

**Staples Canada Consultation Comments on:**  
**Recycling of Electrical and Electronic Equipment (EEE) and**  
**Batteries under the Resource Recovery and Circular Economy Act, 2016**

June 21, 2019

Dear Ministry of the Environment, Conservation and Parks,

Staples Canada is a national retailer and environmental steward with 305 physical stores and a robust ecommerce presence. We are looking forward for the Province of Ontario to regulate the EEE and Batteries waste recycling. Staples Canada has been a voluntary steward for EEE and Batteries in Ontario for many years and has been compliant to all other provincial recycling programs. In 2018, Staples Canada collected over 3.7 million kilograms of EEE across Canada. We strongly wish to see Ontario's EEE and Battery regulation be harmonized and aligned with the rest of the country, as this would allow our data collection and reporting to be more consistent and accurate. Our internal systems and processes have already been implemented which will allow for a smooth transition. Below are our comments on the following two materials as well as comments applicable for the Regulation: -

**Electrical and Electronic Equipment (EEE)**

- Normal business sales process does not have product weights documented, if proposed regulation requires weight of EEE collected, this would add tremendous burden and administrative complexities.
- The current proposed recycling target (70%) is not realistic for a newly launched program. Time is needed as consumers gain awareness and incorporate EEE recycling into their daily waste management. Starting at a lower target will increase assurance, increasing targets thereafter will encourage growth.
- Regarding Extended Warranties sold with products, the regulation needs to set a guideline on how to prove extended warranty was sold with products. As well as incentives for providing repair services to customers. The Ministry should also consider the ability to deduct total sales or increase recycling rate when selling extending warranties and providing repair services.
- Selling Refurbished products should be a Waste Reduction Incentive as well. Certified refurbished products from manufacturers should be also be included in the Warranty/Repair Provisions. Refurbished EEE products encourages reduction of waste and facilitates a Repair & Reuse market.

- Printer toners and cartridges should be removed from Schedule 1 as there already is a producer responsibility program in place with many retailers. Staples Canada have recycled over 20 million ink and toner cartridges directly with manufactures. We have established a very robust relationship that enables a convenient and trustworthy recycling experience for our customers.
- The size and scope of the program would significantly increase administration needs. We echo Retail Council of Canada’s recommendation for a staggered approach.

## **Batteries**

- Definition of Batteries should be identical to other provinces in the Call2Recycle Program. As a national retailer, it would be tremendously tedious and troublesome to set up another set of definitions just for Ontario.
- Batteries should be defined on type and not on weight. Our inventory of thousands of batteries is already classified in our system with TYPE, not WEIGHT, it would ease reporting and decrease errors. Believe that other retailers will identify with this issue as well.
- It would not be feasible to provide data from years prior to 2019. First year of data should be 2019 and first audit should be in 2021, three years later, allowing time for better and more accurate data collection.

## **BOTH EEE & BATTERIES**

- The proposed Regulation needs to be aligned to other provincial programs. Having too many definitions, fee structures, hinders the efficiency of data calculation, fee collection and overall operations of national retailers.
- Definitions of: Producer, First Importer, Brand Owner, needs to be well defined. As a retailer sourcing thousands of products from all over North America, from Manufacturers, Distributors, out of Province, out of Country. It will be extremely complex for us to determine where and how we source each of our products. As well, we have distribution centres outside of Ontario that ship into Ontario which will add more complexities to determining who is first importer into Ontario. Since we will be collecting fees directly from consumers, it would be most direct for us to remit those fees directly back to the agency.
- For electronic items with embedded batteries, should fall under EEE. Definition of embedded battery should be identical to other provinces as well: “Easily removable without tools”. For Batteries: QC, PEI and MB are using the term easily removable without power tools but obligate

the battery not the product. BC on the other hand obligates the product and not the battery. (i.e. smoke alarms). It would require time as well as additional costs for us to identify all products with batteries and make system/process changes. Fees should only be for one product OR battery, but not both.

- Producer Responsibility Organizations should be eligible to report on behalf of producers. This would reduce double reporting and confusion as to who reports what and when.
- The currently proposed Promotion & Education on receipts, signage, etc. would require tremendous time and resources to implement. We would need to redesign our flyers, website, all print advertising, and receipts. Embedding the EHF's will increase our operational costs and it will not increase recycling, since it is not a deposit which customers can refund. Section 19 (EEE), and Section 17 (batteries) should be removed.
- E-commerce and businesses from outside Canada should be held accountable, non-compliance should clearly be stated. Regulatory body should monitor and penalize business.
- Collection Sites are hard to set up for a private retail company. With limited outreach, we are only be able to set up collection sites where we have a physical store. It is unrealistic to expect retailers and other private entities to set up a collection site to fulfill population requirements. Also, proposed population thresholds are too high, there would be too much overlap. Collection sites should be calculated based on resident radius, 30 minutes for urban areas and 45 minutes for rural areas, similar to British Columbia's standard.
- Section 11 – Calculation of management requirement. Not realistic to use 2016, 2017, 2018 data to calculate, as sales and products fluctuate every year. Need to set realistic targets as regulation launches. As a retail collection site, customers may not return to our stores to recycle. There should be no penalties for missing targets for the first five years. It should not be mandatory to increase targets each year as products on offer may change and moving forwards, we may not sell as many EEE or batteries.
- Keep scope to B2C – Retailers and Producers should only be responsible for products that they sell. Our collection sites should only be responsible for taking back our own products types. This maintains producer's responsibility. It would be impossible for Staples to accept Car Batteries, Large/industrial data centres drives, lawn mowers, construction tools, etc. Large batteries and electric equipment that require special handling and storage should only be handled by their specialized producers. The respectively higher fees paid by consumer for larger items to Company A are not transferred to Company B to pay for increased storage and transportation fees. Regulation

should also state Collection Sites have the authority to reject items that are in dangerous conditions or inability to handle and store.

- Processors and refurbishers should be standardized and certified, using the R2 Standard, OHSAS, ISO9001, ISO14001, etc., to uphold quality, legitimize operations, and ease consumer's concerns. Processors and refurbishers should also be subjected to audits to ensure safe and compliant operations.
- Need to set penalties for producers/collectors who illegally dump, store or incinerate.

We also support Retail Council of Canada and Call2Recycle comments and recommendations to harmonized with the rest of the provinces to facilitate this transition. We look forward to fostering a strong recycling infrastructure and economy in Ontario, with the end goal of increased recycling rates and higher consumer awareness.

Thank you.

Sincerely,

Candy Tsang

Environmental Stewardship & Compliance Specialist

6 Staples Avenue, Richmond Hill, ON L4B 4W3

(905) 737-1147 x 2543

Cutis Rap

Sr. Manager, Merchandise Operations and Support

6 Staples Avenue, Richmond Hill, ON L4B 4W3

(905) 737-1147 x 2475