



# power tool institute, inc.

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Resource Recovery Policy Branch  
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Via Environmental Registry of Ontario Website: <https://ero.ontario.ca/notice/019-0048>

SUBJECT: PTI Comments on ERO number 019-0048 – Consultation Draft – Batteries and Electrical and Electronic Equipment

The Power Tool Institute (PTI) appreciates the opportunity to submit comments to the Government of Ontario with respect to the *Consultation Draft - Resource Recovery and Circular Economy Act, 2016 – Batteries and Electrical and Electronic Equipment* (May 2019).

With the vision to unify and educate others about power tools, the Power Tool Institute (PTI) has established itself as the leading organization for building global understanding of power tools and for maintaining high standards of safety in the industry. Its members represent market-leading brands in the areas of portable and stationary power tools. From table saws to portable drills, from shapers to sanders, the Power Tool Institute's members are committed to improving the industry and to being the premier resource for power tool education.

A major concern with the proposed draft is the requirement that producers fund the Resource Productivity and Recovery Authority (RPRA), which oversees producers performing functions that are already performed for producers by Producer Responsibility Organizations (PROs) such as registration, record keeping, data collection, and program compliance. Most producers aren't able to meet the intent of EPR regulations without joining a PRO and PROs are well versed in proving compliance to existing EPR legislation requirements in the various provinces. We'd recommend allowing producers to achieve most of their regulatory requirements through joining and supporting a PRO, who then interfaces with RPRA on their behalf to meet the requirements. We would also recommend consulting with well established PROs such as Call2Recycle, the Canadian Electrical Stewardship Association, and OPEIC to ensure the requirements placed in the regulation can be practically achieved based on their experience. Other provinces have already successfully implemented battery and equipment recycling programs and we support replicating those instead of creating a new program.

Other areas of concern include:

- Batteries - Extremely high recycling rates are being proposed and the burden for achieving those rates is being placed on producers. Recycling rates are a function

of consumer behavior and the only lever producers have, promotion and education, will not achieve the rates desired regardless of budget. The rates need to be revised to a more reasonable level or alternate mechanisms need to be introduced to drive that level of consumer engagement, such as a battery core charge (refundable deposit).

- Batteries and Equipment - Using the past 3 years sales as a calculation for the weight of batteries or equipment a manufacturer needs to collect doesn't make sense for power tools or their batteries as they typically live a longer life.
- Equipment – Initially, small and large equipment producers are exempt from collection and management requirements, yet they are still required to participate in Promotion and Education. Without collection requirements, what is there to promote and educate?
- Equipment - For small and large equipment producers who are exempt from management requirements, an organization such as a PRO should be authorized to collect and report aggregate industry data to satisfy the reporting requirements to prevent the public disclosure of an individual company's sales data through a Freedom of Information request.

PTI and its members strongly recommend that the draft regulations not proceed as written. The requirements should be revised based on feedback from this comment period and future stakeholder consultations. We would welcome an opportunity to further explain our comments and appreciate your consideration of our concerns.

PTI is grateful for the opportunity to comment on the proposed Ontario regulations. Please feel free to contact us with any questions regarding our comments.

Sincerely,



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