

Questions and Answers from MHSW Program Information Webcast, July 13, 2012

1. What is the definition of IC&I?

IC&I stands for Industrial, Commercial and Institutional generators.

2. I see nothing in the definitions regarding bulk anti-freeze or anything regarding anti-freeze, other than a mention about containers 30 litres or less. Can you clarify?

The revised definition for anti-freeze includes a change of scope so that bulk anti-freeze is also part of the program. The examples in the [definition document](#) include both bulked and packaged anti-freeze. Packaged anti-freeze is obligated if it is in containers of 30 litres or less. If it is bulk anti-freeze, it can be in any size up to and including tankers.

3. Is aerosol paint for automotive included?

Marine and automotive paints are excluded entirely and therefore automotive aerosol paint is also excluded.

4. Will there be industry consultation on the Phase 2 and 3 transition?

No. Materials under Phase 2 and 3 are not stewarded materials. Phase 2 and 3 has been funded by the Ministry of the Environment since July 2010.

5. Are lithium ion motive batteries for fully electric or plug-in hybrid electric vehicles that are significant in size (approximately 200kgs plus) included? Would a manufacturer be excluded if they have their own internal program?

Lithium ion motive batteries are not included as they are rechargeable batteries.

6. Regarding oil containers – can you confirm what criteria a product is ruled as applicable or not? Are base oils applicable?

The criteria is the definition and the list of examples provided with the definition. Base oils are excluded.

7. Domestic consumers do not pay for recycling; stewards and brand owners do. Now with the inclusion of IC&I, will these businesses share costs and pay fees themselves?

Businesses that generate waste are not financially responsible to Stewardship Ontario for the management of that waste. The organizations with Ontario residency that supply the designated product into the Ontario market are the obligated stewards. Those stewards will now need to report and be financially responsible for the products they sell to IC&I commercial customers for materials where that scope includes IC&I.

8. Please post clarification on Stewardship Ontario's website that Phase 2 and 3 materials are being discontinued. We have heard of this change for some time now, however we have not seen anything posted on your website.

Stewardship Ontario remains under contract with the Ministry of the Environment to provide management services of these materials until October 1, 2012. Information regarding the change will be posted once the transition takes effect on October 1, 2012.

9. Why is a secondary battery excluded? What is a secondary battery? Is a handheld medical device self-contained rechargeable battery excluded?

Secondary batteries are a Phase 2 material which will be removed from the program on October 1, 2012 in accordance with a program decision made by the Minister of the Environment as to what is included and what is not in the definition of single-use primary battery.

10. Further to a previous question on lithium ion motive batteries, these are likely rechargeable and thus not part of the program. Is this correct?

If you have lithium ion rechargeable batteries, then they are not part of the program. Rechargeable as a category is excluded. The first thing to consider with batteries is whether they are single-use primary or rechargeable. And then you need to consider the chemistry if they are single-use. If the chemistry is used for a rechargeable, then it is excluded as rechargeables are excluded from the program.

11. Regarding bulk anti-freeze sold in returnable 205 or 208 litre drums, is the fee charged on the sale and credited on the return of the drum?

The fee does not include the management of the drum. So the return of the drum itself has no effect on the fees. For bulk anti-freeze, it's the liquid that attracts the fee and the obligation.

12. If you have a rechargeable lithium motive battery for automotive electric vehicles that is rechargeable, then it is excluded?

Yes it is excluded from the program. Rechargeable batteries are excluded and the fact that it is lithium is secondary. Lithium single-use batteries are included in the program.

13. So hybrid batteries, since they are rechargeable, have been removed and now Ontario taxpayers will be paying instead of stewards?

Rechargeable batteries were a Phase 2 material and therefore are no longer part of the program. Phase 1 batteries are single-use primary and they are included in the program. Rechargeable batteries, irrespective of what chemistries they are or what purpose they're used for, are not part of the program.

14. Regarding the new definition of Pesticides – please confirm that signal words no longer play a part. Are the examples inclusive or exclusive i.e. pesticides in less than 30L/kg containers need to be reported even if they are not labeled 'domestic'? IC&I inclusion is triggering this question.

Only small quantity IC&I is included in the program. Small IC&I means businesses that are not required to register with the Ministry of the Environment under Reg. 347 and generate quantities below a specific threshold. Stewards that need to determine their

small quantity IC&I should look up their material and determine what that threshold is. The pesticides definition has always included small quantity IC&I.

With respect to the signal words, they are included in the definition and the examples are inclusive, and there is no change to the scope on pesticides at this point.

15. With the pesticides definition now including containers – do these containers need to be reported under the Blue Box Program and not under MHSW?

The way that the program plan works is that for MHSW it's the material and the container in which it's contained that is included. If the container held pesticides and has that material in it when it is returned then the material and the container in which it is contained is handled through an Orange Drop depot. If the container is absolutely empty and not contaminated by holding residual quantities of the material, it can go in the Blue Box.

16. The oil container definition and list is similar to oil programs run by many other provinces including British Columbia, Saskatchewan, Manitoba and Alberta. Is there a reason why?

Yes, that is not a coincidence. It came out in the consultation sessions last spring that the list was used because it harmonized with the other provinces. You are looking at a list that is now a harmonized list and is consistent, as close as can be, to creating a national list for oil containers.

17. In relation to the paints and coatings section – I do not believe that waxes and polishes should be listed here. While they may be very loosely considered as coatings, they do not relate at all to the primary definitions shown for this category, so why are they centered out in this category?

They are listed as an exclusion, so they are not part of the paints and coatings material class. The reason that they are listed as an exclusion is because stewards have questioned whether they are or are not a coating. We have clarified that they are *not* a coating and to make sure that everyone is on the same page, they are now listed as an exclusion.

18. Does the material of the container matter? Plastic verses metal containers for example?

It does not matter what material the container is made from because the container is not the obligated material. Except in the case of oil containers, it is the obligated MHSW material and the container in which it is contained that is included in the program.

19. You said the fee is based on the material not the container. Therefore, in the case of oil containers is this also applicable to the material and not the container? That being the case, am I to understand that the costs that generate the charge to stewards is the cost of keeping the product (oil) out of land fill or is it the cost of recycling the containers?

The fee is based on the designated material. In the case of oil containers for example, the oil container is the designated material. In the case of paint and coatings, for example, the paint product is the designated material and the container in which it's contained when delivered to an MHSW collection site must also be managed. There is no general statement that covers everything - each material has to be looked at and has its own individual set of circumstances as far as what is obligated and how that obligation is then handled or treated.

20. Based upon the new terms, if we determine as a company that we are no longer required to report, how do we go about becoming unregistered?

You should contact Stewardship Ontario on 1-888-288-3360.