

ELECTRICAL AND ELECTRONIC EQUIPMENT STEWARDSHIP GUIDELINE

Section 19 of the *Electrical and Electronic Equipment Stewardship Regulation (MR 17/2010)* 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 Section 4(2) of the regulation, must be included in any proposed stewardship plan. Additional instructions pertaining to the requirements of the stewardship plan and program are provided in sections B through I.

Manitoba has stated a preference for the integration of stewardship fees into the price of the product communicated to the consumer. A stewardship organization may propose that fees to support a program be shown separate from the product price at the point-of-sale. The calculation methodology for the fee, the manner in which it is to be charged, and information about how these fees will be communicated to the public, shall be outlined in the stewardship program plan that is submitted to the minister for consideration and approval.

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 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 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; and
9. on-going consultations with those who may be affected by the program, 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.

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. the methodology by which fees, if any, will be set and collected under an approved program plan;
5. a comprehensive public awareness and education program will be developed and implemented in consultation with the department;
6. the operator will provide a province-wide collection system that ensures convenient and consistent public access in all regions of Manitoba;
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 will be provided through the development of industry proposals, program plans, and annual reports, to 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; and
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;
 - 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; and
 - d. employ collaborative decision-making and consensus-building processes, where appropriate.
2. Stewards shall seek input during the development and amendment of the program plan, annual reporting, and 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. 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 a related program area;
 - ii. are expected to implement the proposal;
 - iii. are expected to bear the cost of implementing the proposal; or
 - iv. may 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. The collection system shall be designed to provide for reasonable and free consumer access to collection facilities and recycling services. The following service expectations are intended as a guide for program operators:
 - a. *Rural density*: In rural areas, a radius of approximately 50 km is appropriate spacing for facilities.
 - b. *Urban density*: In urban areas, facilities should be approximately 15 minutes travelling distance from any point.
 - c. *Remote and northern areas*: In remote and northern areas, other standards may be proposed. Initiatives such as special collection events may be appropriate.
3. The collection system design should consider and prioritize the degree of risk presented by the product.
4. Consultation with local governments, municipal corporations, community councils and First Nations should occur to determine the most effective collection systems for the communities.
5. Stewards may partner with existing collection systems established by other stewards or another program plan for other designated materials.
6. Consumers shall not 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 material.
2. Stewards are expected to commit to continuous improvement in program performance.
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 program performance measures in the program plan submitted for approval. The measures 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 as part of the program plan approval process.
3. The following are examples of acceptable performance measures:
 - 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; and
- f. proportion of product to be managed, according to the principles of pollution prevention and 4Rs hierarchy.

G. DISPUTE RESOLUTION PROCEDURE

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. describe educational materials and strategies used;
- b. provide examples of educational tools, such as newspaper, radio and TV advertisements, web pages, flyers and posters; and
- c. comment on the success of various strategies.

2. Collection Facilities

- a. provide information about collection/processing facilities.

3. Reducing Environmental Impacts

- a. provide information on efforts taken to reduce environmental impacts through a reduction in the disposal of waste material;
- b. describe efforts to reduce the environmental impacts of designated material throughout the product life-cycle, including increased reusability and recyclability; and
- c. demonstrate a commitment to continuous improvement.

NOTE: Program operators may consolidate and aggregate individual steward reporting requirements to protect proprietary information.

4. Consistency with the principles of Pollution Prevention and the 4Rs Hierarchy

- a. describe how the recovered product was managed in accordance with the principles of pollution prevention and the 4Rs hierarchy; and
- b. report on the percentage of material managed according to the principles of pollution prevention and at each level of the 4Rs hierarchy.

5. Recovery Rate

- a. document product recovery rate information;
- b. provide aggregated data of the total amount of product sold and collected, along with the recovery rate, if applicable or, if not, an alternative performance measure to show both what was recovered and what was not; and
- c. report on the amount of product collected and processed in each region or district, if possible.

6. Financial Statements

- a. submit independently audited financial statements; and
- b. demonstrate commitment to financial transparency and accountability on the funds collected.

Nationally recognized stewardship programs that operate without separate fees at the point of sale may propose other reporting standards.

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; and
 - 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.