

**Ministry
of the
Environment**

Office of the Minister

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**Ministère
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l'Environnement**

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ENV1283MC-2004-7309

Mr. Bas Balkissoon
Chair
Waste Diversion Ontario
45 Sheppard Avenue East, Suite 920
North York ON M2N 5W9

Dear Mr. Balkissoon:

I am pleased to inform you that I have designated Waste Electronic and Electrical Equipment (WEEE) under the *Waste Diversion Act, 2002* (WDA).

I am very appreciative of the diligent approach taken by Waste Diversion Ontario (WDO) in undertaking its responsibilities under the WDA. Your efforts are helping Ontario divert more waste than ever before from disposal. I am confident that your continued help and commitment will enable Ontario to have an equally effective program for diverting these problematic waste materials.

I am requesting WDO to develop a waste diversion program for WEEE materials, pursuant to subsection 23(1) of the WDA. In developing the program, please address the areas I have described in the addendum to this letter.

The designating regulation authorizes me to require a waste diversion program for seven WEEE categories. However, I have identified four priority categories that WDO must address first. I intend to provide WDO further direction with respect to a waste diversion program for the remaining categories at a later date.

I have decided that program development is best accomplished in three parts:

1. Program requirements for four priority WEEE categories.
2. A study of the state of WEEE management in Ontario.
3. Final Minister's Program Request.

I expect that this three-part approach will simplify the development process and result in the best possible program for Ontario.

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Mr. Bas Balkissoon
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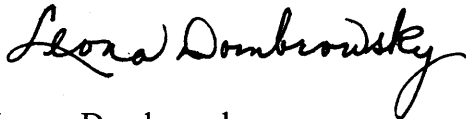
This letter pertains to the first two parts. I have identified in the addendum the deliverables and timelines for these parts. I will make a final decision and communicate to you the final program requirements after receiving the study results.

I expect that WDO will complete program development within 12 months of receiving my final program requirements.

Pursuant to subsection 23(3), clause (b) of the WDA, I am requesting WDO to develop the WEEE program in co-operation with a new Industry Funding Organization (IFO) incorporated by WDO for the purposes of the waste diversion program. The Board of Directors of the IFO must include representatives from the stakeholders identified in the addendum. Upon incorporation of the IFO, I will prescribe the number of members it may appoint to the WDO Board pursuant to s. 4(2), paragraph 8 of the WDA.

I am pleased to be moving ahead with this worthwhile initiative. I appreciate your efforts to develop and implement programs for Blue Box materials and Used Tires. The experience gained in these initiatives will prove valuable in developing a program for WEEE materials.

Sincerely,

A handwritten signature in black ink that reads "Leona Dombrowsky". The signature is written in a cursive, flowing style.

Leona Dombrowsky
Minister of the Environment

Attachment

Addendum
Program Requirements

**Minister's Request for a Waste Diversion Program for
Waste Electronic and Electrical Equipment**

1. Waste Diversion Ontario (WDO) shall develop a Waste Diversion Program (Program) for Waste Electronic and Electrical Equipment (WEEE) in accordance with the *Waste Diversion Act, 2002* (WDA).
2. In developing the Program, WDO shall consider the Canada-Wide Principles for Electronics Product Stewardship as issued by the Canadian Council of Ministers of the Environment to the extent that they are consistent with the WDA and the Program request letter.
3. WDO in cooperation with the Industry Funding Organization (IFO) shall prepare Terms of Reference for a plan to consult all affected parties and the general public.
4. WDO shall submit the consultation plan to the Minister by May 1, 2005 and post it on the WDO and IFO websites.
5. The Program shall include a plan to internalize all Program costs based on the results of the Study of WEEE Management in Ontario.
6. WDO shall develop or adopt a set of vendor qualification requirements to ensure WEEE is processed in a safe and environmentally sound manner that satisfies local, provincial, national and international regulations.
7. The Program shall include incentives encouraging stewards to initiate measures designed to reduce waste resulting from their products, increase recyclability of products and increase use of recycled content of products.
8. The Program shall include a research and development component to increase the effectiveness and efficiency of WEEE diversion systems.
9. The Program shall include an educational and public awareness component to support the program.
10. The Program shall as a priority provide for the following categories of materials as listed in the designating Regulation and include the devices listed at a minimum:

Schedule 1

Household Appliances

2. Air conditioner
10. Clothes dryer
11. Clothes washer

Addendum

Program Requirements

Minister's Request for a Waste Diversion Program for Waste Electronic and Electrical Equipment

- 16. Dishwashing machine
- 20. Freezer
- 35. Refrigerator
- 40. Stove

Five additional devices listed in Schedule 1 as recommended by the IFO representing the most commonly used household appliances such as toasters, coffee makers and blenders.

Schedule 2

Information Technology Equipment

- 5. CD-ROM drive
- 6. Computer disk drive
- 7. Computer keyboard
- 8. Computer mouse
- 9. Computer terminals
- 10. Copier
- 15. Monitor (CRT)
- 16. Monitor (LCD)
- 17. Monitor (Plasma)
- 18. Personal computer (Desktop)
- 19. Personal computer (Handheld)
- 20. Personal computer (Laptop)
- 21. Personal computer (Notebook)
- 22. Personal computer (Notepad)
- 23. Personal digital assistant (PDA)
- 25. Printer
- 27. Computer flatbed scanner
- 28. Typewriter

Schedule 3

Telecommunications Equipment

- 6. Fax machine
- 11. Modem
- 12. Pager
- 16. Telephone (Cellular)
- 17. Telephone (Cordless)
- 18. Telephone (Wire line)
- 19. Telephone answering machine

Schedule 4

Audio-Visual Equipment

- 1. Amplifier
- 2. Audio player (tape, disk, digital)

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3. Audio recorder (tape, disk, digital)
 4. Camera (film, tape, disk, digital)
 5. Equalizer
 10. Preamplifier
 12. Radio
 13. Receiver
 14. Speaker
 15. Television (CRT)
 16. Television (LCD)
 17. Television (Plasma)
 18. Television (Rear Projection)
 19. Tuner
 20. Turntable
 21. Video player or projector (tape, disk, digital)
 22. Video recorder (tape, disk, digital)
-
11. The Program shall provide at a minimum for WEEE generated by residential sources.
 12. The Program shall define stewards as persons who are the brand owners, assemblers, in the case of non-branded equipment, and first importers of products.
 13. The stewards' fees payable for WEEE material under the Program shall apply to WEEE material produced in Ontario or entering Ontario, for sale to the consumer for use by the consumer in Ontario, regardless of the selling technique used, including internet sales.
 14. The Board of Directors of the new IFO shall include one or more members representing each of the following stakeholders:
 - a. Stewards representing each of the four priority WEEE categories
 - b. Municipalities
 - c. Environmental Non-government Organizations
 - d. Consumers
 - e. Recyclers
 - f. Retailers
 15. At least 25 per cent of the voting members of the Board of Directors of the new IFO shall not be persons representing stewards or associations of stewards.

Addendum
Study of WEEE Management in Ontario
Minister's Request for a Waste Diversion Program for
Waste Electronic and Electrical Equipment

1. WDO in cooperation with the IFO and the Ministry prepare Terms of Reference for a study on the state of WEEE management in Ontario.
2. WDO shall conduct the study in cooperation with the IFO in accordance with the Terms of Reference.
3. The study shall assess Program funding through cost internalization by stewards and through fees applied at the point of purchase. At a minimum the study shall assess these approaches with respect to the following areas:
 - a. Design for the environment
 - b. Program effectiveness and efficiency
 - c. Historic and orphan WEEE
 - d. Administrative complexity
 - e. Free riders
 - f. Impact on the marketplace
4. The study shall review options with respect to internalizing Program costs for the different product categories immediately and or over time, and provide advice on which option is most appropriate for Ontario.
5. The study shall include authoritative estimates of the material flow in Ontario for the four priority categories of WEEE, including the following:
 - a. Quantity of WEEE that is currently available for collection.
 - b. Quantity of WEEE that is currently collected, diverted and disposed.
 - c. Quantity of orphaned and historical WEEE.
 - d. Description of current collection and processing infrastructure for WEEE.
 - e. Descriptions and demand of markets for all diverted WEEE.
 - f. Projected infrastructure requirements to achieve the targets.
 - g. Sales from direct and indirect vendors.
6. The study shall include an overview of the producers affected by the Program and describe how the industry operates.
7. WDO shall submit the study to the Minister by June 1, 2005.
8. The study shall include recommendations for the following areas:
 - a. Additional equipment in the priority categories that should be included in the Program.
 - b. Adequacy of a 12-month timeline for developing the Program.
 - c. Annual targets for the quantity of each category of WEEE that the program will collect and divert.
 - d. Annual targets for the percentage of WEEE generated that the Program will collect.
 - e. Annual targets for the percentage of WEEE collected that the Program will divert.

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9. The study shall recommend possible options and timelines for introducing a waste diversion program under the WDA to deal with WEEE generated by industrial, commercial and institutional sources.