

Issue-specific comments for all submissions received – Workshops 1, 2, and 3

GENERAL COMMENTS

Issue	Comment(s)/Question(s)	Action(s) on Comment(s)/Question(s)
Municipal Funding	In the case of MHSW mobile collection programs, costs to deliver collected materials from mobile collection sites to central transfer facility (including TDG certified driver, truck and fuel) should be eligible for at least some funding.	To be developed in negotiation with municipalities. If considered efficient, it would likely be considered an eligible cost.
	Plan should recognize eligibility of municipal transportation costs.	Plan recognizes and defines responsibilities of IFO for transportation of designated phase 1 materials.
	IFO should be obligated to negotiate with individual municipalities for the continuation of on site processing (bulking) and paid an agreed upon amount that recognizes the disposal cost avoidance.	To be addressed in negotiations.
	Capital funding must be provided for the establishment of container collection facilities since none exist currently.	Infrastructure for collecting and diverting containers will be addressed as per all designated materials.
	Local reuse of appropriate collected materials should be a fundable activity under the program.	Fee for service arrangements will be negotiated with municipalities.
	An increase in materials collected by municipalities will result in a significant increase in hauling costs. Will additional funding be made available to offset the increase in costs?	Transport costs will be the responsibility of the IFO. Municipal collection costs will be the responsibility of the municipality.
	Plan should be cautious in estimating post-collection costs based on current program operations. These costs are dependent on tendering and services currently rendered.	Plan is estimating costs for Year 1 based on current contract prices and data available, noting responsibilities will be different.
	Plan should outline standard tender components and evaluation criteria to ensure smooth transition of municipally handled contracts to IFO handled contracts.	Standard tender language is being developed through discussions between the Municipal MHSW Task Group and the MHSW Project Team. These will be available for the final plan but not likely for the April 10 version.
	Niagara Region has some concerns on how the capital funding will be administered for each Phase. Any capital invested during Phase 1 will be for the collection of both Phase 1 and Phase 2 as it is not economical to just build for the current need. Phase 2 capital funding should be made available for those MHSW Depots built under Phase 1.	Municipalities will continue to be responsible for the cost of collection activities for the full range of MHSW managed through municipal programs. In addition to covering post-collection costs, potential fees collected during Phase 1 of the program shall also consider capital costs to meet Phase 1 program accessibility targets.
	If municipalities need to build permanent MHSW Depot to better serve their residents before Phase 1 commences, then their should be provisions for retro payment in the plan for the capital spent on the Depots.	Success of implementation of the Year 1 accessibility Plan, which includes an increase in the number of collection events, will govern investments in permanent depots in subsequent years. Any capital investments by the IFO would have to be approved by the IFO once an approved program commences.
Municipalities currently labpack collected MHSW materials according to MOE Waste Classes. These do not necessarily match the current Phase 1 material definitions. Municipalities will continue to collect materials that are defined in	In those instances where Phase 1 and non-Phase 1 materials are packed together for transportation purposes, a cost allocation formula must be agreed to break out solvents and stains from flammable liquids. This may be done based on analyzing a	

Phase I, those that do not meet the definition criteria in Phase I materials and those defined in Phase II. Given this situation, what is the proposed method for determining the percentage of post collection costs that will be the responsibility of Stewardship Ontario from mixed labpacks which do not match the material definitions; and whose responsibility will it be to make this determination? It is strongly recommended that this take place at the processing site under strict auditing controls.	combination of the AMRC composition study and the WDO Datacall and an analysis of additional samples to develop an allocation formula that is acceptable to both parties and meets the objective that fees reflect actual costs attributable to each material.
A cost allocation formula will need to extend beyond solvents and flammables. It will need to differentiate not just between Phase 1 and Phase 2 materials, but also between materials covered under the Plan (per final definitions) and those that aren't. Accurate cost allocation must be based on 'real time' sampling of shipping containers (e.g., lab packs, etc.) as transported to service provider facilities.	Noted
Will payments be based on our service provider invoice or manifest?	The transition from full municipal responsibility to shared responsibilities as it relates to contracting for collection, diversion and disposal services may be achieved in a number of ways. One of the options presented in section 5.1.1 of the Plan is the management and tendering of contracts by municipalities with reimbursement provided by Stewardship Ontario.
What will happen if there is a discrepancy between what we think we should be paid and what we actually receive?	The IFO will verify manifests, invoices and contract arrangements and a provision has been included in the Year 1 budget for conducting audits of service providers and municipalities in situations in which the IFO is contracting with and reimbursing municipalities
Will payments to municipalities be made on a quarterly or yearly basis, or per event?	This is not yet defined and will depend on the specific arrangements made with municipalities.
Will fees be "billed" on a claim basis?	This is not yet defined and will depend on the specific arrangements made with municipalities.
What options do existing municipal programs operating depots that not accept the full range of Phase 1 materials have?	Municipalities are not obligated under provincial regulations to provide MHSW services. Therefore, whether expanding services in municipalities currently providing MHSW services or introducing new services where no service exists, it is recognized that an agreement between the municipality and Stewardship Ontario will be required between the time the program plan is approved and program commencement.
In addition to the bullet points listed: the Minister's letter includes "transportation of waste from collection facilities." Some programs transport materials from collection sites/depots to central depot for consolidation. Need an explicit statement on including this in the establishment of fees.	Where municipalities are requested to handle specific materials at a depot in a fashion other than lab-packing, consideration will be given to establishing a fee for this service to be paid to the municipality. Examples include Activities that reduce the cost of transportation, processing, recycling or disposal, as agreed between the municipality and Stewardship Ontario.
Need to account for costs incurred by municipalities and other channels (e.g. take back) for 'program activities and costs related to	The Minister's program request letter prescribes the IFO responsibility for costs after initial collection and these responsibilities are defined in Section

	participation in the MHSW program' – i.e., the cost of body(s) to cover non-collection costs for program support, information exchange, administrative.	5.1 of the draft plan. It specifically includes P&E but not administrative and other support functions.
	Service providers have indicated that tracking Phase 1 materials is possible but at an increased costs, which will most likely be downloaded to municipal governments. Will this increased cost be included in the "post collection costs" which are being funded?	If the cost of post-collection activities increases as a result of requirements for tracking of Phase 1 materials, the IFO would cover these costs. This might include additional transportation and sorting by the service provider at its facility.
	Municipal funding should be sustainable indefinitely especially if municipalities will be increasing the number of events or building permanent collection depots. Niagara Region is concerned that after a few years, there will be the same issues as BBPP and the move to a new funding model.	The plan is for five years.
	Caution should be exercised, especially with evaluation and award where it is the municipality that is served, regardless of who pays for disposal. Concern on both accounts relates to transparency and fairness of the process.	Noted
	Niagara's contract with MHSW depot provider expires August 2007, Region requires guidance in how to structure the next contract or if Stewardship Ontario will manage and tender the entire contract.	Noted
Accessibility	Accessibility should be further defined in terms of wait time(s) at events	Noted. Appropriate measures for accessibility will be developed.
	If a municipality declines to operate and cover the collection costs of a MHSW event deemed necessary to meeting accessibility targets, would the IFO operate the event instead? Would the IFO then be responsible for both collection and post-collection costs?	MHSM stewards' fees cannot cover collection. Progress in achieving the accessibility, collection and diversion targets will be monitored and the IFO will take appropriate action depending on that progress.
	Section 2.5.4 point 3) states that municipalities with depots will be encouraged and supported in making arrangements to extend their hours of operation where feasible. Please define "supported".	The IFO will be covering the post-collection costs resulting from these changes and for P&E and will work with specific municipalities to identify the potential benefits and feasibility of expanding hours of operation.
	Accessibility in rural areas can be increased through mobile collection depots and implementing MSHW depots at all landfill sites.	Will be considered in developing accessibility targets.
	Plan should elaborate on the implications of the voluntary nature of municipally-run depots and events.	Plan notes that municipal operation of return facilities is voluntary and that progress against targets will be monitored to identify whether alternatives are required.
	Doubling the number of events on a voluntary basis may be unrealistic. Will require increased staff and resources. Municipalities require advanced knowledge of funding availability and amount to make this possible.	Uptake of municipal events will be monitored and alternatives will be identified as necessary.
	Plan overstates uncertainty of continued municipal involvement in providing MSHW services.	This reference has been removed from the Plan.
	Plan should expand on strategy for addressing known accessibility gap.	Targets will be established for Year 1 and accessibility will be evaluated in conjunction with

		ongoing performance against targets.
	The Quinte program operates both events and depots all under municipal management and manpower. We would be interested in volunteering to be a study subject for the analysis of costs and contribution to targets events vs. depots.	Noted
	Quinte map is incorrect; it shows only the Bancroft depot. Quinte also has a Belleville depot, 12 off site event days, and 7 off site contract event days.	Noted for revised Draft.
	Some of the events/depot information provided in Appendix 1 is incorrect and should be verified.	Those programs whose event/depot information is incorrect should contact Stewardship Ontario with the correct information.
	The information provided in Appendix 1 only reflects those programs that report to the WDO Datacall. There are other programs that do not report through the datacall. These include Bruce County, United County of Leeds and Grenville, etc.	Those programs whose information is missing should contact Stewardship Ontario to provide an address for their depot/event.
	Has any thought been given to taking MHSW across municipal borders mitigating the accessibility criteria? For instance, residents in the outlying areas of Hamilton would be closer to Cambridge or Halton while residents of some areas of Haldimand-Norfolk would be closer to Hamilton.	If cost sharing arrangements could be established between municipalities this would be encouraged by the IFO. The IFO would cover the post-collection costs.
	Increasing our current depots' hours of operation is not a viable option, would event days be an option to increase our accessibility criteria?	Yes. Recognizing their voluntary participation, municipalities that currently provide events will be encouraged to double the number of events while programs without existing services will be encouraged to provide two events per year. These events will be sited to augment the access provided by any existing depots and the municipality's regularly scheduled events.
	If we offer an event day, will Stewardship Ontario dictate the hours or days of operation?	No. See answer above.
Tracking and Auditing	The plan should provide for audits of recycling facilities (actual and proposed – Ontario and elsewhere).	Options for verification and auditing of recycling facilities will be considered.
	Develop approved list of recycling facilities for service providers.	Will be considered in development of tracking and auditing system.
	Provide a clear definition of "recycler" and of "recycling". How will the acceptable recycling percentages or levels of recycling be determined?	The objective of the plan is to increase recycling beyond current levels. Definitions of recycling is available in Appendix 4 – Glossary of Terms of the Plan.
	Define "vendor" – would municipalities be included in this definition?	No. Vendor is the provider services generally for post-collection treatment of materials
	Plan should include parameters to determine acceptable re-use and for re-use tracking purposes.	Tracking system to be developed will cover local and other re-use activities.
	Municipalities request the establishment of a common approach and the formation of a working group that includes municipal representation to develop a mutually acceptable tracking tool.	Noted
	The "significant assumptions required by the	Assumptions and data sources are outlined in

	Plan Development Team" should be explained so that proper tracking of Plan performance can be accomplished.	individual material specific plans.
Non-Municipal Collection Channels	Plan should recognize that municipalities are not the sole service providers.	Plan will encourage non-municipal schemes for collection of materials.
	Encourage industry take-back programs.	Industry take back programs will be encouraged under the plan but will not be mandated.
	Consider adding incentives for retail chains who take back their own materials as well as others.	Fees and incentives can only cover post-collection activities and are paid to service providers for transport and processing services.
	Promote small multiple collections at various sites; small bags/containers to be ordered by householders, materials mailed back or dropped off.	Options for increasing accessibility will be considered and evaluated during implementation.
	Take back to retail programs should be voluntary in nature (as opposed to mandatory).	Industry take back programs will be encouraged under the plan but will not be mandated.
	Decentralized collections systems are required to improve convenience; consider type of collection system used by Recycling Council of Ontario for their fluorescent light bulb program and Ottawa's retail take-it-back program	Plan will encourage non-municipal schemes for collection of materials.
	Plan should reference what ISP exists or may exist based on current steward activity.	Obligated stewards can apply to Waste Diversion Ontario have their materials managed through an ISP once there is an approved MHSW program plan. Stewardship Ontario is required to take into consideration any known plans to develop an ISP for obligated materials but to date no affected stewards have notified Stewardship Ontario of their intention to do so.
	Collection for used oil, filters and containers should be funded through an administratively simple Return Incentive Program that provides seamless, province-wide free-market access for all sectors. Incentive program should be similar to program in place in western Canada.	The plan proposes to introduce a hauler incentive program and, for containers, and possibly a processor incentive, based on the experience of the Canadian oil stewardship programs. The plan will assess and evaluate various methods and tools including incentives to help reach the various targets.
	Most IC&I sites are not registered as waste receivers and may therefore not be legally able to accept waste from the public.	Those designated materials that expect to be recovered in significant quantities through non-municipal channels are antifreeze, oil filters, and oil containers. The majority of service providers in all three sectors currently have arrangements for collection of their waste material.
Targets	Proposed collection targets: 30% by 2008, 50% by 2009 and 75% by 2010.	Targets for collection included in plan.
	Plan should consider including a storage factor for setting collection targets.	It cannot be assumed that products stored in residences are waste, especially with respect to consumable products.
	Resident participation should be considered as basis for measuring program success.	This will be included as one of the performance measures to be established. Also, over the course of the five years, the evaluation mechanism built into the P&E strategic communication plan will examine and measure resident participation levels on a comparative basis.
	Plan should provide for regular review of targets to ensure progress.	Plan will provide for regular review of performance against targets. Also, over the course of the five years, the evaluation mechanism built into the P&E strategic communication plan will examine and

		measure progress toward targets on a comparative basis.
	Plan should explain methodology used to establish five year targets. Targets should be more ambitious.	Targets have been established based on existing infrastructure and capacity and will be adjusted depending on results of initial feasibility and planning work to be undertaken under the plan.
	There may be some take back programs operating in the community for items such as oil, oil filters, Fluorescent bulbs etc. Will the targets take into account these already existing take back programs? Will the municipality be penalized if they do not meet the targets with take back programs operating?	Existing take-back programs have been acknowledged in section 2.5.1 of the Plan. Collection targets have been set to include all channels (municipal and non-municipal), therefore accounting for existing and planned take-back programs.
	Why is diversion separate from collection under batteries? Need to present diversion targets for ALL materials in summary table (not just collection targets).	Table 2-5 presents both collection and diversion targets for all Phase 1 materials.
	MHSW collected under the program should be diverted to the highest end uses.	The plan addresses diversion principles by encouraging reduction, reuse and recycling activities.
	If plan includes materials collected at commercial vehicle service centres in setting generation and collection targets, it needs to indicate how service centres are to differentiate between "commercial activity" and "residential and SQG" sources.	Revised plan addresses scope of materials collected at automotive service centres.
Reduction and toxicity	Plan must include measures (e.g. price signals) that result in reduction of MHSW and reformulation of MHSW to reduce toxicity.	The proposed fee setting methodology includes provision for a factor to modify fee rates within a material category to reflect differences in management costs.
	Material specific fees need to be specific enough to ensure that heavy premiums are paid on paint which cannot be recycled, batteries which contain mercury and other "specific" materials.	The proposed fee setting methodology includes provision for a factor to modify fee rates within a material category to reflect differences in management costs.
	Project Team should investigate Toxics Reduction Institute in Mass. US; this Institute is funded by industry and works to reduce toxics requiring management	Noted.
Regulatory Issues	Plan needs to specifically address the role of the MOE in amending facilities' CofA's.	Plan will note role of MOE in amending CofAs.
	Amending existing CofA's can be a difficult and time-consuming process, particularly when municipal collection facilities are located at landfill site.	Plan provides for work with MOE to establish options to amend CofAs.
	Ensure MHSW Plan does not conflict with Land Disposal Regulation.	Development of the MHSW has been closely monitored by the MOE in part to ensure that it conforms to all existing Ministry regulations.
	How will this material be transported across Ontario Roadways? Will the MOE permit this, ignore this, or grant exemption permits?	MHSW will be managed in compliance with the Ontario EPA and Regulation 347.
	Is there a proposal to permit any of this?	MHSW will be managed in compliance with the Ontario EPA and Regulation 347.
	How will the materials be effectively tracked if no Hazardous Waste Manifests are used? What impact will this have on existing generators of these products?	MHSW will be managed in compliance with the Ontario EPA and Regulation 347.

	Will the manufacturers be expected to fund continuous materials generated?	This is not an MOE issue but should be addressed in the MHSW plan. "The MHSW plan is a 5 year plan. Fees levied on MHSW brand owners and first importers will be based on the quantities of the obligated materials sold in each year.."
	Are Certificate of Approvals required for anything?	MHSW managed under the plan will be managed in compliance with the Ontario EPA and Regulation 347.
	Will exemptions be allotted due to materials going for recycling?	MHSW managed under the plan will be directed to reuse and recycling where available and technically feasible. Costs to manage the Phase 1 MHSW materials through reuse and recycling is the responsibility of Stewardship Ontario and the obligated stewards.
Barriers to Diversion	Lack of legal requirement for municipalities to provide collection services should not be stated as barrier to diversion.	This statement has been removed from the Plan.
Plan revision	Plan should outline process for revision and updating when other materials are phased in.	The date for adding additional materials is unknown. The proposed fee setting methodology explicitly refers to the need for revision should Phase 1 materials be added to the program. Other plan changes, such as board governance, contracts with service providers, etc. will also need to change to accommodate the additional materials.
Small Quantity Waste from IC&I businesses	A computerized tracking system to deal with ICI in particular should be developed and provided to municipalities at no cost.	A central reporting, verification and approval system may be required to verify the eligibility of businesses that deliver MHSW materials and that they are not returning quantities in excess of the regulations, possibly to various facilities. In the first year of the program, the requirement, feasibility and options for such a system will be investigated. One possibility is to extend the existing system for registering, reporting and remitting fees used by stewards, to cover IC&I businesses returning small quantities of MHSW.
	Plan should recognize difficulty for municipalities to track quantities delivered by SQG, especially when operating multiple mobile events.	See answer to comment above.
	Costing for small quantity generator with non "household products" small and remote municipalities not addressed in workshop	Small Quantity Generators addressed in section 2.3 of April 13 plan version. Accessibility, including small and remote areas, discussed in section 2.5
	The plan appears to overlap with O.Reg 347, which creates confusion on how to satisfy both the requirements of the MHSW plan and O.Reg 347 for those affected.	The Plan targets small quantity MHSW waste from IC&I businesses as waste being returned to an MHSW depot by a business that generates MHSW and is not required to submit a generator registration report with respect to the waste under subsection 18(1) of Regulation 347 under the EPA and that does not return more than 100 kg per month of MHSW through the program. Section 2.3 of the Plan goes into detail on the issue of Small Quantity Waste from IC&I Businesses.
	The program plan should include a consideration for IC&Is who currently have contracts for collection of materials designated under MHSW. Similar to municipalities, IC&I businesses will also require a transition period to	See answer to comment above. The IC&I businesses targeted by this program as those that return their waste to a MHSW depot . Businesses that currently have collection contracts in place will not be requested to put an end to these

	address current contracts as changing contracts would incur additional costs which is not appropriate.	arrangements or to change these.
	Define "selected waste depot" used in section 2.3.2 for readers	A reference will be added to final draft.
	<ul style="list-style-type: none"> Option 2: regional exemption not likely possible as it would increase disparity between regions. Material exemption has merit Option 3 – also has merit – need to make options 2 and 3 part of R&D plan. Option 4 – description is not clear : details should be provided on Reg. 347 changes that would allow diversion program implementation 	Noted
	Suggestion for ensuring system's integrity: verified generators list is sent to permitted receivers (take back programs and municipal partners)	Noted
	Allowing IC&I businesses will possibly increase wait times at HHW depots and increase costs due to increased quantity of materials to manage.	Noted
Program start-up	Plan should explicitly state that Year 1 begins on the program commencement date as stipulated in Minister's program approval letter.	The program commencement date cannot be set until there is an approved program plan. The Minister may indicate the program commencement date but Section 30 (1) (c) of the Act specifies that the IFO must prescribe when fees are payable (the commencement date).
	What is the anticipated date of obligation?	Although not confirmed, we do not expect the program to commence before January 2008.
	Date of commencement of program should be announced well in advance, program should not begin during retailer 'black out' periods from August to January (back to school and Holidays)	The commencement date is expected to be January 1, 2008.
	Will each of the program years (Yr 1, 2, 3, 4, 5) be a full 12 months?	Yes
	If Yr 1 does not start on January 1 st , will the program eventually move to calendar years?	Yes
Plan development timeline	Timeline for review of March 12 draft plan and providing comments was insufficient	Plan development timelines have been short for all stakeholders given the requirement to submit a final program plan to the Minister by May 31, 2007 and the requirements of WDO for consultation under their procedures for IFO.
Promotion and Education (P&E)	Suggestion of a \$/capita P&E allotment to municipalities for use in local promotion efforts, in addition to industry-funded province wide campaign.	A provision will be included in the draft MHSW plan to hold discussions with industry and municipalities regarding allocation on an appropriate basis.
	Year 1 efforts should focus on research and building system capacity before province-wide P&E campaign can be launched.	Agreed that this needs to be the case.
	All promotion and education materials should be standardized.	Stewardship Ontario will develop and test images and messages for effectiveness. These will be used in P&E materials developed by Stewardship Ontario and municipalities will be encouraged to adopt them in locally produced materials. This will help to build a universal campaign conveying

		similar information and themes province-wide.
	Will the P&E material contain unique municipal content or will it be province wide? If province wide, the uniqueness of individual programs that municipalities need to educate their residents about may be lost – e.g. for the blue box, an ad was placed in our local newspaper with a blue box. We don't use blue boxes and received many calls with regards to what is going on with our program.	The P&E materials that are produced to promote the program on a province-wide basis will focus on creating awareness but will suggest that Ontarians visit a website (to be created) to find out details that are specific to their municipality. Materials that are produced to promote the program on a local basis will take differences into consideration.
	Once the program is advertised to the public, what are those municipalities that do not have a program, but only event days (the case of most smaller municipalities in the north) to do? This will be especially problematic if retailers start to advertise that their materials can be taken to a HHW depot.	The P&E strategic plan will take into consideration issues such as accessibility.
	Use website, direct mailing, point of purchase advertisement.	The strategic communication plan included in the draft MHSW plan identifies a website as the core communication tool in providing Ontarians with access to MHSW information. The various communication vehicles used in the program rollout will “drive” people to the website for details.
	Plan should discuss industry's involvement and support of P&E campaign.	The draft MHSW P&E plan recommends the appointment of industry and municipal advisory committees to ensure both partners are able to participate fully in the P&E development process.
	Plan should reflect efforts to educate and promote proper disposal when 3Rs options do not exist.	A key objective the MHSW strategic communications plan will be to promote the “BUD” concept and to educate people on the importance of proper management of left over materials and containers.
	Plan needs a new approach on how it manages local communications beyond “contingent” measures that are perceived as a punitive approach to managing the P&E work.	The MHSW strategic communications plan recommends the development of key messages and images that would be made available to municipalities. This will help to ensure the universality of a cohesive, province-wide message.
	Material specific P&E options include local municipal P&E such as waste collection calendars: municipalities do not normally have the funds to provide specific information on ways to reduce, reuse or recycle individual materials. The message would have to be general and encompassing all materials.	The MHSW strategic communications plan recommends the appointment of a municipal advisory committee. It is proposed that discussions with these municipal representatives would include how P&E promotion can best work in municipal P&E programs.
	P&E program should include information on non-toxic alternatives.	The full range of messaging that needs to be developed in order to meet the goals and objectives of the program will be developed in discussion with industry and municipal representatives upon approval of the plan.
	Funding should be allocated to those who develop P&E material promoting alternatives to MHSW.	The question of allocating funding support to municipalities will be included for discussion when this topic is discussed with the municipal and industry advisory committees.
Research & Development	This section would benefit by the addition of criteria that assess proposed improvement to collection and diversion	Noted
	While the Plan relies on a functional split, R&D	Noted

	investments into collection efficiency and effectiveness is welcome	
	Program must include investment into 3Rs markets infrastructure and capacity	R&D investment expenditures have been noted under each of the material specific plans and are reflected in the overall program budget.
Program Awareness	Communications regarding the program should be developed collaboratively with SO to ensure consistency and appropriateness of message, definitions, etc.	The P&E program is being developed by Stewardship Ontario and will include input from both industry and municipalities. Systems will be put into place to ensure that messages, language, etc. will be consistent and appropriate.
	Need a plan to capture all potentially obligated stewards and inform them of the MHSW regulation and plan development process	Noted
Rules for Stewards with Respect to Payment of Fees	Question on whether fees can be passed on to customers at point of purchase	The program will require fees from the obligated brandowners and first importers. The program does not govern the application of fees at retail.
	Plan should be silent on the transparency of environmental levies, RCC wants "on the tape" option to be available.	The program will require fees from the obligated brandowners and first importers. The program does not govern the application of fees at retail. The Rules contain reference to remitter which allow the retailer the remit on behalf of the obligated steward.
	Will fees be weight-based or unit-based?	The fees will be unit and/or volume based.
	Will fees be collected at the retail level?	The program will require fees from the obligated brandowners and first importers. The program does not govern the application of fees at retail.
	The plan should acknowledge the potential need for sectors to develop sector based calculators to estimate their contribution or any other mechanism to reduce the burden on brand owners who are not the significant contributors in this segment.	Stewardship Ontario has not been directed to develop calculators. This is something you may want to formally request with Stewardship Ontario.
	What will be the first reporting year?	The reporting period has not been decided yet.
	What will be frequency of reporting?	Payment and reporting schedule will be quarterly.
	Program should allow retailers to pay fees based on sales of behalf of brand owners	The program will require fees from the obligated brandowners and first importers. The program does not govern the application of fees at retail. The Rules contain reference to remitter which allow the retailer the remit on behalf of the obligated steward.
	MHSW Program Rules should allow retailers not otherwise obligated to register as voluntary steward	This a counter opinion to other comments received and has been noted.
Containers	Already paying for solvent containers (aerosols, pharmaceuticals) under BBPP, seeking confirmation will not be obligated for these under MHSW.	It is our intention to continue to have empty "containers" managed through the Blue Box program. Fees for most packaging, including solvent containers, will continue to be paid through the BBPP. Exceptions may include oil containers (which are specifically named in the Minister's letter).
	Are empty containers obligated under the program or only containers with material remaining in them?	See answer to comment above.
	<ul style="list-style-type: none"> Recycling options for paint and coatings 	The Minister's letter requires the plan to encourage

	<p>containers</p> <ul style="list-style-type: none"> • Difficulty to recycle solvent containers • Difficulty to recycle pesticide and herbicide containers • Difficulty to recycle antifreeze containers • Handling options for used oil containers 	and to promote, reduction, reuse, and recycling activities. It is recognized that current recycling options may not be available or may be available on a very limited basis and that challenges exist to recycling some of the containers. Investment in R&D and incentive schemes may be necessary to help develop technologies and to increase recycling capacity to allow for a shift to recycling options.
	QWS's recycling program collects empty antifreeze containers as High Density plastic in residential blue box program and from the IC&I sector. We also recycle empty containers from HHW antifreeze bulking program.	Noted
	Correct the reference to oil containers as these are not an exception and are actually part of many MHSW municipal programs as a residual by-product of bulking waste oil.	Noted. The reference is to highlight that all oil and pressurized containers are designated, while for other containers, only those used to deliver the MHSW are designated.
Edits and Minor Additions	Section 4.1.1 Transition of Municipal Contracts - second bullet point should read "the municipality" not "a municipality".	This change has been made.
	Plan should reference the AMRC's HHW committee work and involvement in establishing effective and efficient programs	
	Correct paragraph 2 of section 2.5.1 to the following: "Municipal programs have existed since the late 1980's. A number of municipal programs were implemented in the late 1980's, with many coming on stream in the <u>early</u> 1990's".	This change has been made
	Indicate that postal codes are also checked to track source generation (where materials are coming from).	This addition has been made
	On page 46, note that lithium batteries (in particular lithium button cells) pose the biggest overheating risk due to short circuits, leading to leakage and explosions.	This addition has been made
	On page 46, provide the following rationale for a vendor qualification process: for the service provider, the stewards, SO, and the MOE, to collectively meet health, safety and environment obligations.	This addition has been made
	On page 15, table 2-3, the current management practice for batteries is listed as "mainly landfilled". The following line should be added: "Very limited recycling, with processing quality uncertain".	This addition has been made.
	On page 16, the second paragraph omits batteries as having limited recycling options. Batteries should be inserted into the list.	This addition has been made.
	On page 48, the EU directive date was 2006 (not 2004).	This correction has been made.
Service Providers	Are out of province service providers (e.g. Miller Environmental in Winnipeg) being considered within the program?	Yes. Service providers located in neighboring provinces are being considered.
Program Obligation	The CVMA and its members already have processes in place for many of the designated	Obligated individual brand owners and/or first importers who wish to take direct responsibility for

	materials and therefore should be exempt from the MHSW program.	managing their obligations under the WDA can apply to the WDO for approval of an Industry Stewardship Plan (ISP) once there is an approved MHSW program plan. Stewardship Ontario is required to take into consideration any known plans to develop an ISP for obligated materials but to date no affected stewards have notified Stewardship Ontario of their intention to do so.
	Responsibility of brand owner for items consumed by commercial entities.	The Plan targets residential waste and small quantity waste from ICI&I businesses only.
	Request for a de minimis similar to BBPP.	There is no de minimis proposal in the programme plan at this time.
Harmonization	Materials covered in the MHSW program plan should be consistent across Canada (in particular with British Columbia, the Canadian standard)	Designated material definitions have been aligned with those in place in existing programs in other Canadian jurisdictions.
	Need to ensure program is harmonized	Designated material definitions have been aligned with those in place in existing programs in other Canadian jurisdictions.

MATERIAL SPECIFIC COMMENTS

Material	Comments/Questions	Actions
Paints and Coatings	Definition is unclear, may need to itemize inclusion/exclusion list	Definition, inclusions and exclusions clarified in section 3.3.1
	Current baseline conditions unclear	Current baseline conditions were clarified in section 3.2.3 of the April 13 version
	Request for more details on how existing infrastructure could accommodate more volumes of MSHW collected.	Increased frequency of pickup from collection locations will allow current collection infrastructure to accommodate more volume. Processing service providers suggest that capacity for most materials currently exist. Processing incentives may be required to ensure additional processing and recycling capacity becomes available.
	Request to facilitate option of sending paint for recycling to facilities in Quebec.	Consideration will be given to all processors.
	Alternative management options for the treatment of material that cannot be recycled are not financially viable due to market price matrix.	R&D and incentive schemes may be required to help develop or increase end market capacity.
	Are aerosol paints included in the definition?	Aerosol paints are included in the definition of paint. The Plan's paint and coatings definition has been adjusted accordingly.
	Are transparent wood sealants (eg. Thompsons Water Seal) captured in Phase I under Paints and Coatings?	Yes
	Will paint in containers other than the original container (eg. coffee cans, glass jars, margarine tubs) qualify for funding?	Yes. The cost to manage any container for any MHSW that is delivered to a municipal depot or event is part of the program costs covered by the plan.
	Clarification needed regarding what paints and coatings are included in the pesticides category.	Paints that meet the pesticide definition (registered under the PCPA and subject to pesticide labeling requirements) are excluded from the paint category but are captured under the pesticide category. This has been made explicit in the paint definition.
	Page 16, recycling options for paint and coatings: "latex paint in concrete and cement"	Latex paint can be used as an additive in the manufacturing process of Portland cement.

	should read “latex paint in concrete” since cement is a powder-like ingredient in concrete and can’t be painted or coated.	
	Alternative management options: solidified product may not be easily identified and separated from non-solidified (potentially recyclable) product.	The point of determination of whether paint can be recycled or if it is a solid and requires alternative management options is typically done at the processor’s facility where the quality control is managed.
	Does the term architectural coatings include specialty paint for items other than walls and trim?	The definition for paint is intended to include paints beyond wall and trim paint such as stains, deck coatings, stain blockers, floor paints, mildew resistant paints, melamine, 2 part paints, bathroom and kitchen paint, etc.
	Driveway and roof coatings should not be excluded. At a minimum, provide rationale for their exclusion.	The excluded products are bitumen based “tars”, which are not recyclable with other paint products.
	Add retail take back as option for increasing quantity of material collected.	Industry take back programs will be encouraged under the plan but will not be mandated.
	The following should be added to Reduction options: product packaging and pricing must encourage consumers to buy appropriate quantities rather than more than is needed. “Buy what you need, use what you buy” is not sufficient when it’s less expensive to buy in volume.	Comments will be referred to industry.
	Reuse: Need to resolve issues with Health Canada paint regulation (legality of paint reuse programs); need to recognize reuse options at some collection events are limited.	Program will encourage additional reuse programs, within the regulatory and other limitations.
	Add the following opportunity to increase diversion: sell paint in quantities needed and investigate standardization of paint containers packaging.	The “BUD” philosophy is intended to encourage purchasers to buy the quantity needed.
	Paints & coatings sold in Ontario should be required to be recyclable.	The majority of paints sold in Ontario are recyclable if they are stored properly. Specially formulated paints and industrial paints pose challenges to recycling as a result of the chemical composition.
	Will there be incentives available to retailers for taking back paint, and for doing reverse distribution with the left over paint collected at their facilities?	The program will not pay for collection costs, however transportation incentives are a possibility.
	Will there be capital funding to help develop a permanent drop-off point network with municipalities and retailers?	Under section 5(f) of the Minister’s letter, the plan must consider capital cost to meet Phase 1 program accessibility targets.
	R&D should be added to the communications plan as it relates to “take back” programs.	Noted
	Hotz Environmental would like to make the project team aware that it recycles oil base/alkyd paints and sells the products as paint products.	Noted
Solvents	Profiles of current baseline conditions unclear	Current baseline conditions were clarified in section 3.3.3 of the April 13 version
	Options presented for reducing the amount of solvents available for collection (reduction) unclear	reduction options clarified in section 3.3.5 of the April 13 version
	Options presented for increasing quantities of available solvents that is collected unclear	Current Infrastructure, Quantities, Accessibility and Targets clarified in section 2.5 of the April 13

		version
	Options presented for increasing the amount of collected solvents that is reused or recycled unclear	reuse and recycling options presented in section 3.3.5 of the April 13 version
	Solvents as defined are generally collected in municipal HHW programs as 263A (Flammable Organics). Many other materials which do not meet the definition criteria are also collected in this category. Can municipalities assume that current collection practices will continue (263A) and that labpack composition studies will be routinely conducted to determine the percentage of materials that meet the criteria in order to determine post collection funding?	In those instances where Phase 1 and non-Phase 1 materials are packed together for transportation purposes, a cost allocation formula must be agreed to break out solvents and stains from flammable liquids. This may be done based on analyzing a combination of the AMRC composition study and the WDO Datacall and an analysis of additional samples to develop an allocation formula that is acceptable to both parties and meets the objective that fees reflect actual costs attributable to each material.
	Definition is overly technical and it would not be possible for a service provider to identify the solvents by these criteria at an HHW event. It is our hope that either a "product name" listing or a more simplified definition will be produced.	Noted
	Clear parameters from recyclers are required to determine if waste solvent will be eligible for recycling (e.g. solid content, mixed solvent criteria and ingredients).	Some R&D has been proposed in Year 2 to assess management practices around solvents in an attempt to allow for recovery and recycling of collected solvents.
Oil filters	The plan should not be limited to after market parts only. The use of after market parts implies replacement of original part, which will require disposal. Moreover, it will be impossible to differentiate aftermarket oil filters from original parts.	The definition covers aftermarket filters as obligated products (subject to fees), however the program will manage all used filters whether OEM or aftermarket as it is impossible to differentiate between the two. The exclusion of OEM filters from fees is based on experience in other programs that it is administratively difficult to determine the origin and destination of new vehicles.
	All filters from the ICI&I businesses are handled as per O.Reg 347. Section 3.4.4 should be rewritten to appropriately capture the difference between material handled in the ICI&I sector version the DIY sector. As written, the reader may interpret that the ICI sector is only diverting a portion of their filters and needs an incentive to come into compliance.	Section 3.4.4 states that most of the 12,446 automobile service provider outlets in Ontario collect oil filters from vehicles serviced, but that not all accept oil filters from DIYs. The stated diversion rate through the automobile service sector of 38% is for both DIYs and DIFMs.
Oil containers	Current baseline conditions unclear	Current baseline conditions clarified in section 3.5.3 of April 13 plan version
	We are not currently aware of a competitive technology available for processing oil containers.	While the recycling infrastructure is not developed in Ontario, oil container recycling technology does exist and recycling is done in other provincial jurisdictions. R&D and incentive schemes may be required to increase recycling capacity.
	Plan should provide rationale for exclusion of containers for brake fluid, penetrating oil, hydraulic jack oil, 3 in 1, aerosol propelled lubricant, gun oil and sewing machine oil.	The definition of oil containers is consistent with similar programs in other provincial jurisdictions and is intended to capture lubricating motor oil products. These containers are similar in nature and this allows for ease of recycling.
	Industry should be aware that large volumes of oil containers are generated at MHSW depots due to waste oil being delivered in the packaging it was originally sold in and emptied when it is bulked into drums/holding tanks.	It is recognized that some oil containers will end up in the MHSW depots. The proposed transportation incentive will apply regardless of where the empty containers are collected.

	Annual 2% growth vehicles sales are not accounted for in assumptions used to establish quantities available for collection.	Vehicle sales growth is expected to be offset by reduced consumption due to lengthening service intervals.
	Plan should elaborate on 3Rs management options available for oil containers.	The industry is anticipating reduced oil container generation in future years due to fewer oil changes required by automobile manufacturers and greater acceptance of consumers of bulk oil through the DIFM market.
Single Use Dry Cell Batteries	Key elements of a single use battery MHWS plan, as discussed by industry stakeholders, should be more clearly highlighted in the Plan document.	Concerning Point C – Communication and Promotion, the MHSW P&E strategic plan recommends appointing an industry advisory committee that will be convened upon approval of the plan to help map out appropriate messages, images and language. Concerning the other points, comments from industry have been incorporated into draft plan
	Please clarify what is the "WEE" program, and what batteries would be exempted under this program.	WEEE refers to Waste Electronic and Electrical Equipment. WEEE was designated by a regulation made under the Waste Diversion Act in late 2004. Batteries likely to be included in the program are those that are not easily replaced by the user as part of regular use of the product and the products and lamps that are built into monitors, TVs.
	Need for education of public regarding safe storage and delivery of batteries to HHW program collections.	Consumer education on the safe handling and storage of batteries will be included in P&E handouts and on the website.
	A good portion of the alkaline batteries collected in Ontario are collected through our Battery pail program that captures 40 - 50 pounds per 2.5 gallon plastic pail. RMC has developed additional processing capabilities to accommodate increased volumes, and has completed R&D relating to battery component recovery.	Information on the program has been added to the draft plan.
	The battery industry's proposed 1 - 2 year R&D and information gathering phase is unjustified. A great majority of these issues have been considered during RMC's R&D and has not been released to all parties based on proprietary information	Noted
	The plan's battery diversion targets are too low. Diversion targets should be similar to what is proposed for the other 7 materials. Batteries are articles and a lot easier to collect and recover than liquids such as paints, solvents, antifreeze and pesticides.	Noted
	Add retail take-back and mail back options to options for increasing collection	Section 3.6.8 discusses Non-residential Collection Options, including return to retail and mail back options.
	Definition of "recycling" should include only processes that recycle 100% of the batteries. This option is available at Inmetco in the USA.	According to industry sources, the complexity of the various battery chemistries makes it very difficult to recycle 100% of batteries. We cannot verify if Inmetco recycles 100% of all incoming batteries they process.
	Definition should explicitly exclude batteries typically handled by a technician (i.e. coin	The program covers easy to remove batteries and is not intended to address those installed inside

batteries on circuit boards). Definition should only include batteries that are intended to be replaced easily and regularly by the user.	products where the battery is included as an integral part of the product.
Provide reference for estimated average weight of 30 grams.	This information was provided by the Canadian Household Battery Association
Since there is no legal ban on mercury-containing batteries in Ontario, it is possible that mercuric oxide batteries containing 40-60% mercury may be sold and present in the waste stream, in addition to counterfeit or other mercury-containing batteries. This has significant cost implications for recycling.	Noted.
The 250 tonne estimate for current collection likely includes rechargeables, etc. and is therefore inflated.	This figure has been adjusted down to 204 tonnes based on the AMRC waste composition study to account for the removal of rechargeable secondary batteries collected in this mixed stream.
It is inappropriate to say that consumer education could focus on applications where rechargeable batteries might be more appropriate.	This has been reworded to: "Education could focus on informing consumers on the most appropriate applications for primary batteries".
Page 47, R&D: the first paragraph should not read "industry raises concerns about existing processing...". It should be all of us concerned.	This has been reworded to: "The initial assessment from the battery industry raises concerns about existing processing capabilities in relation to environmental standards".
On page 13, under R&D and market development, one of the bullet points states stewards must pay for "capital funding, if required, to assist with the development of appropriate processing infrastructure for diversion..." We do not believe it is either acceptable, or contemplated in the Minister's letter, that stewards be obligated to cover the cost of setting up recycling infrastructure. This sentence should be reworded, or stricken from the document.	In her Program Request Letter, the Minister of the Environment indicated that fees collected during Phase 1 of the program shall be used to pay for program activities after the initial collection of waste at the MHSW or other collection facilities. Examples of appropriate activities include: transportation of waste from collection facilities, processing, recycling and disposal of waste, and other related waste management activities; and promotional and public education activities. Capital funding (direct or indirectly through fee for service arrangements with service providers) will be provided, if required, to assist with the development of appropriate processing infrastructure for diversion.
Similarly on Page 68, program budget, second bullet, it is inappropriate to include capital costs for meeting accessibility targets.	The Minister's Program Request Letter indicated that potential fees collected during Phase 1 of the program shall also consider capital costs to meet Phase 1 accessibility targets.
In that same paragraph but in the bullets, "one single use dry cell battery recycler" is listed. Please clarify that we have no data to confirm there is a qualified processor that would meet agreed health, safety and environment standards.	The following caveat has been added in section 3.6.6: Industry representatives have stressed that existing processors of batteries have not yet undergone full vendor qualification assessments.
On page 17, the "available for collection" figure is incorrect. This figure should be somewhat less than the sales figure due to the hoarding effect.	The "available for collection" figure has been revised to 4,940 tonnes.
Clarify the basis for targets: In Europe, it is: weight collected, as a percent of weight sold; where weight sold is the average sales in that	An explanation on the methodology used to measure the collection rate is provided in section 3.6.4. The same methodology as the one used in

year and the preceding two years.	Europe will be applied.
Since weight sold does NOT equal weight available for collection, table 2-4 should be revised to specify the current estimated collection % is calculated based on weight sold, not on weight available for collection.	Table 2-4 has been revised accordingly.
On page 20, the chart lists the performance target for batteries. We disagree with the targets presented. In addition to being speculative, there are enormous differences between the European and Canadian markets.	Revised 5-year targets are presented in Table 2-5.
The 25% collection target is wrongly rationalized on Page 48, where it states 25% is the EU 4 year target (2012), implying it's a reasonable Ontario 5 year target (2012). The Draft preliminary plan fails to point out that the EU target is actually only conceivable because collection and recycling programs commenced in Europe in 1991. Moreover, Europe has economy of scale that Ontario does not have.	The 5 year collection target has been revised to 10% (with 5% diversion).
The 25% - 75% diversion target is confusing. Did the draft plan mean to say "recycle" or "recovered" target?	This reference has been removed.
The figure 75% is obtained by adding the steel, zinc, and manganese dioxide constituents. The oxygen associated with the manganese metal should not be part of this sum	Section 3.6.9 has been reworded as follows: Generally, if steel is the only material that is recycled from the battery processor, then the recycling rate has an upper limit of approximately 25%. If steel, zinc and manganese can be also captured and utilized for other beneficial uses, a maximum recycling rate of 50% can potentially be achieved.
Ontario 5 year target cannot be set until more investigation into the available and necessary recovery infrastructure and consumer habits is done.	For Years 1 and 2 of the program, the plan will be to conduct research and development specific to primary batteries in the following key areas: Primary research on used primary battery profile; End of use processing; Assessment of other collection opportunities.
The following would be a reasonable 5 year target: that the up to ~5% currently collected, be more fully recyclable by 2012; that the process be transparently qualified, that the fate of all materials including Hg, Zn, Mn is known; and that R&D programs are directed toward development of more than one qualified vendor, capable of recycling more than 25% of the battery.	Revised 5 year targets are presented in Table 2-5.
On page 46, boxes and bags may not be the safest collection vehicles. Consumers should not be encouraged to store or mix used batteries. Similarly, the plan should not be speculating on "may be possible to return batteries to retail".	The following caveat has been added to section 3.6.6: Homeowners need to know which batteries contain mercury and should be separated from those that do not. The following caveat has been added to the possibility of a return to retail system: "...however mixing primary batteries with other batteries such as rechargeable batteries in existing collection systems will pose handling problems. It may also pose potential safety issues as mixed batteries may have electrical charges and may leak. Counterfeit batteries may explode rather than leak, and contain

		mercury.
Antifreeze	Definition unclear: is it strictly automotive antifreeze?	Yes
	The Antifreeze Exclusion List should not be limited to only Ethylene or propylene glycol for specific use of vehicle engine coolants. Many other antifreeze products (such as those listed in the exclusions) are used as antifreezes.	Noted. The material definitions have been reviewed by industry and by the MOE.
	Windshield washer antifreeze should be included in this category as the volume is significant and a recycling technology exists.	Noted. The material definitions have been reviewed by industry and by the MOE.
	Non recyclable antifreeze is not sent to landfill but rather for wastewater treatment.	It is recognized that antifreeze is not sent to landfill.
	Clarify whether 4.8 million litres/5,160 tonnes is an annual generation number.	The data represents an estimate of annual generation volume for the DIY market.
	How was the number of vehicles for which DIY flush and fill servicing is performed determined?	It was determined using available industry data on the number of vehicles operating in Ontario, frequency of servicing, and percentage of owners who are DIY.
	Clarify whether the 50% 5-year target refers to annual baseline generation (5,160 tonnes) or to total generated over five years.	The 50% 5-yr target refers to annual baseline generation.
	The generation volume for antifreeze (42 million litres) is erroneous. The sales in the Canadian market place are aprox. 30 million litres of concentrated product. Assuming Ontario consumes 40% of this, 12 million litres of concentrate or 24 million litres of ready to use product are generated.	The generation volume is based on best available data and industry input. More accurate data will be obtained once the program commences and stewards report their sales volumes.
	Need a method in place to ensure that national producers outside Ontario will face the same fees as Ontario producers, so as to keep Ontario producers competitive.	Section 5(a) of the Minister's letter defines stewards as brand-owners and/or first importers into Ontario. The program recognizes stewards' need for a fair playing field and will have systems and tools, such as audits, in place to ensure a fair playing field.
	Your goal of reducing the quantity of antifreeze available for collection will be easy to meet because your baseline is inflated. In reality, this market has been declining for several years and will continue to decline as more vehicles are leaving the assembly line with long life antifreeze in their system.	The inherent reduction due to motor technology improvements and increased service intervals is recognized in the plan. Reducing the quantity of antifreeze available for collection may also be achieved through other means, including the promotion of the BUD rule "buy what you need, use what you buy", proper storage for reuse, and retailer advice.
	While you may receive applause from some areas, in truth this program will not generate very much revenues and will not likely result in greater material collection than the industry currently enjoys.	Although it is recognized that there is currently a system in place for the antifreeze from DIFM sector, the need for improving collection and diversion of antifreeze from the DIY sector must be addressed.
	Please clarify the rationale for the new approach of targeting "packaged antifreeze" only.	The focus on prepackaged product is expected to cover all antifreeze packaging and waste antifreeze from all DIY and small quantity ICI waste generation.
Will there be compensation for the bulking of antifreeze based on avoided labpack disposal costs?	Where municipalities are requested to handle specific materials at a depot in a fashion other than lab-packing, consideration will be given to establishing a fee for this service to be paid to the municipality. Examples include bulking of	

		antifreeze for which the municipality would receive payment on the basis of a set fee per drum.
	The plan should continue to target the DIY market as there are processes in place for diversion of antifreeze in the Do-It-For-Me market.	The plan's focus on prepackaged product is expected to cover all antifreeze packaging and waste antifreeze from all DIY and small quantity ICI waste generation.
Pressurized Containers	More explanation of the 'return outlet system' is required (how does it work, is it an exchange program only, can any 20 lb tank be returned regardless of condition, is there a limit on the number, will partially full tanks and outdated tanks be accepted?)	The largest quantity of refillable pressurized containers collected for re-certification and recycling is through the exchange programs propane distributors have established with non-municipal channels such as retail stores (e.g. Canadian Tire, Home Depot) and automotive and propane distributors (e.g. Petro Canada, Esso, Pioneer Gas, Sunoco, etc.) across Ontario. The number of collection locations is not accurately known, but it is estimated at close to 1,000 establishments.
	It is not feasible to evacuate the propane from NR cylinders at the point of collection. It is our understanding that the MOE does not promote the venting or emitting of propane into the atmosphere. Also, a proper mechanical device is required by the MOL for the puncturing of these cylinders to prevent any potential injury to attendants.	While nothing exists at this time, the plan includes R&D funds to revisit the technological and environmental feasibility.
	More promotion of the return outlet system is required so that 20 lb tanks can be removed from the municipal collection system.	Noted
	The industry profiles are defined differently than the proposed definition, therefore it does not seem to be an equitable comparison.	Noted
	Many of the cylinders included in this current definition do not fall under the typical MHSW classification of waste. Many of these cylinders require "ERAP" to transport as required by TDGA and therefore it would be impossible to transport these from a mobile or single day event.	As part of the R&D activities, opportunities for evacuating non-refillable containers at the point of collection in order to eliminate the TDG handling requirements will be investigated.
	Examine collection techniques used by Parks Ontario for propane tanks	Information on the Ontario Parks collection system has been added to section 3.8.3
	TDG Regulations are not necessarily a barrier to recycling.	Noted
	Industry should be moving towards refilling options for the single use containers.	Will be forwarded to industry
	Single use containers should be taken out of the municipal and Parks collection streams for return to point of sale, possibly under a deposit/return system.	Noted
	If evacuation of non-refillable containers at the point of collection is being researched to eliminate TDG handling requirements, stewards should be aware that this activity would not be undertaken at municipal collection points without full compensation for equipment, staff training, health and safety, building, fire code and insurance upgrades and staff time.	Noted
Fertilizers	The reported quantity of fertilizers and pesticides	Pesticide and Fertilizer quantities collected through

	collected through municipal channels (834 tonnes) in the Feb. 14 version of the plan is questionable	municipal channels have been revised.
	Compost and reformulation are not valid reduction options for fertilizers	Revised fertilizer reduction options are presented in section 3.9.5 of the April 13 plan
	Does "weed and feed" material fall under the fertilizer or pesticide category?	Weed and feed products are captured under the Fertilizer definition. They are registered under the Fertilizers Act.
	How will "Non-Hazardous" and "Hazardous" fertilizers be defined to determine which landfill they should be sent to?	For the purposes of this plan, fertilizers are defined as those that are registered under the Fertilizers Act. These fertilizers will be managed according to Reg. 347 requirements.
	Definition would be clearer is specified that only products with a Fertilizers Act registration number are included.	Definition includes products with a registration number.
	How will the quantity of fertilizers captured under the definition be determined?	The quantity of fertilizers that meet the Plan's definition that is captured will be reported yearly by municipalities that collect this material.
	While the development of recycling opportunities for empty plastic fertilizer containers is listed under R&D and Investments, the MHSW Team should know that fertilizer bags and plastic containers (clean only) are currently being collected as part of QWS's blue box curbside program	Noted
Pesticides	Municipal bylaws and reformulation are not valid reduction options for pesticides; proper use, cultural practice, and "buy what you need" are more suitable alternatives	Revised pesticide reduction options are presented in section 3.10.5 of the April 13 plan
	How will "Non-Hazardous" and "Hazardous" pesticides be defined to determine which landfill they should be sent to?	Pesticides in the program are those meeting the labeling requirements outlined in the definition. These pesticides will be managed according to Reg. 347 requirements.
	Relying on pesticide generation and collection data from British Columbia is misleading. Although in the long run, a relationship may be established between quantities sold in a given year and quantities collected in that same year, caution should be exercised in applying such assumptions to Ontario programs. Even 'mature' HHW municipal programs receive pesticides that are 20, 30, 50 years old.	Generation and collection data will be refined over time using the Ontario data that becomes available. In lieu of generation data for Ontario, it was necessary to use B.C. data. Collection data are based on an annual survey of Ontario municipalities.
	Provide rationale for exclusion of algaecides.	If they are registered under the PCPA, but do not meet the labeling requirements outlined in the definition, they would be excluded.
	Pool Chemicals that are excluded needs clarification.	If they are registered under the PCPA, but do not meet the labeling requirements outlined in the definition, they would be excluded.
	State whether pesticides contained in aerosol packaging are included	Pesticides in aerosol containers are included. This has been stated explicitly in the pesticide definition.
	Need a product definition for pesticides that is consistent with the national Pest Control Products Act to ensure consistency across the country.	The definition includes products that are registered under the Pest Control Products Act, but also includes additional labeling requirements.
	Clarification needed regarding what Paints and Coatings are included in the Pesticides category	Paints that meet the pesticide definition (registered under the PCPA and subject to pesticide labeling

		requirements) are excluded from the paint category but are captured under the pesticide category. This has been made explicit in the pesticide definition.
	Program should only focus on pesticides destined for domestic use – commercial and industrial pesticides are already covered by Crop Life stewardship programs.	The pesticide definition has been modified to only include domestic pesticides.
	Definition needs to accommodate older products that may not conform to labelling specifications under the definition. These products are still being collected by programs that have operated since the early 1990's.	Definitions are more related to assessing what products are obligated under the program and therefore need to refer to current labeling and classifications
Phase 2 materials	Seeking definition for pharmaceuticals.	We will address Phase 2 material definition when the Minister requests a plan for Phase 2.
	Have Phase 2 stewards participated in the current plan development process?	All stewards, Phase 1 and others, have been encouraged to participate in the current plan development process.
	Sharps and pharmaceuticals should be directed away from municipal programs to industry-run take back programs.	Will be addressed in Phase 2.

ISSUES TO BE PASSED ON TO THE MINISTRY OF THE ENVIRONMENT

Provide tax credits to Ontario facilities that recycle Phase 1 and Phase 2 materials
Consider reducing the maximum monthly quantity allowed from small quantity waste from IC&I businesses from 100kg to 25kg
How was the 100kg/month IC&I limit established? How will this be implemented? Will the MOE not require Generator Registration?
Is this a proposed Universal Waste Rule type system?
How will cross border provinces be monitored?
Will this tie into the HWIN programs?
MOE has a role to educate IC&I about their waste management responsibilities as it relates to hazardous or special wastes.
Phase 2 materials need to be added to the program as soon as possible after the Minister's approval of the Plan. This will simplify collection and sorting issues.
Phase 2 should include everything that was not included in Phase 1 (ballasts, acids, corrosives, adhesives, oxidizers, etc.)

ISSUES TO BE PASSED ON TO TRANSPORT CANADA

Streamline the issuance of Equivalent Level of Safety permit so that processors are not subject to Transportation of Dangerous Goods Act requirements
