

Ask the Registrar

Understanding Ontario's New Batteries Regulation

April 8, 2020

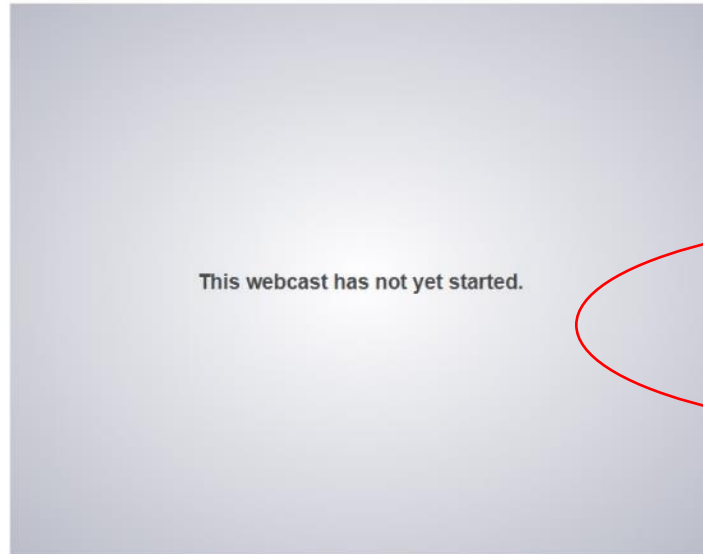
Presenter: Pat Moran



How to ask a question

Understanding Ontario's New Batteries Regulation

Tuesday, March 10, 2020 1:00 PM EDT



Q&A Tech Support

Type a question and press 'Enter'.

During this webinar, we will walk through Ontario's new Batteries Regulation and help those affected by it meet their obligations and participate in the new market for recycling, reusing and refurbishing batteries.

For more information, visit our website: <https://rpra.ca/learn/>.

To ask a question at any time during the presentation or for technical assistance, type your question in the text box and press 'Enter.'

Agenda

1. RPRA and COVID-19
2. Week 1 Recap
 - Municipalities and Service Providers
 - Producers
3. Q&A



RPRA and COVID-19



RPRA and COVID-19

- All RPRA staff are now working from home in response to the COVID-19 pandemic
- All of our services remain fully available:
 - Our Compliance Team remains available for anyone needing assistance
 - By email: registry@rpra.ca
 - By phone: (647) 496-0530 or toll-free at (833) 600-0530
 - We will continue with planned webinars
 - “Ask the Registrar” series will continue on April 15 and 22. Sign up at: <https://rpra.ca/learn/>
 - Our website continues to be available with information on the Batteries transition: <https://rpra.ca/programs/batteries/>

Week 1 Recap: Municipalities and Service Providers



As a municipality, how do I determine if I am a battery hauler?

A battery hauler means a person who arranges for the transport of batteries that are used by a consumer in Ontario and are destined for processing, reuse, refurbishing or disposal.

- If the municipality is arranging for the collection of batteries using their own trucks or using a third-party broker, the municipality would be the battery hauler and will need to be registered with the Authority.
- If a municipality arranges for the transport of batteries to a consolidation site, and those batteries are then picked up by another hauler to be taken for processing, the municipality is still arranging for the transport of batteries destined for processing. The municipality would still be a battery hauler.

As a municipality, do I need a contract with a PRO?

If your municipality would like to operate a collection site, hold collection events or operate curbside collection to your residents, you should have a contract with a PRO.

- Battery producers, PROs on behalf of producers, processors or haulers will enter into contracts with municipalities to provide these services.
- A municipality is not obligated to participate in any of the above activities.
- Similarly, battery producers, processors, haulers and PROs may also choose not to contract with municipalities for these activities. This will be determined in the competitive marketplace and you should speak to a PRO.

If your municipality will be operating as a battery hauler, you should have a contract with someone who will pay you for that service.

- If your municipality wants to be paid for hauling batteries, you will need a contract with a producer, processor or PRO.
- Remember, if you choose to operate a battery collection site, you can't collect fees from people dropping off used batteries 5 kg or less.

If a transporter provides curbside collection of batteries under contract to a municipality, is that transporter required to register with RPRA as a battery hauler, even if it has not been retained by a PRO or producer?

- If the transporter arranging for the hauling of used batteries destined for processing, reuse, refurbishing or disposal, then the transporter is a battery hauler and is required to register with RPRA.
- If the municipality is providing the curbside collection service, the municipality will need to have a contract with a battery producer, processor, hauler or PRO to cover the cost of that curbside collection service.
- If the municipality arranges for the transportation of the collected batteries to a processor, the municipality will need to be registered as a battery hauler.
- If the municipality is not arranging for the transportation of the collected batteries, the municipality should ensure that the person who is arranging for the transportation is identified in the contract, and that municipality is contracting with the transporter to provide the service of curbside collection service. The transporter would be the battery hauler and is required to register with RPRA.

If a municipality is part of a producer's collection network, can the PRO/producer charge a municipal collector for transportation and processing of their batteries collected?

- Under the Batteries Regulation, producers, or PROs on their behalf, are legally obligated to operate at least one collection site within each municipality.
 - There is no requirement for municipalities to provide collection sites to producers.
 - Producers are responsible for establishing and operating a minimum number of collection sites.
 - If a municipality wants to enter into a contract with a battery producer, processor, hauler or PRO to provide a collection site, it should determine if it wants to be reimbursed for the cost of operating that site, and if so, the municipality must ensure that payment is provided for in the contract.
 - Remember, fees cannot be collected from persons dropping off used batteries 5 kg or less. The producers are responsible for this cost.

What are the requirements for battery haulers?

Register and report to the Authority

- To register as a hauler, contact the Compliance Team at (833) 600-0530 or registry@rpra.ca
- You will be required to report on the weight of batteries (per category) picked up from each collection site and the weight of batteries (per category) provided to a battery refurbisher and/or processor.

Other reporting requirements as determined by a PRO

- If you enter into a contract with a PRO, they may have other requirements that you need to meet. You should speak to a PRO directly.

Are there other regulations that are relevant to the transport of batteries in Ontario?

- All other requirements outside the Batteries Regulation should be referred to separately with the regulatory body of that regulation (e.g. TDG via MTO and O.Reg 347 via MOECP)

Registration for service providers is under way

- Two PROs are now registered with the Authority.

Ryse Solutions Inc.

905-330-9206

info@ryseinc.ca

<https://ryseinc.ca/>

Call2Recycle

1-888-224-9764

mmacdonald@call2recycle.ca

<https://call2recycle.ca>

- Over 20 battery haulers and processors are now registered. You can find a list of registrants on our Batteries web page under the “Find a Registrant” box.
- Continue to check rpra.ca/programs/batteries/ for updates to the list of registered PROs and service providers.
- Contact our Compliance Team to register:
 - call (647) 496-0530 or toll-free at (833) 600-0530, or
 - email registry@rpra.ca



RPRA Resource Productivity
& Recovery Authority



Questions?

Week 1 Recap: Producers



Information about registered producers

When should we expect a full list of producers made available? For retailers to determine what we have to report.

- A list of registered producers will be made available as they register with RPRA.
- The deadline for producer registration is November 30, 2020.
- Any potential producer seeking to determine what batteries they need to report as a producer should speak with our Compliance Team and seek legal advice as required. It is not sufficient to rely on another party's registration with RPRA to determine if you are a battery producer obligated to report batteries.

Will RPRA publish which producers are signed up with PROs vs. those who report directly?

- All producers are required to register with RPRA, regardless of whether they have signed up with a PRO.
- A list of registered producers will be published, but this list will not include any information about which PROs, if any, those producers are working with.

What fees are there under the regulation, and when will I be expected to pay?

RPRA Registry Fees

- There is an annual Registry fee payable to RPRA.
- Registry fees are typically paid at the time of initial registration and annual reporting.
- These fees are set through a process that includes public consultation. Information about RPRA's fee setting consultation will be provided to stakeholders when it becomes available.

PRO Fees

- If you have retained the services of a PRO or other service provider, they will charge you for the battery collection and management services they provide to you.
- Battery PROs and other battery service providers provide their services to battery producers in a competitive marketplace independently of RPRA. What they charge and when you start paying them will be based on the contract that you have negotiated with a service provider.

Are lead-acid batteries included under this regulation?

Lead acid batteries typically have some commodity value. Recyclers are willing to pay for used lead-acid batteries, because they can make money processing those batteries. That remains unchanged under the Batteries Regulation.

Under the Batteries Regulation, producers of lead acid batteries that weigh 5 kg or less are required to register with RPRA and meet the requirements of the regulation.

Producers of lead acid batteries that weigh more than 5 kg are not required to register with RPRA.

When do producers have to register and report?

All producers must register on or before November 30, 2020

- The Authority will email potential producers when registration opens and continue to update our website.

Collection and management requirements begin July 1, 2020

- Unless you plan to meet these requirements on your own, you should contact a PRO or other service provider about contracting their services to meet your battery collection and management obligations.



Questions?

Have more questions?

- Send questions to our Compliance Team at registry@rpra.ca or call us at:
 - (647) 496-0530 or
 - toll free at (833) 600-0530
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