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Ontario

ENV1283MC-2018-228

February 8, 2018

Ms. Glenda Gies
Chair
Resource Productivity and Recovery Authority
4711 Yonge Street, Suite 408
Toronto ON M2N 6K8

Re: Policy Direction regarding the Windup of the Waste Diversion Program for Waste Electrical and Electronic Equipment (WEEE) and Ontario Electronic Stewardship (OES)

Dear Ms. Gies:

Pursuant to Section 29 of the *Resource Recovery and Circular Economy Act, 2016* (RRCEA), I am issuing policy direction to the Resource Productivity and Recovery Authority (the Authority) with respect to its duties relating to the waste diversion program for waste electrical and electronic equipment (WEEE).

This policy direction is complementary to my direction letter dated February 8, 2018 to Ontario Electronic Stewardship (OES) issued pursuant to Section 14 of the *Waste Diversion Transition Act, 2016* (WDTA) to develop a plan to wind up the waste diversion program for WEEE and OES itself.

I am directing the Authority, further to its duties under clauses 5 (d) and (i) of the WDTA, to oversee the orderly winding up of the industry funding organizations (IFOs) and waste diversion programs, and determine the amount of money required by IFOs to carry out their responsibilities under the WDTA to engage with OES in a timely manner and conduct the following activities:

- Review the 2018-2020 program budgets for the WEEE program jointly with OES to:
    - Determine approaches to support efficient cost reductions, and to limit new spending to only those program expenditures that are required to maintain or exceed current program performance for both collection and processing until the program ceases operations on June 30, 2020.
    - Develop an approach to ensure sufficient funds are available to wind up the waste diversion program for WEEE and OES itself in accordance with the WDTA.

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- Review OES' proposal to apportion assets, liabilities, rights and obligations among stewards of electrical and electronic equipment categories, and ensure the apportionment is fair and equitable.

To facilitate such activities, it is expected that the Authority will obtain quarterly reports from OES within four weeks of the end of each remaining quarter in 2018-2020 regarding OES' revenues and expenditures in order for the Authority to oversee OES' development of the wind-up plan and, if approved by the Authority, the implementation of the plan.

In addition, when reviewing the OES wind-up plan, the Authority shall assess whether the plan is consistent with the direction letter issued to OES and its compliance with the WDTA and its regulations. I also expect that the Authority will consult with representatives of municipalities, stewards and other affected persons when assessing OES' proposed wind-up plan, as required by subsection 14 (14) of the WDTA.

I trust the Authority will engage with OES on an ongoing basis to ensure management of OES' affairs in accordance with the WDTA and its regulations, having regard to the need for an orderly windup of the waste diversion program for WEEE.

Lastly, the Authority shall make publicly available on the Authority's website my wind-up direction letter to OES as well as this policy direction letter.

Sincerely,

Chris Ballard
Minister

c: Mr. Paul Evans, Deputy Minister
Ministry of the Environment and Climate Change

Mr. Jeff Van Damme, Chair
Ontario Electronic Stewardship