registered; or
- c. An importer into Manitoba who sells, distributes, or uses the product in a commercial enterprise.

## **12.4 FINANCING PROGRAM DEVELOPMENT AND IMPLEMENTATION**

Program development and implementation activities undertaken following passage of the Regulation and in advance of fee collection may be reimbursed from future Program revenues, with reasonable interest, to those organizations providing the services. Examples include:

- EPSC, RCC, and CAMA activities to create and manage the Program plan, define the partner requirements, and negotiate contracts.
- All activities undertaken by the management/administrative organization.
- Any direct contributions made by industry.

A procedure defining allowable expenses will be approved by the Board of Directors, including an appropriate time period for payback and the formula for calculating interest.

### **13.0 COMMUNICATION AND PUBLIC AWARENESS METHODS**

Efforts related to communication and public awareness will be affected in the following ways:

- To ensure that consumers are aware of the Program and have knowledge on how and when they can have their products recycled, promotional material will be on-hand at collection depots (e.g., question and answer pamphlets, posters, and other signage), supplemented by various media spots (e.g., newspaper and radio advertisements), a Program web site, and call center services.
- Stewards and sellers of designated products will be provided with point-of-purchase educational material to ensure that consumers purchasing designated products are aware of the applicable EHF's and reuse and recycling options. A more detailed communications program may be developed prior to Program commencement.
- A survey program will be implemented by the Program once it has been established. The intent of this is to gauge consumer knowledge on the Program and seek input on potential Program improvements. Survey participants may be asked about recent recycling activities pertaining to the Program, their knowledge of where designated products can be taken, etc.
- Where substantive Program changes are proposed (e.g., incorporation of additional designated products) the Program will consult as required.
- In addition to the steps identified above, the Program is committed to transparency and will ensure that industry proposals, Program plans, and annual reports are sufficiently communicated to all stakeholders.

## 14.0 CONSULTATION

Appendix C provides a summary of the consultation program that accompanied the drafting of this Plan. This purpose of the consultation was to:

- Provide meaningful opportunities for input from government, industry, relevant associations or programs, and the general public regarding the draft Stewardship Plan.
- Communicate key aspects of the Stewardship Plan. The consultation process was intended to inform Plan finalization. Where feasible and appropriate, revisions were undertaken to address the comments and questions received.

In order to accomplish this effectively, three streams of feedback and participation were made available, including a process whereby stakeholders could review the document and provide comments via email; an open house held in Winnipeg on August 5, 2010 and a webinar held on the same day.

Key milestone dates in the consultation were as follows (2010):

- July 19 – Drafted preliminary stakeholder list;
- July 25 – Newspaper advertisement published and notification of upcoming consultation circulated to stakeholders via email;
- July 30 – Consultation period officially commenced with circulation of invitation to consultation and posting of links for Stewardship Plan;
- August 5 – Open house and webinar hold;
- August 6 – Compiled and assembled open house and webinar feedback;
- August 9 – close of consultation; compilation and assembly of remaining feedback; and
- August 11 – Finalize Plan based on comments and feedback provided (for submission to Manitoba Conservation on August 17.

In total, 75 individuals noted an interest in participating in the consultation process. Table 2 provides a breakdown participant interest and comments by type of participant.

**Table 2 Breakdown of Participants and Comments**

<b>Sector</b>	<b>Number of Participants</b>	<b>Number of Comments</b>
Service Provider	26	8
Government	18	2
Citizen	15	8
Industry	12	3
NGO	3	3
Academic	1	1
Total	75	25

\* Although not include in this total, several media outlets referred to the consultation process, including CTV, CBC, CJOB and the Winnipeg Free Press.

The consultation process led to several changes in the Plan, including:

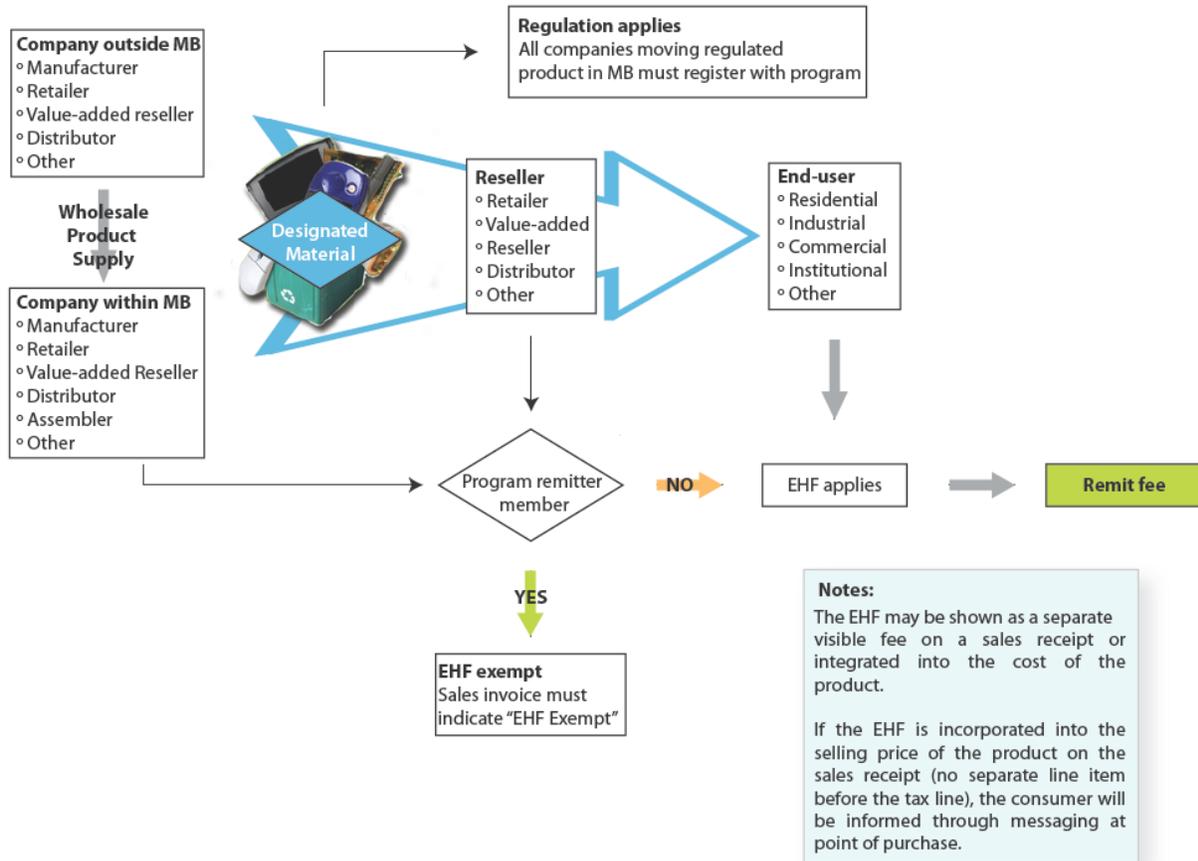
- a) To minimize confusion, consistent use of 'designated products' rather than obligated products, designated materials, etc.
- b) Consistent use of 'service provider' rather than using the terms "contractor," "depot operator" and others interchangeably.
- c) Confirmation that the Board will be established after the Plan is approved.
- d) Recognition of the knowledge and experience that existing service providers in the province could bring to the process.
- e) Further discussion on criteria for determining collectors.
- f) Link to EPSC website so the reader can find the ERS and RVQP documents.
- g) Removal of "excluding offshore evaluations" language.
- h) Broad discussion on fee-setting methodology.
- i) More detail regarding potential communication/awareness efforts.

**APPENDIX A**  
**DESIGNATED PRODUCTS AND DEFINITIONS**

**APPENDIX B**

**END-OF-LIFE ELECTRICAL AND ELECTRONIC  
EQUIPMENT PROGRAM FUNDING FLOWCHART**

### Electronic Handling Fee (EHF) Collection



**APPENDIX C**  
**CONSULTATION REPORT**

## **Appendix C – Consultation Report**

This appendix provides a description of consultation activities relating to the draft Manitoba Product Stewardship Plan for End-of-Life Electrical and Electronic Equipment. Included in this appendix is a description of the consultation approach and activities, the number of participants engaged, a summary of comments and suggestions received, a description of follow-up actions undertaken in response and materials related to the process. Included in the latter is:

- A list of stakeholders to whom the Invitation to Consultation were circulated directly. This does not include additional stakeholders that may have been contacted secondarily through this list;
- A sample Notification of Upcoming Consultation;
- A sample Invitation to Consultation email;
- A copy of the newspaper advertisement (Winnipeg Free Press);
- A copy of the PowerPoint document presented at the open house and Webinar;
- A sample of the consultation feedback/comment form;
- A synopsis of questions (with responses) from the open house/Webinar; and
- Photos from the open house.

### **C.1 INTRODUCTION**

The purpose of the consultation was to:

1. Provide meaningful opportunities for input from government, industry, relevant associations or programs, and the general public regarding the draft Stewardship Plan.
2. Communicate key aspects of the Stewardship Plan. The consultation process was intended to inform Plan finalization. Where feasible and appropriate, revisions were undertaken to address the comments and questions received.

### **C.2 SCHEDULE OF ACTIVITIES**

Table C.1 below provides a synopsis of consultation activities.

**Table C.1**  
**Draft Manitoba Product Stewardship Program for End-of-Life Electrical and Electronic Equipment Consultation Schedule and Activities**

<b>Date (2010)</b>	<b>Activity</b>	<b>Description</b>
<b>July 19</b>	Drafted preliminary stakeholder list.	Preliminary stakeholder list compiled based on requirements from Manitoba draft Guideline and Regulation and recommendations from client and Government.
<b>July 26</b>	Newspaper advertisement published.	An advertisement announcing the consultation process was posted in the Winnipeg Free Press.
<b>July 30</b>	Consultation period commenced with circulation of Invitation to Consultation and a posting of a link to the draft stewardship plan on the Green Manitoba website.	Invitation to Consultation circulated via email inviting interested parties to ask questions and to provide input on the draft program plan. Email included: <ol style="list-style-type: none"> <li>1. Link to draft Stewardship Plan and government guidelines.</li> <li>2. Email address to send feedback.</li> <li>3. Details of open house location, date time.</li> <li>4. Instructions for attending online presentation (webinar).</li> </ol>
<b>August 5</b>	Open house and webinar presentations.	InterGroup conducted four presentations and one live, online presentation (webinar) for Program members and key stakeholders, to give these groups an opportunity to review the draft Program plan and to ask questions directly.
<b>August 6</b>	Compile and assemble open house and webinar feedback.	Feedback from the open house and webinar were compiled and assembled into a summary table (see Section C.4).
<b>August 6</b>	Post webinar recording on website.	Slides from the webinar presentation were posted on <a href="http://intergroup.ca/ewaste/">http://intergroup.ca/ewaste/</a> .
<b>August 9</b>	Consultation period closed.	Final date for receipt of comments and questions from stakeholders and other interested parties via email.
<b>August 9</b>	Compile and assemble feedback received via email.	Feedback received via email were compiled and assembled into a summary table (see Section C.4)

<b>Date (2010)</b>	<b>Activity</b>	<b>Description</b>
<b>August 11</b>	Revised and submitted stewardship plan.	Stewardship plan revised based on relevant feedback and submitted to client (see Section C.5).
<b>August 13</b>	Submitted consultation report.	Consultation Report submitted to client.
<b>August 17</b>	Submission of final report.	Consultation Report attached to final stewardship plan and submitted to client.

### **C.3 APPROACH**

The approach for the consultation falls into two streams:

#### **1. Opportunities for input.**

Notifications of the upcoming process were circulated on July 23, 2010 in advance of the consultation period. Stakeholders were informed about the options for involvement (email comments, open house attendance, and/or webinar participation) and upcoming release of the draft plan on July 30, 2010.

An Invitation to Consultation was then circulated by email on July 30, 2010. The email provided information on how to obtain a copy of the draft Stewardship plan and described in greater detail the avenues that stakeholders and other interested parties could use to provide feedback and ask questions regarding the draft Program document. The consultation period ran from July 30<sup>th</sup>, 2010 to August 9<sup>th</sup>, 2010. The three feedback and participation avenues were as follows:

- A. Document review and comment – Questions and feedback were accepted by email for the duration of the consultation period.
- B. Open house attendance – Questions and feedback were collected at an open house held on August 5, 2010 at the Inn at the Forks in Winnipeg, Manitoba. Four presentations were offered between 11am and 9pm and key personnel were on-hand to field questions and comments. Attendees were provided with printed copies of the draft Stewardship Plan, the draft Manitoba Guideline, the open house presentation, and a sheet to provide comments.
- C. Online webinar participation – The first open house presentation was also available via simultaneous webcast. Comments and feedback were collected and addressed concurrently with those provided during the open house.

#### **2. Documenting and addressing questions and feedback.**

Following the consultation period, all questions and comments were compiled and addressed. A theme approach was used and questions and comments were categorized according to theme (see Section C.5).

## C.4 PARTICIPATION

This section describes participation in the consultation process by sector and by the three avenues of consultation. In total, 75 individuals noted an interest in participating in the consultation process. Table C.2 breaks down participant interest and comments by type of participant. (Note: any given participant is only counted once, regardless of the actual number of comments he/she made in any of the three avenues).

**Table C.2**  
**Breakdown of Participants and Comments**

<b>Sector</b>	<b>Number of Participants</b>	<b>Number of Comments</b>
Service Provider	26	8
Government	18	2
Citizen	15	8
Industry	12	3
NGO	3	3
Academic	1	1
<b>Total</b>	<b>75</b>	<b>25</b>

NOTES:

1. Although 25 instances of comments are noted, in most cases more than one comment or question was submitted each time (for a total of over 60, some of which were repeats).
2. Two participants were engaged in two consultation streams rather than one. As a result, while the total set of comments was 27, 25 are shown here to reflect the duplication.
3. Although not include in this total, several media outlets referred to the consultation process, including CTV, CBC, CJOB and the Winnipeg Free Press.

The following breaks down the participation in the consultation process by participation avenue:

*Document Review*

- Thirty-three individuals demonstrated an interest in providing comments through the document review avenue. At the end of the consultation period, 18 sets of comments had been received.

*Open House*

- Thirty-two individuals participated in the open house event on August 5, 2010. Four participants filled out a comment form.
- A question and comment period following the presentation resulted in about 24 sets of comments (names/affiliations of speakers were not recorded).

*Webinar*

- Seventeen individuals participated in the online presentation (Webinar) event on August 5, 2010. Comments were received electronically from five participants.

**C.5 ISSUES**

Table C.3 summarizes the key issues, by theme, that were identified during the consultation period. The comments below are not verbatim or exhaustive, but represent the major themes and issues that were raised. All comments received were thoroughly considered and, where feasible, addressed in the revised Stewardship Plan.

**Table C.3  
Summary of Issues**

<b>Theme:</b>	<b>CONSULTATION</b>
<b>Comment / Question</b>	Consultation timeframe is unreasonably short.
<b>Sector</b>	NGO
<b>Discussion</b>	EPSC, RCC and CAMA recognize the challenges posed by the limited timeframe for consultation. The lack of a finalized Guideline from Manitoba Conservation, along with the requirement for adequate implementation time on the part of industry has precipitated this accelerated consultation timeline. In order to address this challenge, several forums were established for commentary, including a one-day open house (extending into the evening) on August 5 2010, a review and comment period extending from July 30 2010 to August 9 2010, and a webcast running in concert with the first open house presentation on August 5.

<b>Theme:</b>	<b>FINANCING</b>
<b>Comment / Question</b>	What goes into the determination of environmental handling fees for product categories?
<b>Sector</b>	Citizen
<b>Discussion</b>	<p>The key consideration in determining these fees is the need to ensure that the revenue flowing into the program accurately corresponds to the expenses associated with recycling the designated products in question. This necessarily takes into account the financing associated with administering the program.</p> <p>Fees will be determined by a process established by the Board of Directors. These will be made publicly available at a later date. Ministry approval for these fees, once determined, is not required.</p> <p>There are currently no plans to have differential handling fees for products within categories (i.e., for different brand names). In addition, there are no immediate plans to include a consideration of product warranty. However, the methodologies used for calculating the environmental handling fees will evolve over time and will be revisited on a regularly scheduled basis to ensure that the program costs are consistent with revenues collected.</p>
<b>Theme:</b>	<b>FINANCING</b>
<b>Comment / Question</b>	What is the reasoning behind having a visible fee rather than an internalized (hidden) fee.
<b>Sector</b>	Citizen; NGO; Government; Professional Association
<b>Discussion</b>	<p>EPSC, RCC and CAMA believe visible handling fees are appropriate for the Manitoba program for the following reasons:</p> <ul style="list-style-type: none"> <li>• To improve consumer awareness both of the stewardship program and the costs to responsibly manage the recycling and recovery of these products.</li> <li>• To promote transparency and accountability for the stewardship program.</li> <li>• Visible handling fees are currently used by other electronics stewardship programs in Canada. Using a similar mechanism in Manitoba allows for harmonization and benchmarking with other jurisdictions in Canada.</li> </ul>

	<p>By contrast, a hidden fee model would have serious implications for many stewards, including:</p> <ul style="list-style-type: none"> <li>• Increased rent for retailers - Rent for many retailers is indexed to gross sales, which would increase if prices are increased to include stewardship program costs. This is a particular concern for small independent merchants;</li> <li>• Higher advertising costs – Incurred by national or regional retailers who must produce separate production runs with province-specific pricing;</li> </ul> <p>Some national and regional retailers have information systems that cannot be configured for higher prices in each province for the same product.</p> <ul style="list-style-type: none"> <li>• Product prices in the province may become inflated as a result of the mark-ups that occur along the supply chain. Mandating hidden fees has effects across the supply chain, typically resulting in increased costs for consumers.</li> </ul> <p>Therefore, EPSC, RCC and CAMA strongly endorse the use of a visible fee as outlined in the Plan. Stewards will still have the option of either adding the fees at the point of sale or integrating them in the price and ensuring that they are communicated at the point of sale. The exact form of messaging must still be determined.</p>
<b>Theme</b>	<b>MANAGEMENT</b>
<b>Comment / Question</b>	Who will be represented on the Program Advisory Council?
<b>Sector</b>	Service Provider; NGO
<b>Discussion</b>	Manitoba stakeholders that may be represented on the Advisory Council include, but are not limited to: local and provincial governments, academics, First Nations and non-governmental organizations. While recognizing the important role of service providers in the Program, they are not expected to have representation on the proposed Advisory Council.
<b>Theme:</b>	<b>OPERATIONS</b>
<b>Comment / Question</b>	How does the Plan characterize the involvement of existing service providers?
<b>Sector</b>	Service Provider; NGO

<b>Discussion</b>	<p>The process for selecting service providers will be established by the Board at a later date. Selection criteria are expected to include experience in delivering these services, facility and process standards related to environmental and workplace health and safety, coverage area and others. Design of this collection system will be based on the needs of the program and the desire to ensure that it is both economical and efficient.</p> <p>Collection depots may be operated by service providers, municipalities, retailers, etc. The exact nature of the collection depots will be addressed once the plan has been approved.</p> <p>Processing facilities for collected products have not yet been determined. These will be required to meet certain environmental and workplace health and safety standards.</p>
<b>Theme:</b>	<b>DESIGNATED PRODUCTS</b>
<b>Comment / Question</b>	What process went into developing the list of designated products referred to in the plan?
<b>Sector</b>	Citizen; Academia; Service Providers; Government
<b>Discussion</b>	<p>The original list of designated products for inclusion in the Plan was set forth by the MB Regulation. The final list differs in the recommendation that floor-standing photocopier units be phased-in (with British Columbia) in April of 2012.</p> <p>In addition, cellular phones and batteries will be handled in a coordinated manner with the Canadian Wireless Telecommunications Association (CWTA) and Rechargeable Battery Recycling Corporation (RBRC).</p> <p>The current list of designated products is largely harmonized with those in other provinces and represents a first step in implementing this Program. Other products may be phased in over time.</p>
<b>Theme:</b>	<b>PERFORMANCE MEASURES</b>
<b>Comment / Question</b>	Why have you chosen the performance measures outlined in the Plan. Why have no targets been included? Has any consideration been given to utilizing reuse/recycling rates?
<b>Sector</b>	Academia; Government
<b>Discussion</b>	The proposed suite of indicators is consistent with those utilized in other Canadian jurisdictions. A recent study undertaken for ACES, ESABC, OES and SWEEP recommended this set of performance measures over, for example, recycle/reuse targets.

<b>Theme:</b>	<b>GENERAL</b>
<b>Comment / Question</b>	Why is Design for Environment not addressed to any great extent.
<b>Sector</b>	Professional Association
<b>Discussion</b>	While recognizing that Design for Environment is an important aspect of electronics manufacturing, this falls outside of the proposed Program's mandate as it cannot directly influence the decisions of manufacturers to engage in these processes.
<b>Theme</b>	<b>GENERAL</b>
<b>Comment / Question</b>	Can you provide additional detail regarding proposed public education activities?
<b>Sector</b>	Government
<b>Discussion</b>	Public education activities may include: <ul style="list-style-type: none"> <li>• Promotional materials at collection depots. These are expected to take the form of question and answer pamphlets, posters and other signage.</li> <li>• Media spots like newspaper and radio advertisements, a web site and call center services.</li> <li>• Materials at point of purchase to ensure that consumers are aware of applicable fees as well as reuse and recycling options.</li> <li>• A survey program may ask participants about recycling activities, their knowledge of where products can be taken, etc.</li> </ul>
<b>Theme</b>	<b>GENERAL</b>
<b>Comment / Question</b>	Has there been any consideration for a mechanism to make it mandatory for consumers to recycle of their waste products rather than just disposing of them with regular trash?
<b>Sector</b>	Academia
<b>Discussion</b>	There is currently no landfill ban in place in Manitoba for electronics products. Education and awareness will be important tools for encouraging responsible recycling of these products (rather than active enforcement).

## C.6 OUTCOMES OF THE CONSULTATION – PLAN REVISIONS

The following list summarizes key Plan revisions that came out of the consultation:

- a) To minimize confusion, consistent use of 'designated products' rather than obligated products, designated materials, etc.
- b) Consistent use of 'service provider' rather than using the terms "contractor," "depot operator" and others interchangeably.
- c) Confirmation that the Board will be established after the Plan is approved.
- d) Recognition of the knowledge and experience that existing service providers in the province could bring to the process.
- e) Further discussion on criteria for determining collectors.
- f) Link to EPSC website so the reader can find the ERS and RVQP documents.
- g) Removal of "excluding offshore evaluations" language.
- h) Broad discussion on fee-setting methodology.
- i) More detail regarding potential communication/awareness efforts.

## APPENDIX C-1: NOTIFICATION OF CONSULTATION

Electronics Product Stewardship Canada (EPSC) and the Retail Council of Canada (RCC) invite you to participate in consultation related to the development of a stewardship plan for end-of-life electrical and electronic equipment in Manitoba. The objective of this consultation is to provide stakeholders with an opportunity to hear more about the draft stewardship plan prior to its submission to the Province of Manitoba. The draft plan will be circulated on Friday, July 30, 2010.

Your participation is encouraged through any of the following three options:

- A. **Document review and comment** - to run from **July 30 to August 9, 2010** (document will be available on July 30<sup>th</sup>)
- B. **Open House** - at the Inn at the Forks in Winnipeg on **August 5, 2010** from 11am to 9pm (presentations at Noon and 7pm)
- C. **Webinar** - coinciding with Open House presentation on **August 5, 2010** at Noon. Webinar registration details will be provided as the date approaches.

EPSC and RCC jointly commissioned the development of an electrical and electronic equipment stewardship program in Manitoba. This was in response to the Government of Manitoba's recent passing of an amendment to the Waste Reduction and Prevention Act (February 3, 2010) intended to regulate product Stewards and define the end of life electrical and electronic equipment to be covered by the regulation. A public consultation phase is required prior to submitting the final stewardship plan.

**If you wish to participate in the consultation, please inform us by email ([feedback@intergroup.ca](mailto:feedback@intergroup.ca)) indicating your preferred method of participation, or by telephone at (204) 942-0654 (ask for Jeff).**

A second notification with additional details regarding this consultation will be circulated on July 30, 2010 along with the release of the draft stewardship plan.

## APPENDIX C-2: INVITATION TO CONSULTATION

Electronics Product Stewardship Canada (EPSC), Retail Council of Canada (RCC) and the Canadian Appliance Manufacturers Association (CAMA) invite you to participate in consultation related to the development of a stewardship plan for end-of-life electrical and electronic equipment in Manitoba.

The Government of Manitoba recently passed the Electrical and Electronic Equipment Stewardship regulation under the Waste Reduction and Prevention Act (February 3, 2010). The regulation requires stewards of designated electrical and electronic equipment to operate or subscribe to an electrical and electronic equipment stewardship program. In response to the regulation, EPSC and RCC jointly commissioned the development of an end-of-life electrical and electronic equipment stewardship plan in Manitoba. Prior to submitting the final stewardship plan, a public consultation process is required. The objective of the consultation process is to provide interested parties with an opportunity to view and comment on the draft stewardship plan prior to its submission to the Province of Manitoba.

**The draft is available at:** <http://www.intergroup.ca/ewaste/meeesp-draft.pdf>

You are encouraged to review the draft and provide comments by:

**A. Document review and comment** – We will be accepting comments and feedback on the draft program plan through to **August 9, 2010**.

Please submit your comments by email to [feedback@intergroup.ca](mailto:feedback@intergroup.ca)

**B. Attendance at an Open House** – To be held at the **Inn at the Forks** (East Ballroom) in Winnipeg on **August 5, 2010** from **11am to 9pm** Central Standard Time (CST).

- Presentations about the plan are scheduled for **12:15, 2:30, 5:30 and 7pm** CST.
- You will be able to submit questions at the end of the presentation.

**C. Participating in a live online presentation** – To coincide with the Open House presentation beginning at **12:15pm** CST on **August 5, 2010**.

- To participate in the online presentation, please follow the link provided below **prior to 12:15pm** CST on **August 5**.
- <http://intergroup.ca/ewaste/online.htm>

- You will be able to submit questions at the end of the presentation.

**If you have not already done so and wish to participate in the consultation process, please inform us, before August 5, indicating your preferred method of participation.**

You can contact us by email at [feedback@intergroup.ca](mailto:feedback@intergroup.ca), or by telephone at (204) 942-0654 (ask for Jeff)

### APPENDIX C-3: WINNIPEG FREE PRESS ADVERTISEMENT



**Invitation to Review Draft of Manitoba  
Electrical and Electronic Equipment  
Stewardship Plan**

Electronics Product Stewardship Canada (EPSC) and Retail Council of Canada (RCC) invite you to participate in reviewing a draft stewardship plan for end-of-life electrical and electronic equipment in Manitoba.

Your participation is encouraged through any of the following three options:

- A. Document review and comment period to run from July 30 to August 9, 2010.
- B. Open House attendance at the Inn at the Forks in Winnipeg on August 5, 2010 from 11am to 9pm (presentations at Noon and 7pm)
- C. Webinar coinciding with Open House presentation on August 5, 2010 at Noon (invitations will be sent out via email).

A draft of the plan will be available on Friday, July 30 2010.

If you wish to participate, please notify us by email ([feedback@intergroup.ca](mailto:feedback@intergroup.ca)) indicating your preferred method of participation, or by telephone at 942-0654 (ask for Jeff).

## Appendix C-4 – Open House and Webinar Presentation

# Manitoba End-of-Life Electrical and Electronic Equipment Stewardship Program



Electronics Product  
Stewardship Canada  
www.epsc.ca

Recyclage des produits  
électroniques Canada  
www.rpec.ca



Canadian Appliance  
Manufacturers Association  
ELECTRO-FÉDÉRATION  
C A N A D A

# WELCOME

## **Introductions**

- Electronics Product Stewardship Canada (EPSC)
- Retail Council of Canada (RCC)
- Canadian Appliance Manufacturers Association (CAMA)
- InterGroup Consultants
- Product Care Association

## **Description of the process to date**

- Electrical and Electronic Equipment Stewardship Regulation
- Draft Guideline for Electrical and Electronic Equipment Stewardship (Manitoba Government)
- Leadership of EPSC, RCC and CAMA
- Drafting of Stewardship Plan

## **Why we are here**

- Consultation on the Draft Manitoba Product Stewardship Program for End-of-Life Electrical and Electronic Equipment

# Components of the Draft Stewardship Plan

- 1.0 Introduction
- 2.0 Summary
- 3.0 Program Principles
- 4.0 Program Oversight & Management
- 5.0 Public Consultation Process
- 6.0 Design of Collection System
- 7.0 Performance Targets & Measures
- 8.0 Dispute Resolution
- 9.0 Annual Report
- 10.0 Pollution Prevention & Best Management Practices
- 11.0 Definition of Products
- 12.0 Nature of Program Funding
- 13.0 Communication & Public Awareness Methods
- Appendices

# 3.0 Program Principles

- Consistent with industry-developed guiding principles for stewardship programs
  - Level playing field
  - Historic/orphaned products
  - Environmental standards
  - No cross-subsidization
  - Operational efficiencies
  - Business sustainability
  - Continuous improvement
  - Harmonization

# 4.0 Program Oversight & Management

## **Board of Directors**

EPSC, RCC, and CAMA will establish a non-profit corporation representing obligated industries, which will oversee Program development, management, and operations. The corporation will be managed by a Board of Directors selected by EPSC, RCC, and CAMA. This Board may provide simultaneous oversight to multiple provincial stewardship programs.

## **Program Staffing and Management**

The Board of Directors will ensure the Program is designed and operated to consider provincial, urban, and rural perspectives. To achieve this, staff resources will be deployed either through direct employment or contractual arrangements, to implement the Program and manage day-to-day core activities of operations, finances, and communications. These services may be managed locally or through shared service agreements with other programs.

# 4.0 continued...

## **Advisory Council**

The Board of Directors may establish a local Advisory Council. The Advisory Council will provide stakeholder feedback on plans and ongoing advice and guidance to the Board. The Council will provide an avenue for stakeholder issues to be raised to the Board of Directors, but will not vote on Board decisions. The Advisory Council's potential role in dispute resolution may be established by the Board of Directors at a later date. Manitoba stakeholders that may be represented on the Advisory Council include, but are not limited to, local and provincial governments, academics, First Nations, and non-governmental organizations.

# 5.0 Public Consultation Process

- Program Development
  - Three streams of activity (comment period, open house and webinar)
- Program Implementation
  - Inform affected parties
  - Provide meaningful opportunity for consultation
  - Consult with local governments and citizen groups
  - Employ collaborative decision-making and consensus-building processes

# 6.0 Design of Collection System

- **Develop:** collection network based on incentive model
- **Establish:** province-wide coverage through collection sites/events
- **Service:** residential, industrial, commercial, and institutional sectors without additional charge
- **Ensure:** standards for environmental and human safety and health
  - Electronic Recycling Standard (ERS)
  - Recycling Vendor Qualification Program (RVQP)

# 7.0 Performance Targets & Measures

- The Plan proposes adopting the core suite of performance measures\* currently supported by ACES, ESABC, OES, and SWEEP.
- Performance target-setting to take place after at least two years of program data has been collected.

\* Including operational indicators (total waste electrical and electronic equipment collected; total waste electrical and electronic equipment collected per capita), accessibility indicators (percent of population covered by collection sites), awareness indicators (percent of population aware of the programs), and financial indicators (total program costs per tonne; operational costs per tonne; overhead costs per tonne).

# 8.0 Dispute Resolution

- A dispute resolution mechanism will be established in the contract between:
  - Program and Stewards
    - Contract wording to be provided to Manitoba Conservation
  - Program and subcontractors
    - Contract wording to include standard commercial language
- Where disputes arise involving other stakeholders (including the general public) a mechanism utilizing varying degrees of involvement of the program staff, Advisory Council, and Board of Directors will be in place.

# 9.0 Annual Report

- Will be provided directly to Manitoba Conservation and will also be made available on the program website
- Components of this report will include:
  - Description of educational materials and strategies
  - Account and description of collection facilities
  - Efforts taken to reduce environmental impacts
  - Performance measures
  - Financial statements

# 10.0 Pollution Prevention & Best Practices

- Best practices for the recycling of electrical and electronic equipment will be achieved through implementation of Electronic Recycler Standard (ERS) and Recycling Vendor Qualification Program (RVQP) protocols.
- Reduction and reuse of electrical and electronic equipment falls outside the design of the program. However, stewards must:
  - Report on “Design for Environment” and other industry initiatives.
  - Provide communication to program users about reuse opportunities for designated electrical and electronic equipment.

# 11.0 Definition of Products

Products included at program start-up include (see Appendix A in Draft Stewardship Plan for detailed product definitions):

- Desktop computers
- Portable computers
- Display devices
- Printers and fax machines
- Computer peripherals
- Computer scanners
- Personal/portable audio/video playback and/or recording systems
- Home audio/video playback and/or recording systems
- Home theatre in a box (HTB) systems
- Vehicle audio and video systems
- Non-cellular telephones and answering machines
- Countertop microwave ovens

\* Cellular telephones are expected to be addressed through a coordinated approach with Canadian Wireless Telecommunications Association; Batteries are expected to be addressed through a coordinated approach with Rechargeable Battery Recycling Corporation; Photocopiers are proposed for phasing in April, 2012 to harmonize with British Columbia.

# 12.0 Nature of Program Funding

- Program funded by Environmental Handling Fee (EHF)
- The EHF is intended to fund:
  - Collection, handling, and recycling
  - Communication and public education
  - Recycler evaluations
  - Administrative expenses
  - Compliance and enforcement provisions
  - Prudent operating contingency reserve
  - Continuous research and improvement
- Funding flow
- Product stewards
- Financing program development and implementation

# 13.0 Communication & Public Awareness Methods

Two streams:

- Consumers – will be made aware of the program, including what the EHF's are used for and how/where/when they can have their designated equipment recycled. Education materials include promotional material at depots, media spots, program web site, and call center services.
- Stewards/sellers – will be provided with point-of-purchase education material (e.g., posters).

\* Prior to program implementation, a more detailed communications program may be developed.



Questions?

**APPENDIX C-5: OPEN HOUSE COMMENT FORM**

**Draft Manitoba Stewardship Program  
for End-of-Life Electric and Electronic  
Equipment**

**Comment Form**  
Stakeholder and Public  
Consultation Process

*Please take this opportunity to fill-out this brief questionnaire based on the information provided at this event and speaking with Plan representatives regarding the draft Manitoba Stewardship Program for End-of-Life Electric and Electronic Equipment. Please drop-off the completed comment form at the sign-in table.*

Name and Email address:

Organization:

\_\_\_\_\_

Overall, was this information session helpful in providing you with a general understanding of the draft Stewardship Plan?

Yes       No

If no, what additional information would have been helpful?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you have any suggestions on how we could improve the draft Stewardship Plan?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

After reviewing the draft Stewardship Plan and speaking with Plan representatives, what concerns/issues do you have about the draft Plan (please describe)?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you have any suggestions on how your comments or concerns could be addressed? If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you for taking the time to fill out the comment form. Your interest and participation are very important to the drafting process. Any further questions and comments can be sent to [feedback@intergroup.ca](mailto:feedback@intergroup.ca).



## APPENDIX C-6: OPEN HOUSE QUESTION AND ANSWER

### CONSULTATION FOR THE DRAFT MANITOBA STEWARDSHIP PROGRAM FOR END-OF-LIFE ELECTRICAL AND ELECTRONIC EQUIPMENT

August 5, 2010 @ Inn at the Fork

#### QUESTIONS AND ANSWERS

**QUESTION:** When will fees for the designated products be made publicly available?

**ANSWER:** The fees for the designated products will be made publicly available at a later date, after a study and review of business costs in the Province of Manitoba relating to these products.

**QUESTION:** What determines what is not included in the list of designated products?

**ANSWER:** At this time, the list of designated products is harmonized, to the greatest extent possible, with stewardship programs of a similar nature in other provinces. However, the list of designated products will change continually over the course of the Program to account for the rapid change experienced by the sector.

**QUESTION:** Will the fees for the designated products require Government approval?

**ANSWER:** No, the fee for a designated product is established based on an estimate of the cost of implementing the program for that respective product. Therefore, establishing the fee is a business decision do-be-determined by the Program.

**QUESTION:** Will there be consultation on the setting of the fees?

**ANSWER:** Yes, there will be a consultation on the setting of the fees.

**QUESTION:** Will fees be charged by collection depots to drop off electrical and electronic equipment?

**ANSWER:** No, fees will not be charged to drop off designated products at collection depots.

**QUESTION:** Where can the ERS and RVQP protocols be found?

**ANSWER:** These protocols can be found on the EPSC website: [www.epsc.ca/](http://www.epsc.ca/)

**QUESTION:** Has the Board of Directors for the Program been established?

**ANSWER:** No, the Board of Directors for the Program has not yet been established.

**QUESTION:** The Winnipeg Free Press printed an article containing fees for electrical and electronic equipment. Will these fees apply in Manitoba to designated products?

**ANSWER:** No, the fees presented in this article were from the program in Ontario.

**QUESTION:** Will appliances other than microwaves be included in the Program?

**ANSWER:** No, at the Program start-up, only countertop microwave ovens will be included in the list of designated products.

**QUESTION:** Why are service providers not pointed out specifically in the consultation plan?

**ANSWER:** This is something the revised Plan will have to address.

**QUESTION:** How will collection depots be selected?

**ANSWER:** The selection process will be established by the Board of Directors of the Program at a later date.

**QUESTION:** With only seven months left before Program start-up, is that enough time to certify depots and get the system in place?

**ANSWER:** Difficult to say at this point...

**QUESTION:** What will happen to existing depots after April 1, 2011?

**ANSWER:** They must be selected as a collection depot for designated products to be compensated by the Program...

**QUESTION:** Can the Board of Directors be finalized before the Plan implementation?

**ANSWER:** No, the Board of Directors will be established after the Plan has been approved by Manitoba Conservation.

**QUESTION:** Is Manitoba Conservation the main driver of this Program?

**ANSWER:** Yes, this Program is in response to a Regulation and Guideline established by Manitoba Conservation.

**QUESTION:** Who is the Minister responsible for the Program?

**ANSWER:** Bill Blaikie is the Manitoba Conservation Minister responsible for the Program.

**QUESTION:** Where will the bulk of the material collected be sent to?

**ANSWER:** This will be determined at a later date. However, recyclers will be required to adhere to certain standards. For the purposes of this program, collectors and recyclers will be separate entities.

**QUESTION:** Do the terms "service provider", "contractor", and "depot" mean the same thing/refer to the same group/organization?

**ANSWER:** Yes. This will be clarified in the revised Plan.

**QUESTION:** Will service providers have input on how the collection network is put together?

**ANSWER:** The Board of Directors of the Program is responsible for designing the collection system. At this time, the specific process of designing the system is unknown.

**QUESTION:** In what other provinces does Electronics Product Stewardship Canada (EPSC) operate?

**ANSWER:** The EPSC operates in British Columbia, Saskatchewan, Ontario, Nova Scotia, and Prince Edward Island.

**QUESTION:** Were representatives from other provincial stewardship programs invited to present at the consultation on August 5, 2010?

**ANSWER:** No, the representatives of other program were not invited to present; however, they were invited to attend the consultation.

**QUESTION:** Will depots be independent organizations?

**ANSWER:** Yes, depots can be independent organizations.

**QUESTION:** Can retailers take back designated products?

**ANSWER:** Yes, retailers can choose to take back designated products.

**QUESTION:** The existing e-waste program in Manitoba has been operating for the past four years. Will the Stewardship Program take data from the existing e-waste program in Manitoba into consideration when determining fees?

**ANSWER:** Fees will be established by a process established by the Board of Directors. Data from the existing e-waste program would likely be helpful to the Board in determining the fee structure of the designated products.

**APPENDIX D**

**GUIDELINE FOR ELECTRICAL AND ELECTRONIC  
EQUIPMENT STEWARDSHIP**

## GUIDELINE FOR ELECTRICAL AND ELECTRONIC EQUIPMENT STEWARDSHIP

Section 19 of the Electrical and Electronic Equipment Stewardship Regulation allows the Minister to establish written guidelines to set additional requirements for the electrical and electronic equipment stewardship program and its operation. The Minister can also establish guidelines for the management of waste electrical and electronic equipment, or issue guidelines that set criteria for program performance evaluation or address any other matter provided for under the regulation.

The program requirements and plan evaluation criteria for electrical and electronic equipment are:

### A. STEWARDSHIP PLAN

Stewards are required to submit a business plan/proposal for approval by the minister. The following program requirements, as set out in the regulation, must be included in any proposed stewardship plans. Additional instructions pertaining to the requirements of the stewardship plan and program are provided in sections B through I.

A plan for an electrical and electronic equipment stewardship program shall include provision for:

1. the establishment and administration of a waste reduction and prevention program for electrical and electronic equipment
2. the appropriate management of waste electrical and electronic equipment according to this guideline established by the minister
3. a province-wide, convenient collection system for waste electrical and electronic equipment without user fees at the point of collection
4. a system for the payment of expenses incurred in the collection, transportation, storage, processing and disposal of waste electrical and electronic equipment in connection with the waste reduction and prevention program
5. the orderly collection of revenue from program subscribers in balance with expenses for the program
6. the establishment and administration of education activities for the program
7. the establishment and administration of a point-of-sale information for the program
8. the payment of salaries and other costs for the administration and enforcement of the regulation and the Act as it relates to electrical and electronic equipment
9. ongoing consultations with people the program may affect, including members of the public, in accordance with any consultation guidelines the minister may establish

The plan may also deal with research and development, training and education activities, as well as activities related to waste reduction or pollution prevention. The Minister may provide additional program guidance to program operators.

The stewardship plan for Phase I designated materials is to be submitted for review by the Minister within six months of the date of registration of the regulation.

## **B. PROGRAM PLAN EVALUATION**

For the purpose of plan evaluation, proposed plans shall demonstrate how:

1. the cost of the program to manage designated waste materials is borne by the stewards and users of the designated material rather than by the taxpayer.
2. the management of these materials is economically and environmentally sustainable.
3. product stewards propose to manage these materials and how the affected industry and potential program partners will bear the costs.
4. fees, if any, will be set and collected under an approved program plan and integrated into the price of the product communicated to the customer, unless otherwise approved by the Minister.
5. a public awareness and education program will be undertaken.
6. the operator provides a province-wide collection system that provides public access in all regions of Manitoba that is convenient and consistent.
7. the product stewardship program in Manitoba is harmonized, where practical and feasible, with those of other provinces.
8. funds raised for the management of a material or product will relate to the costs of managing that designated material or product.
9. the transparency of program operations is provided through the development of industry proposals, program plans, and annual reports, which will be available to all stakeholders.
10. the operator undertook appropriate consultations on program plan proposals prior to submission of those proposals to Government.
11. the operator will resolve stakeholder disputes.
12. the operator will conform to regulatory requirements to ensure a level playing field among stewards responsible for a designated waste stream.
13. the operator will measure, monitor and report on program performance, including meeting designated material recovery rate targets.
14. the operator will adhere to guideline provisions for pollution prevention and best management practices (Section I)

## **C. PUBLIC CONSULTATION PROCESS FOR ELECTRICAL AND ELECTRONIC EQUIPMENT**

1. Stewards shall:
  - a. ensure that stewardship program decisions and activities include processes or measures for informing those affected by decisions and actions in a timely manner; and
  - b. provide meaningful opportunity for public consultation and due process, including the timely release of pertinent information,
  - c. ensure that local governments and citizen groups are consulted with, and
  - d. employ collaborative decision-making and consensus-building processes, where appropriate.

2. Stewards shall seek input at strategic points (development and amendment of program plan, annual reporting, continuous review of operations) from:
  - a. government;
  - b. service delivery agencies;
  - c. relevant external agencies; and
  - d. the public.
3. Prior to submitting its program plan to the Minister, the applicant is required to consult with affected stakeholders and the public. To do this stewards shall
  - a. at the outset of any program plan consultation, identify:
    - i. who they expect to consult with;
    - ii. the purpose of the consultation; and
    - iii. how they will conduct the consultation.
  - b. seek input from those who:
    - i. have a mandate or responsibility in an inter-related program area;
    - ii. are expected to implement the proposal;
    - iii. are expected to bear the cost of implementing the proposal;
    - iv. will be impacted by the proposed plan.
4. In its program plan proposal, identify to the Minister:
  - a. who has been consulted in the process of developing and evaluating the plan and/or proposal options;
  - b. any objections and concerns raised by those who were consulted; and
  - c. endorsement of proposed responsibilities by program partners.

#### **D. DESIGN OF AN ADEQUATE COLLECTION SYSTEM**

1. The program plan shall adequately provide for collecting and managing waste electrical and electronic equipment.
2. Stewards may partner with existing collection systems established by other stewards or another program plan for other designated materials.
3. Consultation with local governments, municipal corporations, Community Councils and First Nations should occur to determine the most effective collection system for the community.
4. The collection system design should consider and prioritize the degree of risk presented by the product.
5. The plan shall adequately provide for reasonable and free consumer access to collection facilities and recycling services. Accordingly, consumers are not to be charged a user fee at the point of collection.

#### **E. ACHIEVING DESIGNATED MATERIAL PERFORMANCE TARGETS**

1. In consultation with the program operator and other stakeholders, the Minister will confirm minimum performance targets for designated electrical and electronic equipment that are ambitious, yet achievable.

2. The expectation is that all stewards will commit to continuous improvement in program performance. Accordingly, if the annual reported recovery rate or service performance is higher than that set by the Minister, that higher rate provides the baseline for subsequent years.
3. The Minister may establish other performance requirements in consultation with the program operator and other stakeholders.

#### **F. ESTABLISHING APPROPRIATE PERFORMANCE MEASURES**

1. A steward may recommend appropriate program performance measures in the plan submitted for approval. The measure(s) must be able to show both what is recovered and what is not.
2. The Minister may specify one or more performance measures or targets in approving the program plan.
3. Examples of performance measures by stewards, especially producers of consumable products, include, but are not limited to:
  - a. sales and recovery data
  - b. municipal waste composition study results
  - c. periodic surveys of public awareness of the program and use of the collection system
  - d. the amount of waste electrical and electronic equipment collected and processed by service providers
  - e. number of collection points
  - f. proportion of product to be managed, according to the principles of pollution prevention and 4R hierarchy.

#### **G. DISPUTE RESOLUTION PROCEDURE**

1. A program plan shall adequately provide for a dispute resolution process which allows for fair, transparent and unbiased independent processes where all views are known when stakeholder or public interests may be affected.

#### **H. ANNUAL REPORT**

Section 16(1) of the Electrical and Electronic Equipment Stewardship Regulation requires operators of approved program plans to submit an annual report within 90 days after the end of each fiscal year. In addition to Section 16 (2) of the regulation, which provides the minimum requirements for an annual report, operators shall:

1. post a copy of the report on the program website;
2. document the performance in adherence to the program plan; and
3. specify what the stewards will do to reduce or eliminate any gap between actual and projected performance.

An annual report should also include information on the following:

1. Educational Materials and Strategies
  - a. Includes a description of educational materials and strategies.
  - b. Meeting program plan performance measures likely will require a successful public education strategy.
  - c. Some examples of educational tools include newspaper, radio and TV advertisements, web pages, flyers and posters.
2. Collection Facilities
  - a. Include information about collection/processing facilities.
3. Reducing Environmental Impacts
  - a. Include efforts taken to reduce environmental impacts through a reduction in the disposal of waste electrical and electronic equipment. In reporting on these measures, program operators shall consolidate and aggregate individual steward reporting requirements to protect proprietary information.
  - b. Identify efforts to reduce the environmental impacts of designated material throughout the product life-cycle, including increased reusability and recyclability.
  - c. Demonstrate a commitment to continuous improvement.
4. Consistency with the principles of Pollution Prevention and the 4Rs Hierarchy
  - a. Include a description of how the recovered product was managed in accordance with the principles of pollution prevention and the 4Rs hierarchy.
  - b. The operator may report on what percentage of material is managed according to the principles of pollution prevention and at each level of the 4R hierarchy.
5. Recovery Rate
  - a. Document product recovery rate information.
  - b. Aggregated data of the total amount of product sold and collected, along with the recovery rate if applicable or an alternative performance measure if not, is a key performance measure, as long as it shows both what is recovered and what is not.
  - c. The amount of product collected and processed in each regional district should be reported if possible.
6. Financial Statements
  - a. Submit independently audited financial statements.
  - b. Demonstrate commitment to financial transparency and accountability for how all funds collected from consumers are managed. Individual companies' proprietary information will not be disclosed in any documentation. The program operator/IFO is responsible for establishing secure data reporting and management systems.

**I. POLLUTION PREVENTION AND BEST MANAGEMENT PRACTICES FOR ELECTRICAL AND ELECTRONIC EQUIPMENT**

1. For electrical and electronic equipment, Manitoba promotes the principles of pollution prevention and the 4Rs of reduce, reuse, recycle and recover. This means:
  - a. safely using the product for its originally intended purpose
  - b. reuse of electrical and electronic equipment
  - c. recycling of electrical and electronic equipment
  - d. disposing waste electrical and electronic equipment safely.
2. Manitoba prohibits the improper storage, illegal dumping, or landfilling of waste electrical and electronic equipment.
3. Stewardship program operators shall:
  - a. where environmentally and economically sustainable, promote local processing, manufacture and use of products from waste electrical and electronic equipment as an alternative to exporting recovered material to another jurisdiction; and
  - b. operate programs in a manner supportive of national and international agreements.