

# Ask the Registrar

## Understanding Ontario's New Batteries Regulation

April 15, 2020

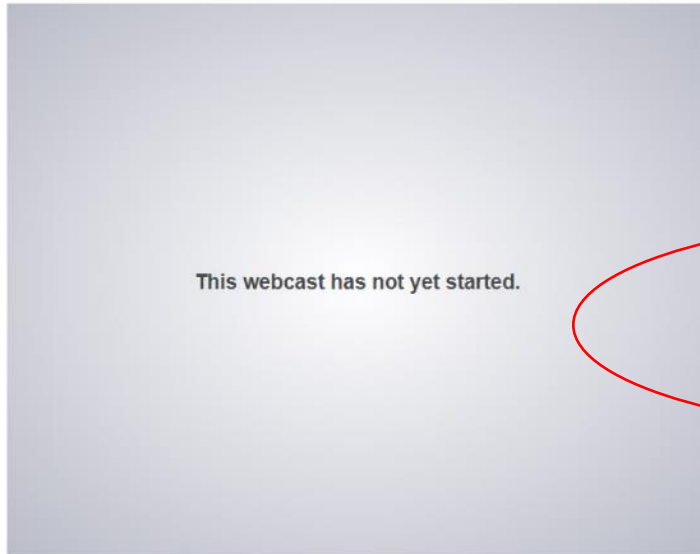
Presenter: Pat Moran



# 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 2 Recap
3. Meeting Producers' Requirements
  - Collection
  - Management
4. 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](mailto: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 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 2 Recap



# Municipalities and curbside collection

- Municipalities wishing to offer curbside collection to their residents should contact a PRO, processor or hauler to discuss the contractual arrangement to provide this service.
- There are safety requirements associated with collecting, storing and transporting batteries which are outside the scope of the Batteries Regulation:
  - Requirements relating to occupational health and safety, environmental protection, and transportation are outside RPRA's jurisdiction.
  - The Authority expects that these requirements would be addressed in the individual contracts between the entities arranging for curbside collection and those carrying out the activities.
- We will be providing compliance guidance on what constitutes an acceptable container for curbside collection.

# Municipalities - haulers

**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 there are several transporters involved in moving batteries from a collection site to a processing site, everybody in the transportation chain who has arranged for the movement of those used batteries is a battery hauler and must register with the Authority.
  - This is also the case when the batteries are taken to a consolidation or sorting site before being transported for processing - all entities who arrange for the transport of batteries destined for processing, reuse, refurbishing or disposal must register with the Authority.
- There is no requirement to register individual trucks - the requirement to register as a hauler is only applicable to the entity arranging for the transport of batteries. (Other regulators may have additional requirements)

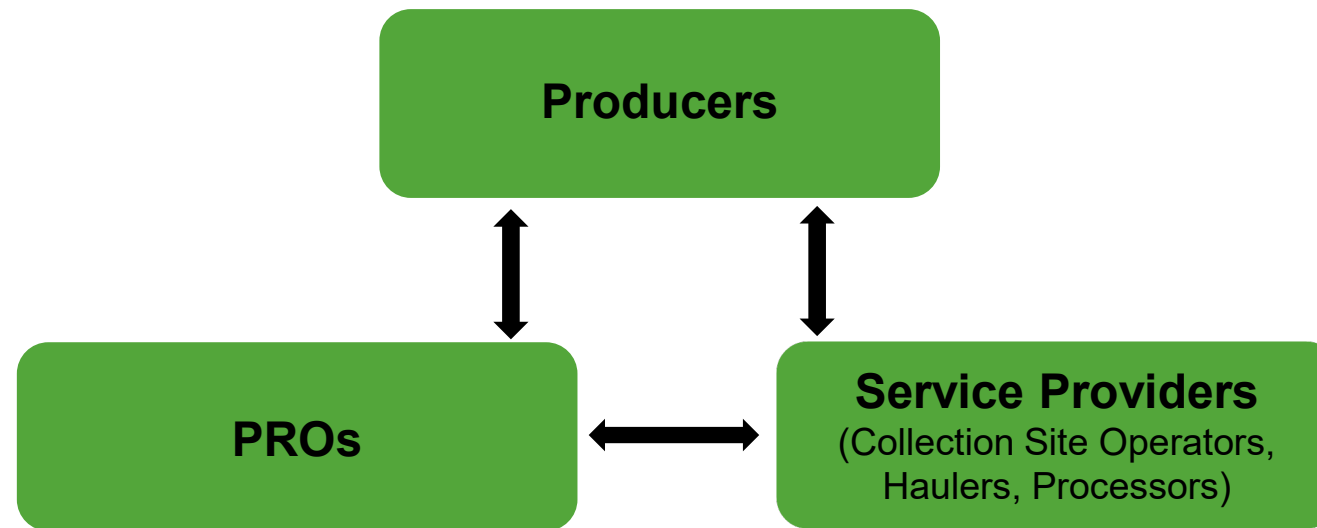
**Does the regulation allow a municipality to take batteries received at a municipal MRF (not a battery collection site) to one of the municipality's battery collection sites, such as a depot?**

- Yes, the municipality can take those used batteries to a battery collection site, including a depot. To ensure that those batteries will be managed to meet producer responsibility, the municipality should ensure that the depot is part of a producer's collection system with a contract in place with a battery PRO, processor or hauler to ensure those batteries are taken away. If the municipality does not operate a battery collection site or depot, the municipality can take the batteries from the MRF to any collection site required to be operated by a producer under the Batteries Regulation.



# Contractual relationships in the new battery program

## RPRA



# Working with PROs

- A producer responsibility organization, or PRO, is any person retained by a producer to:
  - arrange the establishment or operation of a battery collection or management system (i.e. processing, hauling or refurbishing)
  - establish or operate a battery collection or management system (i.e. processing, hauling or refurbishing)
  - prepare and submit reports
- Producers will likely contract the services of PROs to meet their obligations under the regulation
- PROs will then enter into commercial arrangements with collection site operators, haulers, refurbishers and processors to meet producers' obligations.
- Commercial arrangements can also exist between service providers
- Producers can also choose not to work with a PRO and contract with haulers, refurbishers and processors directly.

# Registration for service providers is under way

- Two PROs are now registered with the Authority.

## **Ryse Solutions Inc.**

905-330-9206

[info@ryseinc.ca](mailto:info@ryseinc.ca)

<https://ryseinc.ca/>

## **Call2Recycle**

1-888-224-9764

[mmacdonald@call2recycle.ca](mailto: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/](https://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](mailto:registry@rpra.ca)



**RPRA** Resource Productivity  
& Recovery Authority



**Questions?**

# Meeting Producers' Collection Requirements



# Collection system requirements - small vs. large producers

- Different management requirements for small and large producers
- A **small producer** is defined as someone who must manage:
  - more than 1.25 and less than 40 tonnes of rechargeable batteries, or
  - more than 2.5 and less than 80 tonnes of single-use batteries
- A **large producer** is defined as someone who must manage
  - 40 tonnes or more of rechargeable batteries, or
  - 80 tonnes or more of single-use batteries
- How to determine whether you are a small or large producer as of July 1, 2020:
  - Single use batteries =  $[(2018 \text{ supply weight}) + (2019 \text{ supply weight}) / 2 \times 0.4] \times 1.5$
  - Rechargeable batteries =  $[(2018 \text{ supply weight}) \times 0.4] \times 1.5$

# Battery collection system – large producers

- Starting **July 1, 2020**, obligated producers are required to establish and operate a collection system for their single-use or rechargeable batteries.
- Collection sites can be shared by producers

Municipality with population greater than 1,000 and less than 500,000	Municipality with population greater than 500,000	Territorial district with population greater than 1000
At least one battery collection site for every 15,000 people or portion thereof	At least 34 battery collection sites for the first 500,000, and at least one battery collection site for every 50,000 people, or portion thereof, for the portion that surpasses 500,000	At least one battery collection site

- Sites in municipalities or territorial districts with populations less than 1000, Crown sites and First Nations can contact a PRO or a large producer for a battery pick-up once they have collected one tonne of batteries.

# Battery collection system – small producers

- All small producers must establish one of the following collection systems for their category of batteries as follows:
  - In each municipality in which the producer has retail locations, the number of collection sites the producer must have must be equal to or greater than 75% of the number of retail locations that market the producer's batteries in the municipality; OR
  - Similar requirements as large producers



# Battery collection system – site requirements

- Producers must ensure that consumers can drop off batteries free of charge at each site that is part of their collection system and must satisfy the following requirements:
  - If the battery collection site is not part of a retail location, it must accept all batteries.
  - If the battery collection site is part of a retail location, the site must accept, at a minimum, all batteries that are of a similar size and function and fall into the category of batteries supplied by the producer at that location.
  - The battery collection site must be readily accessible to the public and must be operated and accept batteries during normal business hours throughout the performance period.
  - The battery collection site must accept, at a minimum, up to 15 kg of batteries per day from any person.
  - If the battery collection site is not part of a retail location and the battery collection site accepts more than 15 kg of batteries from a person on a single day, the operator of the site shall record the person's name, contact information, and the weight of batteries accepted.



**Questions?**

# Meeting Producers' Management Requirements



# Producers – management of batteries (resource recovery)

- Every producer shall establish and operate a system for managing batteries
- Producers must ensure that every battery picked up from a collection site, regardless of whether it is part of the producer's collection system, is managed (reused, refurbished or processed) within three months of the pickup date
- Managed means reused, refurbished or processed (i.e. is now a recovered resource)
- Recovered resources are:
  - materials used or destined to be used by a person for the making of new products or packaging;
  - materials used to enrich soil;
  - materials used as aggregate (**up to a 15% max**); and
- The weight of the recovered resources may only count once, and the following cannot be used to satisfy the management requirements under the Batteries Regulation:
  - materials that are land disposed, incinerated or used as fuel or a fuel supplement; and
  - materials that are stored, stockpiled, used as a daily landfill cover or otherwise deposited on land.



# Recycling Efficiency Rate (RER)

- “recycling efficiency rate” (RER) means the ratio of the weight of resources recovered from batteries received by a battery processor, to the weight of batteries received by that battery processor
- Beginning in 2023, producers can only use a battery processor, for the purposes of meeting their management target, that is registered (unless exempt registration) and has:
  - At least 70% RER for rechargeable batteries
  - At least 80% RER for single-use batteries
- The verification of RER is conducted in accordance with the [RPRA's Registry Procedure](#)

# Promotion and education

- From **July 1, 2020 to December 31, 2022**, producers, at a minimum need to:
  - Make reasonable efforts to raise public awareness of the producer's efforts to collect, reduce, reuse, recycle and recover batteries and to encourage public participation in those efforts;
  - Publish and clearly displaying the following information on their website
    - The location of each battery collection site that is part of the producer's collection system, for each category of batteries, where consumers may return the batteries at no charge – *this can be done by linking to this information on another website*
    - A description of any collection services provided by the producer that are available other than at a battery collection site
    - A description of the resource recovery activities engaged in by the producer for each category of batteries in the course of managing the batteries



**Questions?**

# Have more questions?

- Send questions to our Compliance Team at [registry@rpra.ca](mailto:registry@rpra.ca) or call us at:
  - (647) 496-0530 or
  - toll free at (833) 600-0530
- Sign up for another webinar in the “Ask the Registrar” series – April 22  
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- Visit our website for more information  
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