

Municipal Hazardous or Special Waste Processor Standards

Updated: November 2017



Stewardship Ontario

Background:

Stewardship Ontario operates the Municipal Hazardous or Special Waste program to ensure that certain hazardous and special wastes are collected and recycled or otherwise safely disposed of in an environmentally appropriate way.

Stewardship Ontario operates a reverse supply chain for the collection and recycling of the following materials:

- Single-Use Dry Cell Batteries
- Pressurized Containers

Additional materials under the MHSW Program are collected and managed by organizations operating approved Industry Stewardship Plans. The MHSW Program Plan, rules and material definitions can all be viewed on the Stewardship Ontario website at www.stewardshipontario.ca.

Purpose:

The Processor Standards define the minimum operating requirements to qualify as a Stewardship Ontario processor of municipal hazardous or special waste.

The Processing Standards do not absolve processors from any federal, provincial and/or municipal legislation and regulations applicable to their operation. It is the processors' responsibility to be aware of and abide by all such legislation and regulations.

Stewardship Ontario reserves the right to review and revise these standards on an ongoing basis.

Enforcement of these Vendor Standards:

All MHSW processors shall:

- Provide Stewardship Ontario with all reasonable information relating to these standards or any matter that relates to the MHSW Program or procedures of Stewardship Ontario
- Acknowledge that Stewardship Ontario has a right of access to any and all such information during normal business hours and on 24 hours' notice.

Moreover, Stewardship Ontario may verify compliance information provided by processors, either directly or through a third party acting on its behalf. Please note that all parties acting on behalf of Stewardship Ontario are bound by strict confidentiality agreements.

In situations where a Processor establishes a Collection Site, the Processor will be required to enforce the Collection Site Standards and all penalties associated with non-compliant Collection Sites.

1.0 General Requirements

All MHSW processors shall:

- 1.1 Possess a valid business license if they are a commercial operation.
- 1.2 Possess comprehensive or commercial general liability insurance, including coverage for bodily injury, property damage, complete operations and contractual liability with combined single limits of not less than \$5,000,000 per occurrence, \$5,000,000 general aggregate. MHSW processors must have Stewardship Ontario listed on the policy as an additional insured party.
- 1.3 Possess environmental liability insurance with combined single limits of not less than \$5,000,000 per occurrence, \$5,000,000 general aggregate. MHSW processors must have Stewardship Ontario listed on the policy as an additional insured party.
- 1.4 Identify and comply with all applicable regulations, including but not limited to:
 - Ministry of the Environment, Environmental Compliance Approval (ECA);
 - Ontario Hazardous Waste Information Network registration requirements;
 - Ontario *Environmental Protection Act*, 1990 (including R.R.O. 1990, O. Reg. 347, General – Waste Management);
 - *Transportation of Dangerous Goods Act* (TDGA);
 - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, 2005 (EIHWHRMR) under the Canadian Environmental Protection Act;
 - Municipal zoning bylaws or other bylaws, such as fire codes, parking and hours of operation.
- 1.5 Have a written policy approved by senior management outlining corporate commitment to environmental management and continuous improvement.
- 1.6 Implement and maintain an emergency response plan to prepare for and respond to emergency situations, including fires, spills and medical events.
- 1.7 Maintain a documented process to identify, assess and ensure compliance with this standard and all applicable regulatory requirements, including but not limited to:
 - Environmental regulations, including permits or certifications for operating, air emissions, or other discharges;
 - Occupational health and safety regulations.
- 1.8 Document the downstream flow and handling of MHSW materials from receipt at their facility to each point of final disposition, including details on how the waste materials are processed at each point and the percentage of processed materials sent to each downstream processor. Stewardship Ontario will treat this information as confidential.
- 1.9 For out-of-province processors, demonstrate that they meet or exceed environmental health and safety standards equal to Ontario requirements.
- 1.10 Maintain all records for a minimum of two years, or as required by regulation, including manifests, bills of lading and waste records.

1.11 Provide notice of any fines or regulatory orders in the previous five years and within 60 days of any subsequent fine or regulatory order.

2.0 Occupational Health and Safety

All MHSW processors shall:

2.1 Identify and demonstrate compliance with all applicable health and safety regulations, including but not limited to:

- *Employment Standards Act, 2000*;
- *Occupational Health and Safety Act, 1990*;
- *Workplace Safety and Insurance Act, 1997*;
- *Canada Labour Code* or equivalent in their area of jurisdiction.

2.2 Possess workers' compensation coverage through either a provincial/state program or a private insurance policy. Processors shall supply Stewardship Ontario with valid certificates upon request and within five business days of such request.

2.3 Be compliant with the Workplace Hazardous Materials Information System (WHMIS), including training requirements, or equivalent in their area of jurisdiction.

2.4 Implement and maintain an occupational health and safety (OHS) program to ensure compliance with applicable OHS legislation.

3.0 Material-Specific Requirements

Material-specific end-of-life management requirements are outlined in the Table 3.1 below.

Note: *The material-specific standards outlined in Table 3.1 are the minimum standards that service providers are required to meet. A disposal standard has been set for waste materials for which no known commercially viable recycling process is available¹. In these cases, processors who choose to pilot recycling processes would not be penalized for failing to meet the disposal standards outlined.*

Table 3.1: Material-Specific End-of-Life Management Requirements

MHSW Category	MOE Waste Class	End-of-Life Management Requirements
Single-Use Dry Cell Batteries	112 121	<ul style="list-style-type: none"> • Staff must have received training in proper procedures for: <ul style="list-style-type: none"> - Identifying battery chemistries - Handling leaking or corrosive batteries - Identifying and handling batteries containing mercury, and • Handling unidentifiable batteries minimum recycling rates, not including energy-from-waste or slag applications: <ul style="list-style-type: none"> - Alkaline-manganese, zinc carbon, and zinc air batteries: 80% - Other single-use batteries: 37%

¹ Under the *Waste Diversion Act*, landfilling, incineration and energy-from-waste are not considered recycling.

4.0 Audits and Penalties

- 4.1. Stewardship Ontario may, directly or using a third party, perform audits and/or reviews of any Approved Processors at Stewardship Ontario's expense, upon providing no less than ten (10) business days' notice.
- 4.2. Any approved Collection Site, Transporter or Processor found submitting claims for MHSW materials excluded from the material definition or supplied/collected from outside of Ontario will be subject to repayment of any incentive rate paid on those tonnes. Additional penalties may include monetary fines and/or removal from all SO incentive programs.