

# Ask the Registrar

## Understanding Ontario's New Batteries Regulation

April 22, 2020

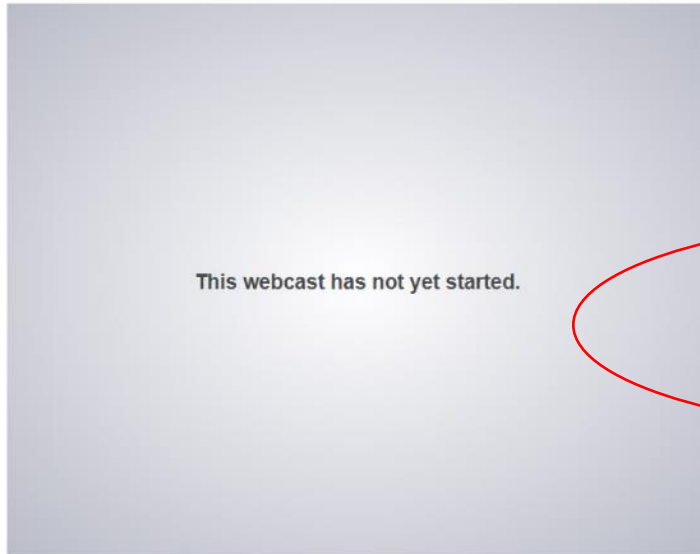
Presenter: Pat Moran



# 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'.

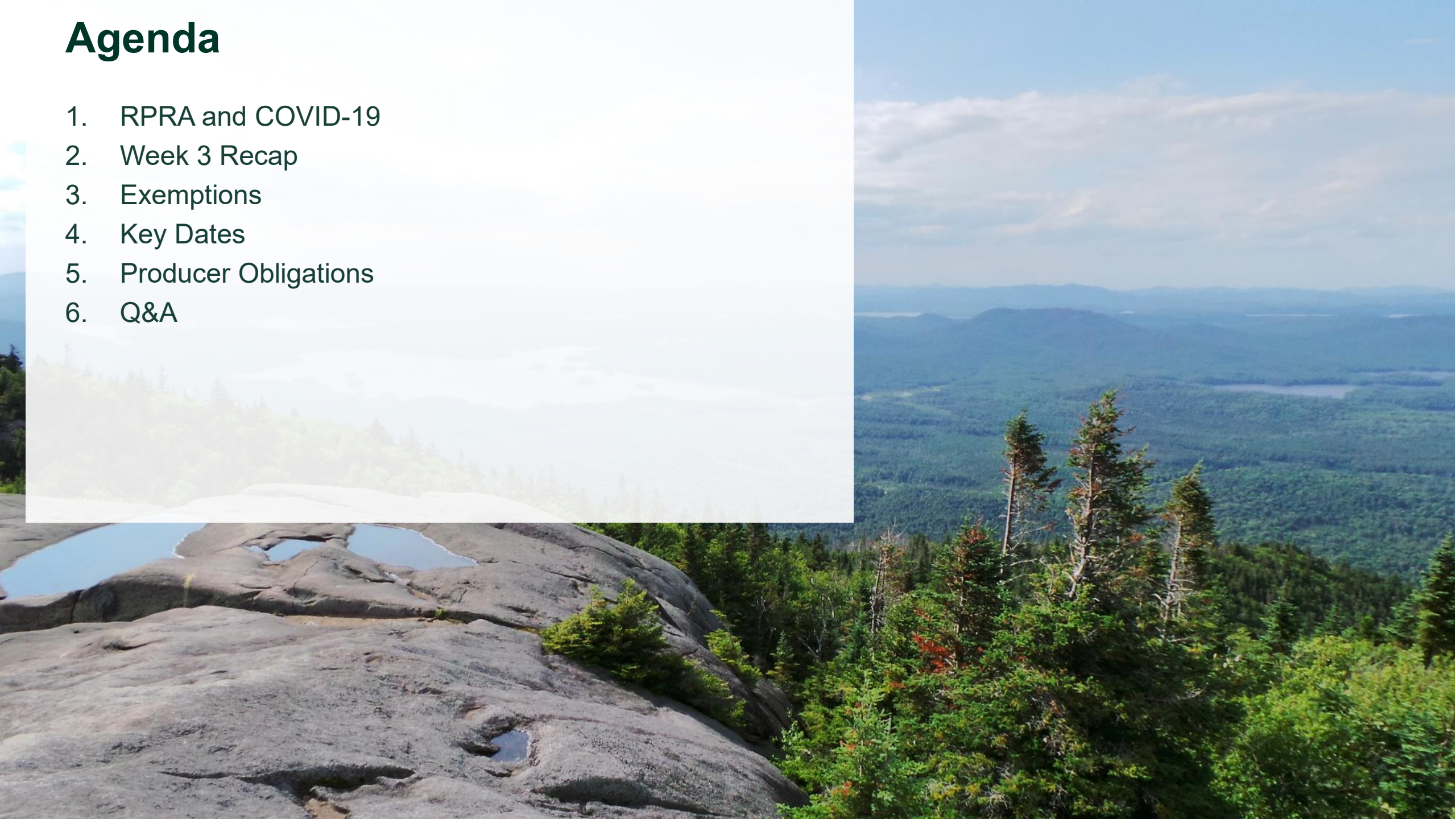
During this webinar, we will walk through Ontario's new Batteries Regulation and help those affected by it meet their obligations and participate in the new market for recycling, reusing and refurbishing batteries.

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 3 Recap
3. Exemptions
4. Key Dates
5. Producer Obligations
6. 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
  - Our website continues to be available and updated with information on the Batteries transition: <https://rpra.ca/programs/batteries/>
  - We will continue to provide online learning opportunities – stay tuned for future events

# Week 3 Recap



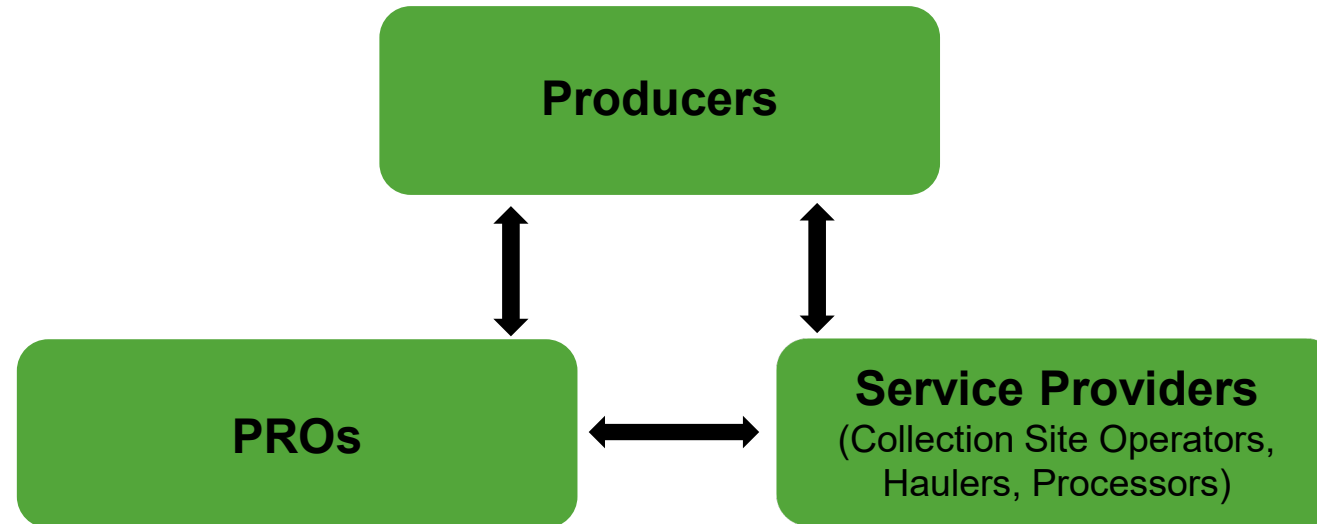
# Battery Haulers

**A battery hauler is 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.**

- Reporting requirements:
  - the weight of batteries picked up from a battery collection site or from a person and the name and contact information of the operator of the site or person
  - for each battery refurbisher or processor that the hauler delivers batteries to, the weight of batteries delivered and the contact information for the battery refurbisher or processor
  - if the battery hauler is part of a producer's collection system, the contact information of the producer or of the PRO retained by the producer
  - the weight of any batteries collected outside Ontario

# Contractual relationships in the new batteries program

## RPRA





# 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?**

# Exemptions



# Battery producer exemptions

- **Battery producer exemptions** are based on two factors:
  - The producer's management requirement, and
  - The number of full-time employees the producer has.
- A battery producer qualifies for an exemption if its management requirement is:
  - less than 1.25 tonnes of rechargeable batteries, or
  - less than 2.5 tonnes of single-use batteries.
- The type of exemption depends on whether a producer has
  - five or more full time employees, or
  - fewer than five full time employees.
- Producers are encouraged to contact RPRA's Compliance Team to confirm their status as exempt producers

# Do I qualify for an exemption?

- A battery producer qualifies for an exemption if its management requirement is:
  - less than 1.25 tonnes of rechargeable batteries, or
  - less than 2.5 tonnes of single-use batteries
- A producer's management requirement is based on the weight of batteries the producer supplies to Ontario consumers.
- The next slide shows the maximum average annual weight that a producer can supply before losing the exemption, based on the formula in the Batteries Regulation

# How do I determine if I qualify as an exempt producer?

Single-Use Battery Producers	
Performance Period	Exempt if average annual supply is not more than (kg)
July 1, 2020 to Dec 31, 2021	6250
2022	6250
2023	6250
2024	5560
2025	5000

Rechargeable Battery Producers	
Performance Period	Exempt if average annual supply is not more than (kg)
July 1, 2020 to Dec 31, 2021	3125
2022	3125
2023	3125
2024	2770
2025	2500

# If I qualify for an exemption, what am I exempt from?

- The type of exemption depends on whether a producer has:
  - five or more full-time employees, or
  - fewer than five full-time employees.
- A full-time employee is any person who is paid or who earns commission for an average of at least 30 hours of work per week
- If a producer meets the weight requirement for an exemption and has five or more full-time employees, the producer must register and meet the reporting requirements but is exempt from the requirement to collect and manage used batteries
- If a producer meets the weight requirement for an exemption and has fewer than five full-time employees, the producer is exempt from the registration and reporting requirements as well as the requirement to collect and manage used batteries

# Producer obligations under the Batteries Regulation

Obligations	Exempt and fewer than five full-time employees	Exempt and five or more full-time employees	Management requirement between 1.25 and 40 tonnes for rechargeable, or between 2.5 and 80 tonnes for single use	Management requirement 40 tonnes or more for rechargeable, or 80 tonnes or more for single use
<b>Register</b>	No	Yes	Yes	Yes
<b>Report Supply</b>	No	Yes	Yes	Yes
<b>Collection System Requirements</b>	None	None	Small Producer Requirements	Large Producer Requirements
<b>Management Requirements</b>	None	None	Calculated from supply	Calculated from supply
<b>Report on Performance</b>	No	No	Yes	Yes
<b>Promotion and Education</b>	No	No	Yes	Yes



# Processor exemption

- A battery processor is a person who processes, for the purpose of resource recovery, batteries used by a consumer in Ontario.
- Any battery processor who processed less than 300 tonnes of batteries in 2019 is exempt from the registration requirement in 2020.
- Beginning in 2020, a battery processor must register with the Authority if it processes 300 tonnes or more of batteries for the purpose of fulfilling producer responsibilities in a calendar year, on or before January 31 in the calendar year immediately following the year in which the batteries were processed.
  - Producer responsibility begins on July 1, 2020. If a processor processes 300 tonnes or more of batteries for the purpose of fulfilling producer responsibilities in the period July 1 – December 31, 2020 and is not registered, the processor must register by January 31, 2021
  - In 2021, if a processor processes 300 tonnes or more of batteries for the purpose of fulfilling producer responsibilities in the calendar year, and is not registered, the processor must register by January 31, 2022
  - This applies in every calendar year onward

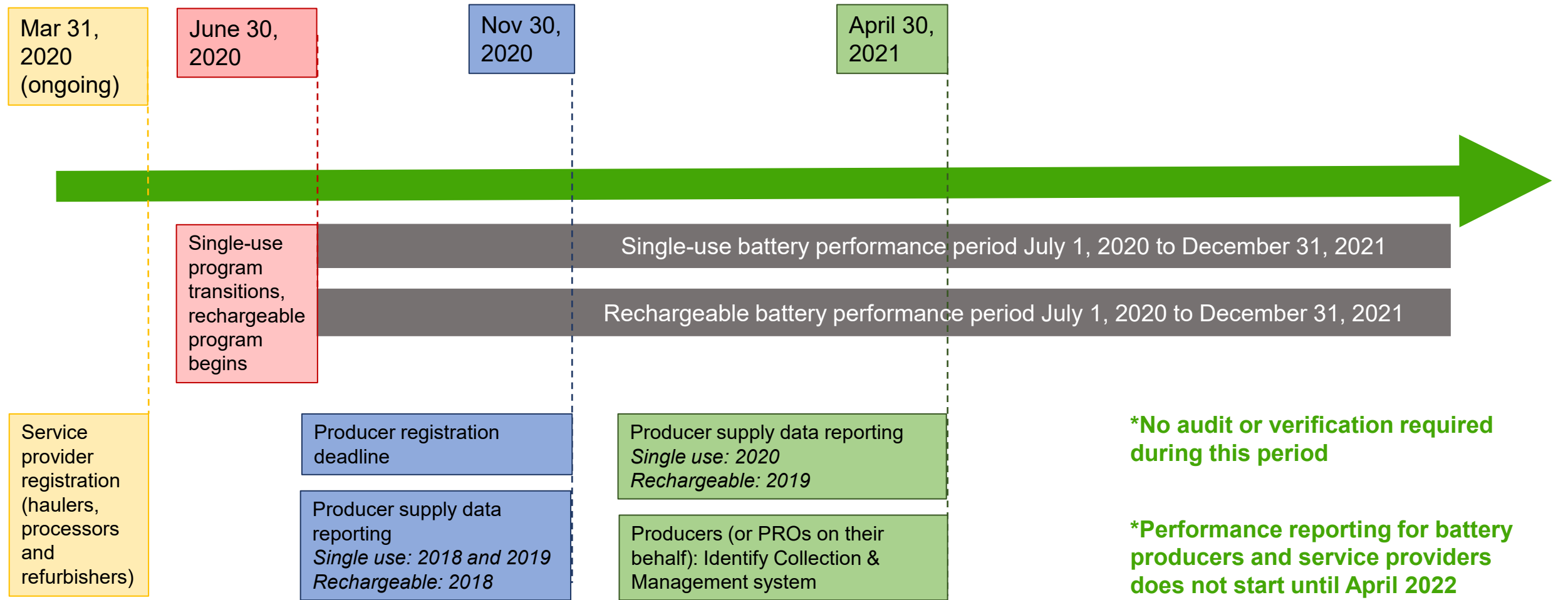


**Questions?**

# Key Dates



# The First Performance Period: March 31, 2020 to December 31, 2021\*



# 2020 activities

- Throughout 2020, RPRA will be consulting on the following:
  - Weight conversion factors for rechargeable batteries
  - RPRA's Registry Procedure – Verification and Audit
  - RPRA Registry fees for battery registrants
- Throughout 2020, RPRA will be issuing compliance bulletins to assist battery producers and service providers in understanding what the regulatory requirements are and how to meet them. Expected topics include:
  - What batteries need to be reported?
  - Promotion and Education Requirements
  - Battery Collection Systems
  - Municipal, MNR, First Nation Reserves Battery Collection Sites



**Questions?**

# Producer Obligations



# Collection system requirements – small vs. large producers

Different management requirements apply depending on the management requirement of the producer.

- 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



# 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, with requirements to establish a collection system based on the population in a municipality or territorial district.

# 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
- Visit our website for more information <https://rpra.ca/programs/batteries/>
- Stay tuned for future learning events

