

January 10, 2022

Mr. John Fox  
Resource Recovery Policy Branch  
Environmental Policy Division  
Ministry of the Environment, Conservation and Parks (MECP)  
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[Re: ERO 019-4656 Proposed Changes to the EEE Regulation](#)

EPRA Ontario is a registered Producer Responsibility Organization (PRO) operating in Ontario since the advent of the ITT/AV program in January of 2021.

Thank you for the opportunity to provide feedback on the proposed amendments to the producer responsibility regulations for electrical and electronic equipment made under the *Resource Recovery and Circular Economy Act, 2016*, and posted on Environmental Registry of Ontario on November 26, 2021.

We are pleased to have been a leading PRO in 2021 and have worked tirelessly to make sure that the public, collection sites and the program in general have been successful. We have responded to all requests for collection to ensure that no waste is abandoned and collectors are not left with unwanted end of life products. Our goal remains to implement the regulations with care and diligence. We have a few requests that we appeal to you for consideration as outlined here:

**1. Proposed changes to the Calculation of Management Requirement:**

*Subparagraph i of the definition of “MP” in subsection 14 (4) of the Regulation is amended by striking out “60 per cent for the 2023 calendar year, 65 per cent for the 2024 calendar year and 70 per cent for the 2025 calendar year” and substituting “70 per cent for the 2023 calendar year”.*

We request that an interim rate between the current 55% and the proposed 70% be considered, at least for 2023. Moving directly from 55% in 2022 to 70% in 2023 is a large increase and the first year of the program remains to be tabulated and reported without full visibility to the data until later this spring. Not only is there incomplete insight into the first year data of the program, but also it is apparent that the systems and processes to monitor the program are still being developed, and the 15% increase is a huge jump for the producers who are making every effort to comply with and fulfill their obligations per the regulation. As a PRO working closely with both producers and service providers, and being close to what we are seeing occur in the field operations, we strongly urge consideration of an interim rate to ensure continued program success.

**2. Proposed changes to the Resource Recovery Charges:**

*Every producer and every person who markets EEE to consumers in Ontario and who identifies, in an advertisement, invoice, receipt or similar record in connection with the supply of EEE, a separate charge that relates to resource recovery or waste reduction of EEE shall, as part of the producer’s promotion and education program, provide the following information at the time the charge is identified:*

- i. The person responsible for imposing the charge.*
- ii. How the charge will be used to collect, reduce, reuse, recycle and recover EEE*

As a PRO that offers multiple models to our producers for funding their program, including visible environmental handle fees as one of those options, we have found that the visible fee is an effective awareness and educational tool that ensures consumers understand that there is an electronics recycling program. This awareness translates into active participation in returning end of life electronics for safe and secure recycling.

We support communication of the environmental handling fee at place of purchase and ask that the provision of this information to the consumer be manageable for businesses to implement. For example, electronics are sold in a different manner than tires and the point of sale systems do not have the same capability to communicate information. We request that the regulation wording does not overly prescribe the implementation such that the industry will be able to embrace the change readily and without excessive cost and delay.

### 3. Proposed changes to the collection of EEE

RE: *Call-in collection 12.1 (1) Subject to subsection (2), if a large producer of ITT/AV is notified by a representative of one of the following entities or operations that more than four tonnes of ITT/AV has been collected, the producer shall collect all of that ITT/AV from the entity or operation within one year from the day the producer was notified: 1. A council of the band. 2. A municipality. 3. A territorial district. 4. A depot where ITT/AV is collected that is owned or operated by the Crown in right of Ontario. 5. Any business or institution*

We request that clarification is added indicating that the material must be in a condition in which it can be recycled. If it is contaminated, for example with debris, soil, and rocks or degraded or smashed, the material is unsafe for the collection site, the transporters, the processors and the environment. We ask that reference to ITTAV, in order to be eligible for call-in collection, must be stored and collected in a manner that protects the integrity of the material itself so that a collection request to a producer or PRO can be safely managed.

EPRA Ontario appreciates the opportunity to provide our comments to these proposed amendments. We are available to discuss any of these aspects more in-depth at any time.

Sincerely,

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