

June 23, 2019

Krista Friesen,
Ministry of Environment, Conservation and Parks
Resource Recovery Policy Branch
40 St. Clair Avenue West, 8th floor
Toronto, ON
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Sent via email and upload to ERO Portal

Dear Ms. Friesen,

**RE: ERO 019-0048
Proposed Regulations for Recycling Electrical and Electronic Equipment (EEE) and
Batteries under the Resource Recovery and Circular Economy Act, 2016**

The Ontario Federation of Agriculture is the leading advocate and voice for 38,000 farm families and businesses across Ontario. Thank you for the opportunity to comment on the proposed regulations under the Resource Recovery and Circular Economy Act for recycling EEE and batteries. Waste resource management is a key concern for farmers across Ontario.

Any waste policy framework, individual producer responsibility (IPR) or stewardship program should adhere to a clearly defined recycling hierarchy to first incent recycling to a higher use. OFA supports regulations to prohibit including EEE, batteries or their processed materials that is landfilled, incinerated, or used as a fuel, to satisfy a recovery requirement. While recognizing that waste used as fuel is still valued because it is not landfilled, we support a restriction that materials used as a fuel or a fuel supplement are not included in recovery requirement goals.

IPR frameworks for recycling shift costs from taxpayers to producers, and ultimately to the consumer. Although this is a fair cost shift, consumers need assurances that IPRs fairly account for the additional costs. While free markets may limit how much additional costs are added to a product, OFA supports audits and public reporting.

The Ontario Federation of Agriculture supports using the Resource Productivity and Recovery Authority for oversight and compliance but recommend information on IPR performance related to added costs levied to consumers be made available to the public.

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The regulations propose that if a seller identifies a separate charge on EEE or batteries, the seller is required to communicate how the separate charge would be used by the seller to collect, reuse, recycle and recover EEE or batteries. For transparency, we recommend consumer charges related to any IPRs be identified separately, audited and made public.

Relating to incentives to encourage product repairs, it is difficult to get many electronic products repaired and repair costs often compare unfavourably to a new purchase. To address this issue, Ontario proposes a producer facilitating consumer access to repair and extended warranties would allow the producer to reduce their supply data for a relevant year in proportion to the initiatives undertaken.

OFA supports this initiative. For extended warranties under the proposed regulations to be an incentive to repair and disincentive to replace, producers must deliver affordable repair options. OFA supports improving processes for consumers, focused on affordability, customer service, ease of use and reasonable timelines. To ensure these goals, requirements for how the repair services, parts and tools are made available to consumers and how the availability is communicated to consumers should be considered as part of the proposed regulations.

While MECP is focused on addressing larger urban residential and ICI sector waste resource management, we recommend engaging rural agriculture, municipal and business sectors to ensure smaller rural regions do not bear an overly large burden to address waste management. Recognizing that we need consistency across Ontario regarding the types of materials recycled, but also the unique constraints in these regions, we recommend the Ministry engage OMAFRA, MMAH, the Rural Ontario Municipal Association, and the Association of Municipalities of Ontario, to develop waste management plans for smaller rural and more remote regions of Ontario.

Sincerely,



Keith Currie
President

CC: OFA Board of Directors