



Reference: 353033

July 30, 2020

Brandon Martin
Director, Battery and Electric Products and Industry Affairs
Outdoor Power Equipment Institute of Canada
130 Adelaide Street West, Suite 701
Toronto, ON M5H 2K4

Dear Brandon Martin:

Thank you for submitting proposed amendments to the British Columbia Stewardship Plan for Electric Outdoor Power Equipment (the plan) in fulfillment of the requirements of section 6 of the [Recycling Regulation](#) (the regulation) made under the *Environmental Management Act*.

Under the regulation, the director has the ability to both amend an approved extended producer responsibility (EPR) plan on his own initiative, and to approve amendments to an approved plan that have been proposed by a producer. I have completed my review of, and approve the amendments proposed by the Outdoor Power Equipment Institute of Canada (OPEIC) in the plan submitted on February 25, 2020, and make further amendments to that approved plan, as described below.

Prior to the issuance of this approval letter, OPEIC was provided with my preliminary decision letter dated December 31, 2019, and had the opportunity to propose further amendments or provide additional information for consideration. OPEIC addressed several of the identified deficiencies either in the revised plan itself or through information provided; however, certain components remain outstanding. Therefore, in addition to the amendments proposed by OPEIC, and approved by me in this letter, I am further amending the plan, pursuant to section 5(5) of the regulation. The amendments were shared with you for comment on June 11th, 2020, and I have taken the feedback provided in your June 30, 2020 letter into consideration when reviewing and making a determination with respect to the following areas:

1. Assessing the performance of the program

Pursuant to subsection 5(1)(c)(v) of the regulation, the plan must adequately provide for assessing the performance of the producer's EPR program.

.../2

Given the nature of OPEIC's program products, OPEIC indicates that a recovery/capture rate may not be an appropriate measure for program success. However, adequately providing for assessing the program's performance and reporting each year the amount of product produced and the amount of product collected are regulatory requirements (Section 5 and 8 of the regulation).

One way that OPEIC could better provide for assessment of the program performance is to track and report on the number of products sold in comparison to the number of products collected. Even if the unit-based count is limited in scope to a sample conducted each month as described in the plan, aligning the data for sales and collection through unit-based counts for both "regular" and "bulky" products will augment the minimal value offered in only using weight-based reporting.

I also note that unit-based reporting was recommended by stakeholders during consultation but dismissed by OPEIC without sufficient justification or proposed alternative assessment measures.

Demonstrating program performance to account for the amount of product sold in relation to the amount collected for proper management is not singular to OPEIC. This has been an ongoing challenge for all producers under Schedule 3 – Electronic and Electrical Product Category and the ministry is working towards continuous improvement in this regard, including the level of assessment and reporting required, as well as the timing of such requirements.

I am therefore requiring the following amendment to address this deficiency.

- By January 1, 2022 OPEIC will:
 - Estimate the amount of the producers' product collected each year by counting actual units of regular products to meet the sample-size requirements as described in the plan instead of using an estimate derived from weight-based conversions.

2. Reasonable and free consumer access to collection

Pursuant to subsection 5(1)(c)(iii) of the regulation, the plan must adequately provide for reasonable and free consumer access to collection facilities or collection services.

- a) The OPEIC program is evolving and a key measure of success is how well the plan will commit to providing province-wide access and services to communities going forward. The plan has committed to accessibility targets for two different collection streams – regular and bulky sized products. I note that OPEIC will be expanding the collection network for regular sized products and this is viewed as a necessary step towards meeting "free and reasonable collection". However, the proposed accessibility commitment to maintain a minimum of 81 collection facilities for bulky products allows for large regional gaps in the provision of collection services. Additionally, the commitment to service the remaining "gap" areas does not specify how or when this will be done.

I understand the unique challenges and barriers being faced by local governments and OPEIC for the collection of bulky products; however, the provision of collection facilities and services is a regulatory requirement. To this end the ministry has consistently conveyed to other producers and their EPR agencies that during their next plan review cycle it expects improved and measurable accessibility commitments. I also note that this concern was raised in stakeholder consultations and not fully addressed.

I am therefore requiring the following amendment to address this deficiency.

- For the collection of bulky products OPEIC will, by January 1, 2022:
 - Maintain a minimum 90% accessibility target in accordance with the Stewardship Agencies of B.C. standard as defined in the plan for urban and suburban areas (e.g. over 30,000 population).
 - For rural areas as defined in the plan (e.g. 4,000 to 30,000 population), OPEIC will maintain a collection facility within a 45-minute drive from all retailers selling bulky products and/or provide an advertised direct pick-up service to consumers. OPEIC must also work with the producers and retailers to meet this provision for direct on-line sales to rural locations.
 - The amount and method of advertising used to inform consumers about direct pick-up services in areas without a collection facility must be described in the annual report.
- b) I am pleased that collection events are proposed in the plan, and that OPEIC supports the First Nations Recycling Initiative as a means to better serve communities facing unique challenges. Although these measures are proposed in the plan, I find that the commitments to service communities where OPEIC is not able to site permanent collection facilities fall short of addressing existing or future gaps in province-wide collection services for both regular and bulky products.

I am therefore requiring the following amendment to address this deficiency.

- As a short-term solution to provide for collection in communities where permanent collection facilities or direct pick-up services are not yet established in accordance with the accessibility commitments in the plan, OPEIC will commit to holding a minimum of one advertised collection event a year for each of regular and bulky products, as applicable.

3. Environmental impacts of the program

Pursuant to subsections 5(1)(c)(v), (vii), and (viii) of the regulation, the plan must adequately provide for the management of the product in adherence to the order of preference of the pollution prevention hierarchy and the environmental impacts of the program.

- a) The safe management of rechargeable batteries is a growing concern for recyclers, including current collection streams for the scrap metal industry and local governments. The plan does not adequately address the increasing prevalence of batteries in the bulky collection system and associated mitigation measures needed to address safety risks and environmental impacts through to the final disposition of batteries and sub-components. I recognize that OPEIC is not alone in the requirement to manage batteries used in their products; however, the ministry has conveyed to other producers and their EPR agencies that also manage batteries and/or other components that pose a potential health, safety or environmental risk, that during their next plan review cycle it expects they too address these risks. Similar risks are already being addressed with the capture and documentation of ozone depleting substances from products often collected through the same scrap metal collection network that OPEIC has proposed, and through OPEIC's commitment to manage batteries from

regular program products. I do not wish to prescribe how OPEIC addresses this issue, and I am leaving the nature of the collection network and any specific management standard involved to OPEIC to propose.

I am therefore requiring the following amendment to address this deficiency.

- For the collection of bulky products OPEIC will, by July 1, 2021 utilize collection facilities and services that ensure producers' batteries are properly managed and handled in accordance with all applicable legal requirements, including those related to the protection of the environment, through to the final disposition of bulk products at approved downstream processors, similar to the plan commitments for regular products.
- The management requirements for batteries to final disposition must be described in the annual report.

The above additional amendments form part of OPEIC's approved plan and take effect on July 30, 2020.

Pursuant to section 6 of the regulation and based on the plan's original approval date of April 20, 2012, OPEIC's next plan review must be completed by April 20, 2022. Failure to comply with an approved plan may result in the imposition of an administrative monetary penalty of up to \$40,000 or a fine of up to \$200,000. Further, a director under the *Environmental Management Act* may amend the approved plan pursuant to section 5(5) of the regulation or rescind approval of the approved plan at any time pursuant to section 6.1 of the regulation, which actions may be considered if OPEIC fails to meet the commitments set out in the approved plan.

Future plans and amendments

As has been conveyed to other producers and their EPR agencies, the ministry expects continuous improvement across all future plans and amendments including the following areas of concern:

1. Plan commitments – for example, use specific and measurable language;
2. Consumer access – for example, develop comprehensive province-wide accessibility – particularly in rural areas, or improve upon the current Stewardship Agencies of B.C. accessibility standard;
3. Consumer awareness - for example, include performance requirements tailored for different consumer groups and all product types managed by the program;
4. Financial transparency – for example, provide greater levels of disclosure in financial statements to better serve the interests of producers, the ministry, and other stakeholders; and
5. Pollution prevention hierarchy – for example, highlight program areas of influence.

Pursuant to subsection 5(1)(c)(i) of the regulation, the plan must adequately provide for the producer paying the costs of collecting and managing products within the product category covered by the plan. OPEIC has proposed amendments to the plan that summarize the cost study and methodologies consulted upon, the timeframe and process for consultations, and how stakeholder comments were solicited and addressed. However, the ministry is currently working towards continuous improvement and consistency across all plans in this regard by further evaluation criteria. Once this review is finalized the director may make further amendments to the approved plan pursuant to section 5(5) of the regulation.

Third Party Assurance for Non-Financial Information in Annual Reports

Third party assurance for non-financial information in Annual Reports is required through Section 8(2)(h) of the regulation. The assurance report should be completed in accordance with the document entitled, "Third Party Assurance Requirements for Non-Financial Information in Annual Reports" dated October 2019 and revised from time to time, which is enclosed.

Finally, the ministry expects this approval letter to be forwarded to OPEIC's board of directors as well as its member producers, since each producer is responsible for ensuring its agent fulfills the plan, and compliance proceedings may be taken against a producer if the agent fails to implement the plan.

Right to appeal

If you disagree with this decision, Division 2 of Part 8 of the *Environmental Management Act* provides for appeal of my decision to the Environmental Appeal Board (EAB). In accordance with the *Act* and with the Environmental Appeal Board Procedures regulation, the EAB must receive notice of the appeal no later than 30 days after the date you receive this decision.

I look forward to working with you to ensure the success of your program. If you have any questions about this letter, please contact me at 778 698-4860 or ExtendedProducerResponsibility@gov.bc.ca. I also encourage you to work with your file lead on specific means to appropriately address the deficiencies outlined above.

Sincerely,



Bob McDonald
Director, Extended Producer Responsibility Section

Enclosure (1)

cc: Kris Ord, Executive Director, Environmental Standards Branch
Kristi MacMillan, File Lead, Extended Producer Responsibility Section



Canada

British Columbia Extended Producer Responsibility Plan for Electric Outdoor Power Equipment

Submitted To:

Director, Extended Producer Responsibility Programs
Environmental Standards Branch
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Victoria, BC V8W 9M1

Prepared By:

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Amended submission: January 17, 2020

Resubmitted: January 21, 2020

Amended: February 19, 2020

Executive Summary

The Outdoor Power Equipment Institute of Canada (OPEIC) Extended Producer Responsibility Plan (“Program Plan”) addresses the end-of-life management of electrical outdoor power equipment (EOPE) products captured under Schedule 3, section 2(1)(d) (“Electronic and Electrical Product Category”) of the BC Recycling Regulation B.C. Reg. 449/2004 (O.C. 995/2004) (“Regulation”). EOPE is a broad category of products classified into four sub-categories: hand-held EOPE, walk-behind EOPE, free-standing EOPE and lawn tractors. This plan replaces the OPEIC Extended Producer Responsibility Plan approved on April 20, 2012.

The Outdoor Power Equipment Institute of Canada (OPEIC) assists its participants in providing end-of-life product management by handling products in accordance with the Ministry’s pollution prevention hierarchy. After seven years operating based on a market-driven approach, the Program has seen many accomplishments. However, on August 14, 2018, the Ministry rejected OPEIC’s program plan based on a market-driven approach and encouraged OPEIC to adopt a more traditional stewardship model with an independent collection system and assume responsibility for the cost of managing the collected EOPE. To accomplish this transition in a timely manner and minimize redundancy of efforts, OPEIC has contracted with the Canadian Electrical Stewardship Association (CESA) to handle the program’s operations. CESA has an established and robust collection system providing free access to more than 99% of British Columbians, achieved a consumer awareness level of 79% as of 2016 and continued to increase absolute collection weights year over year.

This Program Plan addresses the following:

- The regulatory responsibilities of producers of EOPE;
- The appointment of OPEIC as agent for EOPE producers;
- Products managed under the Program;
- The consultation process followed in developing the Program Plan;
- The Program’s collection system;
- Public awareness of the Program, collection system and proper handling of Program Products;
- Management of program costs and dispute resolution;
- Product management in relation to the pollution prevention hierarchy; and

A summary of the key program performance metrics, including product collected, waste composition audits, accessibility and consumer awareness, is provided in section 11 of the Program Plan.

Glossary of Terms and Abbreviations

CESA	Canadian Electrical Stewardship Association
CWMA	Coast Waste Management Association
EHF	Environmental Handling Fee
EOPE	Electrical Outdoor Power Equipment
EPR	Extended Producer Responsibility
EPSC	Electronics Product Stewardship Canada
ERS	Environmental Recycling Standard
ICI	Industrial, Commercial & Institutional
OPEIC	Outdoor Power Equipment Institute of Canada
PPH	Pollution Prevention Hierarchy
RCBC	Recycling Council of British Columbia
RCC	Retail Council of Canada
SABC	Stewardship Agencies of B.C.

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1 Introduction

The Outdoor Power Equipment Institute of Canada (OPEIC) Extended Producer Responsibility Plan (“Program Plan”) addresses the end-of-life management of electrical outdoor power equipment (EOPE) products captured under Schedule 3, section 2(1)(d) (“Electronic and Electrical Product Category”) of the BC Recycling Regulation B.C. Reg. 449/2004 (O.C. 995/2004) (“Regulation”). EOPE is a broad category of products classified into four sub-categories: hand-held EOPE, walk-behind EOPE, free-standing EOPE and lawn tractors. This Program Plan is submitted by the Outdoor Power Equipment Institute of Canada (OPEIC) to the British Columbia Ministry of Environment and Climate Change Strategy, pursuant to the requirements of the BC Recycling Regulation (“Regulation”).¹ The Program Plan replaces the OPEIC Extended Producer Responsibility Plan approved on April 20, 2012.

OPEIC will administer the program and contract the collection, transport, and processing of EOPE to another stewardship agency, which has achieved numerous accomplishments over the past seven years of operation. Their Program has established a free collection system for consumers providing access to over 99% of British Columbians and has achieved a consumer awareness level of 79%. The Program recognizes the continued success of the stewardship agency and has contracted services with them to preclude redundancy of efforts, to capitalize on their efficiencies, improve awareness, and to provide enhanced access to consumers.

2 Duty of Producer

Section 2.1 of the Regulation provides:

Except as otherwise specifically provided in this regulation, a producer must

- (a) have an approved plan under Part 2 [Extended Producer Responsibility Plans] and comply with the approved plan, or*
- (b) comply with Part 3 [Extended Producer Responsibility Program Requirements if No Extended Producer Responsibility Plan]*

with respect to a product in order to sell, offer for sale, distribute or use in a commercial enterprise the product in British Columbia.

The Regulation defines “Producer” as:

- (b) in respect of the producer of a product within a product category other than the beverage container product category or the tire product category,*
- (i) a person who manufactures the product and sells, offers for sale,*

¹ British Columbia Ministry of Environment, BC Recycling Regulation, B.C. Reg. 449/2004 (O.C. 995/2004).

distributes or uses in a commercial enterprise the product in British Columbia under the manufacturer's own brand,
(ii) if subparagraph (i) does not apply, a person who is not the manufacturer of the product but is the owner or licensee of a trademark under which a product is sold, distributed or used in a commercial enterprise in British Columbia, whether or not the trademark is registered, or
(iii) if subparagraphs (i) and (ii) do not apply, a person who imports the product into British Columbia for sale, distribution or use in a commercial enterprise;

The BC Recycling Regulation Guide further details the definition of a producer as an “importer, broker or retailer who sells the product directly to a consumer or imports and uses the product in a commercial enterprise and includes catalogue or Internet transactions.”²

3 Appointment of Stewardship Agency

The Outdoor Power Equipment Institute of Canada (“OPEIC”) is a not-for-profit organization of manufacturers, brand owners and retailers of electrical outdoor power products (“Program Products”) created to provide its participants with EOPE end-of-life product management by handling Program Products in accordance with the pollution prevention hierarchy.

OPEIC is incorporated under the Canada Not-for-Profit Corporations Act and its participants consist of members of the Outdoor Power Equipment Institute (OPEI), the industry association for the outdoor power equipment industry in North America. OPEIC’s incorporation documents are available for review upon request.

OPEIC’s Board of Directors is comprised of the same EOPE manufacturer representatives on OPEI’s board. A current list of OPEIC’s Board of Directors responsible for the oversight of the Program is available on [OPEI’s website](https://www.opei.org/about/leadership/) (<https://www.opei.org/about/leadership/>). OPEIC’s bylaws and financial statements (contained in the Program’s annual report) are available on the [OPEIC website](http://www.opeic.ca) (www.opeic.ca). Any changes to OPEIC’s governance structure will be reflected in the annual report. Additionally, OPEIC consults with other manufacturer and retailer associations, including the Retail Council of Canada (RCC).

The Program works and consults with an advisory group called the Outdoor Power Equipment Institute – Canadian Task Force (“OPEI-CTF”), comprised of representatives from the industry sector. Product Care Association (“PCA”) continues to provide management services to OPEIC.

² British Columbia Ministry of Environment, *Recycling Regulation Guide* (April 2012).

OPEIC participants represent the vast majority of the electrical outdoor power equipment market in British Columbia for regulated products. Program membership is open to all, including the manufacturers, brand owners, distributors, first importers and retailers of designated products that are directly sold within or into BC.

Each of the Program's participants appoint OPEIC as their stewardship agency as described in section 2(2) of the Regulation. OPEIC participants confirm the appointment by accepting the terms of OPEIC's participant agreement during the registration process. A record of this acceptance is available upon request by the Director. A current list of OPEIC participants is available on OPEIC's website (www.opeic.ca).

4 Products Covered Under the Stewardship Plan

EOPE products are captured under Schedule 3, section 2(1)(d) ("Electronic and Electrical Product Category") of the Regulation:

- (d) electronic or electrical tools, other than large-scale stationary industrial tools, including, without limitation,
 - ...
 - (v) snow blowers and mowers and other gardening tools,

The Regulation and this Program Plan address electric outdoor power equipment (EOPE). EOPE is a broad category of products classified into four categories: hand-held EOPE, walk-behind EOPE, free-standing EOPE and electric lawn tractors. These categories include battery powered (primarily lithium ion and perhaps some lead-acid) and electric powered (primarily 110V plugged in) products as summarized in Table 1 below. Examples include electric lawn mowers, electric snow blowers and electric-powered gardening equipment. OPEIC reserves the right to amend this list of products in the future, as appropriate. Section 4.2.3 below details the scope of batteries managed through the program.

4.1 Inclusion/Exclusion of Products

The decision to include or exclude a product in the Program involves the consideration of a variety of product attributes, including but not limited to the features listed below. An internal decision tree is used to guide product decisions in addition to input received from the OPEI-CTF comprised of manufacturers and retailers.

4.2 Product Categories

Program Products are organized into four categories of electric outdoor power equipment. Table 1 lists examples of accepted products under each product category.

Table 1: OPEIC Electric Outdoor Power Equipment Product Categories

Hand-Held EOPE	Walk-Behind EOPE	Free-Standing EOPE	Electric Lawn Tractor
Brush cutter/lopper	Lawn mower	Mulcher	Lawn tractor
Chain saw	Snow thrower/snow blower	Pressure washer	
Garden shear	Tiller/cultivator	Wood chipper/shredder	
Garden sprayer/insect fogger/weed steamer	Dethatcher	Wood splitter	
Ice drill	Walk-behind sprayer		
Lawn blower/vacuum	Edger/trimmer		
Pole saw/pole pruning saw	Lawn aerator		
Post hole digger	Walk-behind blower/vacuum		
Stick edger			
Tiller			
Trimmers (grass, hedge, split-boom, etc.)			

OPEIC's product categories and products included under each category are subject to change at OPEIC's discretion. Future products that fit within the above categories will be considered for inclusion in the Program. Participants are made aware of any product decisions and/or changes to product categories through notices and updates to product lists on the website.

OPEIC maintains a current list of product inclusions and exclusions online.

(<https://www.opeic.ca/consumers.html#products.>)

4.2.1 Product Design

Determining whether a product is included or excluded from the Program is based on the product's intended use, not who used the product (ie., the "generator"). Electrical outdoor powered products designed for household outdoor use are included in the Program. The Program excludes electrically powered products designed for large-scale industrial or commercial purposes, such as construction and large-scale farming equipment.

4.2.2 Orphaned Products

Accepted products include orphaned products. This includes items that are no longer in production or which the manufacturer is no longer producing. As long as the product fits under one of OPEIC's existing product categories and is electric-powered, the Program will accept it.

4.2.3 Batteries

The Program accepts all batteries sold with (ie. embedded in or packaged with) Program Products. While the Program collects batteries associated with its Program Products, no separate environmental handling fee is applied in relation to the battery.

Electric outdoor power equipment does not use primary (single-use) batteries. They are powered using rechargeable batteries exclusively.

5 Stakeholder Consultations

OPEIC conducted consultations on this program plan in spring of 2019 in accordance with requirements set out in the Recycling Regulation Guide (April 2012) issued by the MoECCS. In addition, OPEIC held separate consultations in November 2019 in conjunction with the contracted service provider regarding the Producers paying the cost of managing obligated materials and dispute resolution in accordance with the Guidance issued on April 24, 2018 by the MoECCS (“Producers Paying the Cost of Managing Obligated Materials and Dispute Resolution”). This section sets out the approach followed for each set of consultations. Summaries of stakeholder questions and feedback, along with OPEIC’s responses, are provided in Appendix B at the end of this program plan.

5.1 OPEIC Program Plan Consultation

Notice of the consultations was issued on March 11, 2019 via direct email to all affected stakeholders, including, but not limited to, industry members, industry associations, service providers, non-profit organizations, First Nations, and regional and local governments. Notice was also distributed through the Recycling Council of BC and Coast Waste Management Association’s e-newsletters and posted on OPEIC’s website along with a copy of the draft program plan.

Collectors, local governments and First Nations were consulted in advance on the preferred process for conducting consultations. Based on feedback received, webinar consultations were scheduled for April 1-5, 2019: two dedicated consultations for program participants and members of the BC Product Stewardship Council and three additional consultations open to all interested parties. In total, 41 individuals registered for one of the three open consultations with 29 participating. Table 2 shows the breakdown of registrants and participants by sector.

Table 2: Consultation Registrants and Participants by Sector for the Open Webinars

Sector	Registered	Participated
Regional District	20	12
First Nation	1	1
Municipality	2	2
Service Provider	9	3
Industry Association	1	1
Provincial Gov	4	4
Stewardship Agency	4	4
Total	41	27

Comments regarding the draft program plan were accepted up until the close of the consultation period on April 25, 2019. OPEIC received a total of 64 comments during the webinars and subsequently in writing. The questions are summarized in the Consultation Summary as Appendix B to this program plan. The Summary documents the comment/question posed, OPEIC's response, the commenter's industry sector, the number of commenters posing the question (multiple stakeholders posed the same question in some instances) and whether or not OPEIC made an amendment to the program plan in response to the comment/question. A list of the organizations that provided comment during the consultation period is provided in Appendix A to this Program Plan. The Consultation Summary document is provided in Appendix B.

The Program offers stakeholders a number of means of providing ongoing feedback about the operation of the Program:

- Meetings with the OPEIC Canadian Task Force
- Annual General Meeting
- Participant updates and notices
- Collection facility updates and notices
- SABC coordinated events, including roundtables with key stakeholders (Regional districts, collection facility operators)
- Meetings held in partnership with SABC and the BC Product Stewardship Council
- Face to face meetings with stakeholders at annual conferences, including RCBC and CWMA
- Public feedback during public outreach and collection events
- Stakeholder feedback received by phone and email

5.2 Consultations on Producer Paying the Cost of Managing Obligated Products & Dispute Resolution

Pursuant to the *Guidelines on Producer Paying the Cost of Managing Obligated Materials and Dispute Resolution* issued by the MoECCS on April 24, 2018, the MoECCS directed OPEIC to:

- a) Complete satisfactory consultation with stakeholders to meet the requirements set out in sections 5(1)(c)(i) and (vi), taking into consideration guidance provided in the Recycling Regulation Guide 2012 and Producers Paying the Cost of Managing Obligated Materials and Dispute Resolution 2018.
- b) Submit to the director a stakeholder consultation summary document; and
- c) Propose amendments to the plan that address regulatory requirements and outcomes of the consultations.

Following release of the Ministry's Guidance document, and to ensure compliance with section 5(1)(c)(i) and (vi) of the Regulation, OPEIC engaged with a group of stewardship agencies to retain a consultant, develop a methodology to study the costs associated with managing stewardship product, and host joint consultations. A Request for Proposal was issued in 2019 to major consulting and accounting firms to manage the depot costing data collection and modelling. From three responses received, OPEIC retained Meyers Norris Penny LLP (MNP LLP) in conjunction with other stewardship programs to conduct a study on the costs associated with managing electric outdoor power equipment for the OPEIC program to assess compliance with section 5(1)(c) and (vi) of the Regulation. As the seventh largest accounting firm in Canada, MNP LLC is trusted to use industry accepted standards, adhere to professional requirements, and had previous experience in cost modelling within the stewardship world. Details regarding the study's methodology and findings are detailed below under "Producers Paying the Cost".

In cooperation with our contracted service provider, who is a stewardship agency, OPEIC conducted two webinar consultations with interested stakeholders on the study's findings on October 7 and 8, 2019. Notice of the webinar consultations was sent to all contracted collection sites, as well as other interested stakeholders. In total, 21 individuals registered for one of the two open consultations with 16 participating. Table 3 shows the breakdown of registrants and participants by sector.

Table 3: Consultation Registrants and Participants by Sector

Sector	Registered	Participated
Regional District	2	2
First Nation	0	0
Municipality	0	0
Service Provider	13	8
Industry Association	1	1
Stewardship Agency	5	5
Total	21	16

The comment period was open for five weeks. OPEIC received no substantive comments regarding the study methodology or the OPEIC program during the webinars, or subsequently in writing.

Dispute Resolution

Section 10 of the Program Plan sets out OPEIC's dispute resolution process as presented during the consultations. OPEIC received no questions regarding the dispute resolution process.

Producers Paying the Costs

Through its contracted service provider, OPEIC uses a market-based approach for its compensatory scheme for collection sites, and market-pricing through a competitive bidding process for other elements of its contracted services.

To inform the consultations, MNP developed a robust methodology to assess the costs associated with collecting Program Product. MNP initiated the process in May 2019, designing a survey to obtain relevant financial data from collection sites. A handful of collection sites were selected to test the survey, which allowed for refinements, if required, before it was issued to the larger group of collection sites. All collection sites were invited and encouraged to respond to the survey and have input into the overall assessment. MNP's outreach efforts included:

- Contacting 221 collection sites
- Sending 245 receipt confirmation emails
- Sending 466 emails to participating and non-participating collection sites
- Conducting 187 phone calls to participating and non-participating collection sites

Completed responses were received from five depots, partially (but sufficiently) completed surveys were received from 27 depots, and nine depots started, but did not sufficiently complete the survey.

In addition to the online survey and data collection, time and motion studies were completed at two collection sites. This information helped support the data provided by the collection sites and added a quality assurance component to the overall dataset.

Data from CESA helped to inform the model by providing the volume and number of mega bags and pallets, frequency of pickup, compensation paid, breakdown by product category, and collection site contact list. The data submitted from participating collection sites included labor costs, equipment needed and costs, space requirements, operations and storage needs, average costs per ft², handling time, and administration allocation.

Based on the limited responses received, MNP developed an analysis and cost compensation model, including a breakdown of cost categories, allocations of cost to activities and allocation of activities to products as detailed in Appendix C.

While OPEIC had hoped for greater participation, collection site associations encouraged their members not to participate. Despite this, there was sufficient participation to determine that the current compensation levels provided by the contracted service provider and the costs to manage EOPE appear to be relatively close, with a contribution margin of approximately 11%.

No questions were posed directly to OPEIC during the consultations. It was confirmed that any outstanding issues related to compensation would be addressed before the end of the year. However, it was emphasized that the contracted service provider operates as a non-profit, so expenses cannot exceed revenues. Requests for operational improvements will need to be assessed at the same time as any requests for increased compensation. The input of collection sites in this prioritization exercise will be critical to ensure general acceptance of next steps forward.

As a result of the collection site compensation study, OPEIC through its contracted service provider, has engaged in a much broader discussion with collection sites. Issues to consider include how to incentivize good performance, adjusting for regional differences, addressing cross-program contamination and non-program products, and addressing possible delays or cancellation of other program elements to accommodate any rate adjustments. We will continue to work with the contracted service provider to consider ideas put forward based on these discussions.

It is in OPEIC's best interest to have its contracted service provider maintain a strong collection network. Similarly, it is in the interest of collection site operators to engage with stewardship programs that service their customers. By working together to resolve any outstanding issues over the coming months and years, OPEIC is confident that the long-term health of the collection network will be maintained.

6 Collection System and Consumer Accessibility

OPEIC has contracted with a service provider for the collection of EOPE. In accordance with Section 5(1)(c)(iii) of the Regulation, OPEIC through the contracted service provider will employ a system of permanent year-round collection facilities located across British Columbia to provide access to recycle Program Products at no cost to consumers. OPEIC's collection network will, at a minimum, maintain the same network of collection sites as the contracted service provider. This collection system has been developed in collaboration with other stewardship programs to enhance program performance through increased operational efficiencies. This also assists in reducing consumer confusion by providing consumers with a one-stop-shop for designated products where they can recycle multiple products at one location. Where feasible, OPEIC through the contracted service provider will continue to manage the collection network with a focus on stewardship collaboration in the future.

Neither the contracted service provider nor OPEIC directly own or manage any collection facilities, but rather contract with organizations that can provide a collection location. Collection facilities include any location that accepts Program Products, including but not limited to private drop-off centres, local

government sites, service organizations and return-to-retail. Regardless of the type of collection facility, there is no charge to the consumer to drop-off Program Products.

6.1 Collection Site Types

OPEIC defines two streams of products included in the Program when sourcing collection facilities: “regular” and “bulky”. Regular products are designed to be carried by the equipment operator either on their back or in their hands, and might have one accessory wheel. Bulky products include products that have two wheels or more, such as lawn mowers, snow blowers, pressure washers with wheels and cultivators.

According to the contracted service provider’s 2017 Annual Report, there were 215 facilities contracted collection facilities in its advertised collection network, of which 210 accepted regular products and 76 accepted bulky products. The majority of bulky item collection facilities overlap with regular product collection facilities. OPEIC will be working with the contracted service provider to develop a strategy for informing collection sites about collections of EOPE upon plan approval. The Program’s website provides consumers with access to a depot finder that indicates if a collection site accepts regular and/or bulky items.

Advertised collection facilities accept public drop-off of Program Products. The contracted service provider’s collection network includes some unadvertised collection sites that do not allow public drop-off, including thrift stores and some municipal facilities and landfills, these are not listed as a facility on OPEIC’s website or through RCBC’s consumer hotline.

The collection network is augmented by participating in one-day collection events. These events are organized through the contracted service provider’s outreach program, which is tasked with increasing the Program’s reach beyond its network of permanent collection sites. The success of these collection events is increased through collaboration with a variety of community partners, including retailers, regional districts, municipalities and indigenous communities, as well as other stewardship agencies. Since its inception, the contracted service provider’s outreach program has participated in more than 425 community events across the province, including 118 collection events in 2017 alone. The scope of products accepted at collection events depends on the type and location of each collection event; some of which have the ability to collect regular/light products only, while some organized by local or regional governments may have the capacity to accept bulky products. OPEIC will endeavour to provide collections wherever it is practical and logically feasible. The Program will continue to evaluate the success of the contracted service provider’s outreach program and will consider alternative collection possibilities as they develop.

In addition, the Program has partnered with other stewardship agencies to create a First Nations Field Specialist who liaises directly with indigenous communities throughout BC:

- To partner with more Indigenous communities

- To organize joint collection events in Indigenous communities
- To collect greater tonnages of Program Products from Indigenous communities

6.2 Accessibility

The Program measures consumer access to collection facilities in accordance with the Accessibility Standard established by the Stewardship Agencies of BC (SABC). SABC is an informal organization through which provincial stewardship programs work together on common issues of interest. The Accessibility Standard was put forward to assist in defining the “Reasonable Access” requirements under the Recycling Regulation for communities of varying sizes. SABC’s Standard defines reasonable access as a 30-minute drive to a collection site in urban areas of a population more than 4,000, and a 45-minute drive to a collection site in rural areas with a population more than 4,000.

For the purposes of this Standard, rural communities are defined as cities, towns, resort municipalities and district municipalities with a population of between 4,000 and 29,999 outside the Metro Vancouver and Capital Regional Districts. Urban communities are defined as cities, district municipalities and towns within the Metro Vancouver and Capital Regional Districts with a population of 4,000 or more, and cities and district municipalities with a population of 30,000 or more in the remainder of the province.

The Statistics Canada definition of urban and rural population size has changed since SABC originally developed this Standard, however SABC maintains that the Standard is still applicable. OPEIC services the majority of communities that are defined by the Standard as rural with a population of more than 4,000. Residents of communities where the population is less than the minimum requirement for the Standard to apply must also visit larger commercial centres for other basic needs such as food, fuel, and clothing. Therefore, it is reasonable to expect that the recycling of designated products can be done in the centre where the residents undertake other commercial activities.

The SABC Accessibility Standard was established as a minimum threshold to ensure reasonable access to collection facilities for a high percentage of the province’s population. A population centre that meets the SABC Accessibility Standard and does not have a permanent collection site for Program Products is considered a “gap area”.

In accordance with an accessibility study conducted in 2015 on behalf of the contracted service provider by an independent third-party consultant utilizing commonly accepted GIS practices, 99.5% of British Columbians had access to a collection site for regular products. Since this analysis was completed, the collection network has expanded into new communities of BC increasing accessibility for British Columbians (see Table 4).

Table 5 provides the results of the 2015 analysis. OPEIC will provide the same number of depot locations and access points provided through the contracted service provider. OPEIC will also pursue partnerships with locations, such as retail locations and scrap metal recycling facilities, to establish additional collection facilities for both regular and bulky products in the province. In addition to collection events conducted through the contracted service provider, the Program commits to providing service to gap

areas that require access per the SABC Accessibility Standard in a manner appropriate to the individual circumstances.

Table 4: Number of Collection Sites (2015 – 2017)

Collection Sites	Regular Only	Regular & Bulky Products	Bulky Products Only	Total
2015	130	61	6	197
2016	131	67	4	202
2017	139	71	5	215

Table 5: 2015 Accessibility Analysis

SABC Accessibility	Urban Population with Access/ % of Urban Population	Rural Population with Access/ and % of Rural Population	Total SABC Population with Access/ and % of SABC Population	Total BC Population with Access/ and % of Total Population
Total Population	3,374,825	619,424	3,994,249	4,398,961
Regular Products	3,373,479 99.96%	599,775 96.83%	3,973,254 99.47%	4,284,501 97.40%

OPEIC encourages collection sites to participate in the bulky product collection program and strives to provide permanent collection sites in communities that meet the SABC Accessibility Standard. Accepting bulky products is not an option for many collection sites due to space constraints limiting their ability to accommodate larger products and the lack of infrastructure, such as forklifts, to handle these heavier products. While population size might dictate the need for a permanent collection site in some communities, actual consumption of bulky products does not necessarily merit this type of infrastructure. Information provided by industry participants indicates that very few units of bulky EOPE products are sold or purchased in non-urban areas. In those instances, OPEIC may employ other approaches to provide the community with access to the program for recycling of bulky products. Depending on the community and the number of bulky products involved, this may take different forms, including collaborating with community partners and/or other stewardship agencies to host collection events, coordinating one-time roundups with other stewardship agencies, or offering direct pickup service for consumers or communities seeking to recycle their EOPE. In 2019, OPEIC participated through a successful SABC-led initiative to address specific accessibility concerns identified by regional districts and will continue to participate in this initiative going forward.

OPEIC will commit to maintaining a minimum of 81³ bulky collection sites equivalent to the number of bulky collection sites in the contracted service provider's collection network as of December 31, 2019. OPEIC will ensure that remaining gap areas that do not have a permanent collection site for bulky products are serviced in a timely manner and a manner appropriate to the context as determined by OPEIC while also continuing to endeavor to improve accessibility to permanent collection sites for bulky products in gap areas.

OPEIC commits to reporting out in our annual report on government requests for access to bulky product collections and continue to work with regional districts to address any gaps identified with regard to consumer access to bulky products collections through the SABC-led initiative described above. OPEIC will also advertise these options in affected communities using appropriate channels as required. See section 6.1 for additional information on collection events.

6.3 Collections

Since the start of the Program in 2012, OPEIC has reported on collections using sampling studies in lieu of reporting on actual collection volumes. OPEIC visited select scrap metal recycling facilities where Program Products were collected under a market-driven system and sampled metal piles to confirm that the private scrap metal recycling system was managing EOPE. With the ongoing support of the Canadian Association of Recycling Industries (CARI), OPEIC will continue to contract with select scrap metal recycling facilities to conduct sampling studies at these facilities to determine the amount of EOPE managed by the private scrap metal recycling industry in BC.

Under the new collection system, the contracted service provider will collect regular EOPE products (i.e. not including bulky products) together with its regular products. The total weight of EOPE collected will be estimated by sampling 10% of bags collected monthly (based on total bag count from previous month) and multiplying the monthly average of EOPE found in sampled bags by the total weight of products collected by the contracted service provider. To account for all products processed by the contracted service provider's processors, OPEIC will report out annually on the total tonnage of regular products collected and the breakdown amongst the three programs managed through the contracted service provider's collection system – CESA, BC Lamps & Lighting Equipment and OPEIC. OPEIC will use total weight of regular EOPE collected in 2020⁴ as a baseline and commit to maintaining or increasing the total annual weight of regular product collected year-over-year.

³ The number of contracted bulky sites by the service provider has not been confirmed by auditors at the time of OPEIC's submission of Program Plan, and is subject to change based on audit findings in 2020.

⁴ Based on extrapolating a minimum of at least three months of sampling data provided by the contracted service provider. The exact number of months incorporated into setting a baseline will depend on confirmation of a formal start date for the program and confirming quality control on sampling by the contracted service provider's processors.

OPEIC intends to report on units collected and set unit-based collection targets, however the Program's ability to provide reliable reporting on units collected is dependent on developing a sound methodology in cooperation with its contracted service provider and processors. Developing a methodology is an involved process that will require not only the input of OPEIC, its contracted service provider and those that use the contracted service provider's collection containers, but also other stewardship programs that also need to provide similar performance metrics. Amongst the many foreseeable challenges, the methodology will need to establish an approach to setting an average unit conversion value that takes into account the wide variability in weights of different products and product categories. Sampling does not identify the type of each product sampled or its unit weight. Therefore, converting weights to units is dependent on establishing a conversion coefficient based on the composite weight and distribution of all EOPE product types. Implementation of any changes to the sampling methodology will also require discussion and negotiation with processors to obtain their cooperation. These parties are used to managing materials by weight and requiring unit counts could put a heavy burden on their systems and staff, slowing down their processes. Accommodations will also need to be made to account for counting of parts of products. Some EOPE have multiple parts and products that come in pieces in a bag, which may result in inflated unit counts. Consequently, OPEIC commits to develop a methodology for estimating units of regular products collected in collaboration with other affected stewardship programs according to an agreed timeline that aligns with their plans for providing a similar methodology for estimating unit counts.

For bulky products, OPEIC will report on units collected as reported by the contracted service provider's bulky item collectors. OPEIC will work with local governments individually upon request to address their unique reporting requirements.

Given the historic market-driven collection model, OPEIC does not have historic annual collection tonnages at this time upon which to forecast future collection targets. Time is needed to establish a clear baseline, assess future collection trends and determine an acceptable method for estimating units collected before collection targets can be set. As OPEIC has demonstrated in the past, the act of extrapolating and converting sampled data can result in inaccurate and misleading outcomes. Several years of collection data will be required in order to attempt to set targets using the appropriate metrics. In addition, data from a partial first year would not be useful given the seasonality of EOPE products.

Based on the above, OPEIC commits to:

1. Apply total estimate weight of regular product collected in 2020 as a baseline.
2. Report out on the total estimated weight of regular products collected annually.
3. Commit to maintaining or increasing total estimated weight collected year-over-year from the 2020 baseline.

4. Report out on the total estimated weight of regular products collected annually by regional district.
5. Report out on the total estimated weight of regular products collected annually per capita by regional district.
6. Develop a methodology for estimating units collected by the end of the first full reporting year following plan approval and report out on the proposed methodology in that year's annual report.
7. Report out on total estimated units collected starting for the second full reporting year.
8. Using data collected in full reporting years 1-3, set appropriate metrics and collection targets for EOPE products collected after the third full reporting year of this Program Plan for subsequent reporting years.

6.4 Capture Rate and Recovery Rate

A “capture rate” compares the quantity of products collected in a year to the quantity of products estimated to be “available to collect” in the same year. In contrast, a “recovery rate” compares the quantity of products collected in a year to the quantity of Products actually sold into the market in that year. Recovery rates are not an appropriate metric for products with long lifespans because the amount sold into the market in a year is not directly related to the amount collected in the same year, as it is with consumables like beverage containers. A capture rate is generally applied in the context of long-life products, however neither capture rate nor recovery rate can be used as a performance metric for EOPE products for the following reasons:

- The quantity of product sold is determined from sales reports submitted by participants in units, whereas product collected is reported by weight (kg). As noted in section 6.3 above, there is no standard conversion factor for weight to units or units to weight for individual products or product categories given the variety of each type of product in the market within the OPEIC’s product categories. It is problematic to report total units or total weight as there are four categories that contain both regular and bulky products.
- Collecting unit data on Program Products collected is cost prohibitive. The required effort to track unit counts of each category of product collected is not feasible due to the number and variance of product categories and Program Products. OPEIC accepts a wide range of products, which are commingled with more than 350 products collected by the contracted service provider, ranging in size from an electric toothbrush to a microwave.
- Participants report units sold broken down by product category. In contrast, products collected are reported by weight (regular products) or units (bulky products). As noted, most of OPEIC’s product categories contain both regular and bulky products. Therefore, it is not possible to calculate a recovery rate or capture rate for regular or bulky

products.

- In calculating a capture rate for products, the amount “available to collect” is an inexact exercise that takes into consideration the number of units of a product sold into the market historically over successive years and the product’s lifespan. The life expectancy of products is based on hours of use that is often determined by the motors within the equipment. As a result, the number of years that a product lasts may vary greatly based on its level of use.

The Program will not provide a recovery rate for batteries for various reasons:

1. Batteries are commingled at point of collection. The contracted service provider’s collection bags capture products from three different programs. Products from all three programs may contain batteries.
2. Some battery types can be the same for products from different programs. Some OPEIC products and products accepted through the contracted service provider’s program use the same batteries. Once commingled at point of collection it is not possible to discern which program such batteries belong to.
3. Some products are recycled without a battery, while others are recycled with more than one battery. Accordingly, calculating a recovery rate based on the number of batteries recycled does not provide a reliable indicator of the true recovery rate of batteries.
4. There are EOPE products that are sold without batteries. Not all battery powered EOPE are sold with a battery and not all products are returned with a battery.
5. There is the potential of batteries from non-program products recycled by consumers in the service provider’s collection bags being associated with EOPE products. Consumers will often dispose of additional batteries in the contracted service provider’s collection bags when recycling their products potentially resulting in an inflated number of batteries collected in relation to the amount of batteries sold with EOPE products.

6.5 Waste Composition Audits

Waste composition audits are conducted in partnership with local governments and other stewardship programs, subject to mutually agreed upon terms, to determine if the Program Product is being successfully diverted from landfill. Local governments utilize waste composition audits as the means of determining the breakdown of materials in their landfills at a frequency they have determined satisfactory to evaluate their waste composition. Each year, the Program consults with local governments to identify waste composition studies scheduled for that year. OPEIC collaborates with local governments and other stewardship programs to make the studies as economical and efficient as possible. The Program will participate in all waste composition studies committed to by SABC.

The waste composition study methodology and sample sizes are determined by the local government responsible for the audit. The product categories included in the studies are determined in cooperation with the various stewardship agencies, including EOPE as a product category.

The report provided by the consultant conducting the study includes the date and location of the audits, as well as the number of units of Program Products identified. The audit results are considered to be informative for the region in which the study was conducted, but due to variations in collection patterns and waste management practices, are not considered applicable to other regional districts.

Table 6: Collections Performance Metrics

Performance Metric	Reporting Commitment/Target
Collection Sites	
Number and location of contracted collection sites for regular and bulky products, identifying changes from previous year	Report annually
Number of regular and bulky collection sites by regional district	Report annually
Number of collection events for regular and bulky products by regional district	Report annually
Collections	
Estimated weight of “regular” products collected	Report annually
Estimated weight of “regular” products collected by regional district	Report annually
Estimated weight of “regular” products collected per capita by regional district	Report annually
Number of units of bulky products collected	Report annually
Develop a methodology for estimating units collected by the end of the first full reporting year following plan approval and report out on the proposed methodology in that year’s annual report.	For first full reporting year

Performance Metric	Reporting Commitment/Target
Report out on total estimated units collected starting for the second full reporting year.	For second full reporting year and annually thereafter
Set appropriate metrics and collection targets for regular and bulky products after the third full reporting year	Following third full reporting year and annually thereafter
Accessibility	
Accessibility rate for “regular” products	Maintain 99.5% based on SABC’s Accessibility Standard
Accessibility for “bulky” products.	Maintain a minimum of 81 bulky collection sites
Report out annually on government requests for bulky access and continue to work with regional districts to address any gaps identified with regard to consumer access to bulky products collections. Advertise these options in affected communities using appropriate channels as required.	Report annually
Reevaluate collection network to ensure that accessibility rates have not materially changed over the duration of this Program	Conduct an accessibility study in or before 2023
Survey techniques and results	Report each year in which a survey is conducted
Waste Composition Audits	
Participate in all waste composition studies committed by SABC	Report annually
Number and location of waste audits conducted	Report annually
Kilograms per capita of Program Product identified	Report annually
Total weight of batteries found per waste audit conducted	Report annually

7 Consumer Awareness

Section 5(1)(iv) requires that a stewardship plan make adequate provision for informing consumers about the Program, including the location of facilities and proper management of Program Products. To achieve this, OPEIC will build on its existing communications activities by disseminating program information, in part, through many of the contracted service provider's outreach channels. The Program will also continue to work with other stewardship agencies to provide coordinated program information and access to consumers. This includes collaboration with RCBC to provide a single point of consumer information through a hotline, website and Recyclepedia smartphone app, as well as a joint product guide with other stewardship programs through SABC.

7.1 Consumer Market in BC

According to sales reported by program participants, approximately 200,000 units of EOPE were sold into British Columbia in 2017.

Table 7 provides a breakdown of units sold in 2017 by product category.

Table 7: 2017 Sales of EOPE in BC

Product Category	2017 Unit Sales
Hand-Held OPE	134,601
Walk-Behind OPE	29,214
Free-Standing OPE	32,617
Lawn Tractors	467
Total	196,899

Research indicates that there is a limited market for EOPE in the province. Unlike many other stewarded consumable products, EOPE dealers indicate that the vast majority of EOPE products are sold in urban/suburban areas of the province. Furthermore, sales of EOPE are seasonal. Based on this information, the program's focus is to raise awareness about recycling opportunities for EOPE amongst the segments of the population that use EOPE.

7.2 Communication Objectives

The Program's communications objectives are to:

- a) Increase consumer awareness levels year-over-year beyond 2017 levels (29%) with the goal of achieving 70% awareness amongst consumers of EOPE within 5 years (end of 2024).

- b) Use an array of general and targeted media platforms that speak to the Program's various audiences.
- c) Engage stakeholders to collaborate with and support the Program proactively with available resources (i.e. collection events, point of sale/point of return materials).
- d) Build on the contracted service provider's extensive network of third-party organizations and institutions and leverage existing partnerships to maximize communications reach and market penetration.

7.3 Target Audiences

In addition to general population marketing, the program will use our current understanding of the market to target the following market segments:

- a) Suburban consumers
- b) Indigenous communities

7.4 Communications Strategy, Tools and Methods

The Program will utilize a robust communications strategy for British Columbia that engages consumers at every stage in the lifecycle of the product in order to increase awareness levels and encourage consumer participation throughout the province. The strategy is informed by a number of key insights revealed through provincial and national research⁵, findings from engagement with communities around the province, and learnings taken from the administration of the Program since inception.

OPEIC will employ industry best practices in the promotion of the Program, adjusting its specific mix of media channels, partners and suppliers based on ongoing performance analysis. Specifically, the program will communicate the changes in its collection network through its collection site finder and RCBC's Recyclepedia and phone hotline. The following describes the tools/methods OPEIC may employ throughout the chain of custody of Program Products:

Start of Product Lifecycle (Time of Purchase)

(a) Service Provider Communications

OPEIC will deploy regular communications via email to its service providers to advise of developments in the Program, which they in turn can pass on to their customers.

(b) Point of Sale (PoS) Materials

Newly branded and updated rack cards, semi-permanent signage, event posters, branded prize materials, etc. will be distributed free of charge at retail stores, collection depots, trade shows and through community events.

⁵ Provincial Consumer Awareness studies conducted by CESA and OPEIC, as well as a National Consumer Behavior study conducted by Product Care Association.

During Product Lifecycle (Use of Product)

(c) Events and Ambassador Program

The Program will participate in the contracted service provider's outreach program. The contracted service provider's ambassador team travels to key regions in the province engaging directly with various stakeholder audiences to raise program awareness and obtain constructive program feedback. Ongoing activities may include participation in relevant third-party community events, distributing OPEIC program information and materials, remote community collection events, service partner, municipal and regional government visits, etc. The outreach role may change or be replaced over time with other means of regional outreach and communication efforts.

(d) Advertising

OPEIC will make use of media partners to promote the Program throughout the province. Advertising platforms may include, in various combinations:

- Mainstream and community telecommunications
- Print (dailies, periodicals, community publications)
- Radio
- Digital
- Out of Home (billboards, CCTV, poster boards, in-venue promotion)
- Events (partnering with existing third-party events or hosting events)
- Tradeshows and conferences

7.5 End of Product Lifecycle (Recycling)

(e) Website

OPEIC operates a dedicated program website (www.opeic.ca) with relevant information for all audiences with whom it engages. Information includes, but is not limited to:

- Collection site locations (supplied via a location-based finder tool) with details on hours of operation and products accepted
- Details on upcoming collection events
- Proper handling and management of Program Products and accessories
- Detailed description of products accepted by the Program
- Details on environmental handling fees associated with the Program
- Contact information for those with questions

- Annual reports and other program information
- FAQs related to the Program
- Relevant news and updates

(f) Dedicated Phone and Email Contacts

The Program will continue to provide a dedicated phone and email address where the public can call to obtain information about the program.

(g) Point of Return (PoR) Materials

Rack cards, semi-permanent signage, event posters, branded prize materials, etc. will continue to be distributed free of charge at retail stores, collection depots, trade shows and through community events.

(h) Stewardship Agency Collaboration

OPEIC will continue to maintain its participation in the Recycling Council of BC's hotline and RCBC's online information portal "Recyclepedia", where the public can find information about accepted Program Products and where to take them. OPEIC will work with other stewardship agencies and local governments to minimize consumer confusion and address common issues through collaboration with other stewardship programs. To that end, OPEIC appreciates being notified when a municipality introduces a locator app or other tool for information residents about recycling options so that OPEIC can provide the municipality with up-to-date information about EOPE collection sites in their area to include in their app.

7.6 Dealer Support

The Program will offer EOPE dealers with program information and materials. In addition to the information provided on the program's website and rack cards, the Program will create a free downloadable FAQ document available to all Program Product dealers.

7.7 Consumer Awareness Survey

The Program conducts consumer awareness surveys every two years to determine consumer habits and perceptions of EOPE recycling options in BC. Surveys are carried out by an independent third-party survey provider. OPEIC will be responsible for its own consumer awareness levels and supporting activities. However, as OPEIC's collection network will be synonymous with the contracted service provider's network, OPEIC will consider whether to undertake a survey independently or in conjunction with the contracted service provider to allow for greater comparability and to maximize cost efficiencies.

The program will commit to achieving a consumer awareness level of 35% in 2022 and 70% awareness by 2024 amongst those who have purchased EOPE. With the awareness level of 26% from OPEIC's 2017 consumer awareness survey serving as a baseline for assessing improvement in consumer awareness, a 44% increase in five years represents an ambitious goal for the program. Refining the target to focus on actual owners of the product effectively increases the significance of the awareness value because EOPE is only owned by a small percentage of the BC population and these products are only used seasonally.

Table 8: Consumer Awareness Performance Metrics

Performance Metric	Reporting Commitment/Target
Percent of residential consumers of EOPE that are aware that EOPE can be recycled	Increase year-over-year above 2017 baseline (29%) with a target of 35% in 2022 and 70% in 2024.
Residential consumer awareness survey	Conduct every two (2) years from 2020
Description of program's educational materials and strategies	Report annually
Summary of survey methodology and survey question asked	Report annually
Program website visits	Report annually
RCBC Recyclepedia website visits & hotline calls	Report annually, as applicable
Create free downloadable FAQ document for dealers.	Within one year of program plan approval.

8 Management of Program Costs

8.1 Product Sales

EOPE is sold across Canada, with British Columbia representing approximately 13 percent of national sales, which has been consistent since the start of the Program. EOPE is typically sold by dealers, hardware stores, department stores and other retailers, many of which are national in scope.

EOPE includes seasonal products, with the majority of sales occurring in the spring and fall. The winter months (December through February) have the lowest sales presumably because this is a period of low utilization of EOPE by consumers. Year-to-year variations can also occur as a consequence of variances

in weather conditions. However, historic annual sales have remained relatively stable overall since the start of the Program.

The majority of EOPE is purchased in urban areas. A sampling of sales data from select retailers in BC between 2015-2017 indicates that nominal amounts of EOPE are sold in rural areas of the province. Members of the OPEIC-CTF confirm that rural consumers seldom use plug-in or battery operated OPE because the larger average size of rural properties makes it impractical to do so. This has important implications when considering the management of EOPE at end-of-life (EoL) in rural areas, as well as the need to address consumer awareness in rural areas.

Program revenues are derived entirely from environmental handling fees charged on product retail sales (see section 8.2 below). The program receives no direct revenue from the sale of products; the program's processors retain revenues from the sale of processed commodities and offset any revenues from commodity sales against their processing charges. Consequently, the Program does not have direct control over its revenue stream as this is dependent entirely on product sales, which in turn is dependent on a number of factors, including weather conditions and the state of the economy. Sales of EOPE in British Columbia are seasonal reflecting the time of year they are used (e.g., weed trimmers, snow blowers) and the severity of weather conditions. The variability in these factors year-over-year makes forecasting future sales difficult.

OPEIC will report annually the total units of EOPE sold in BC by product category aggregated to maintain confidentiality of individual participant market share.

8.2 Program Membership and Fees

The Program is funded by Environmental Handling Fees (EHFs), remitted to OPEIC by its participants based on the quantity of sales of new Program Products sold in British Columbia. The EHF is not a tax or a refundable deposit and at the discretion of the Producer, the EHF may appear at the time of retail sale as a separate charge or integrated as part of the program cost, and is subject to provincial sales tax. As the majority of retailers choose to show the EHF at point of sale, OPEIC continues to work towards educating consumers by ensuring information on EHF is accessible (e.g. information on the Program's website).

EHFs are set by OPEIC based on budgeting of fee revenue and program expenses and are adjusted from time to time to maintain the program's financial sustainability. Program revenues generated by EHF are applied to the full operation of the Program, including:

- (i) Administration;
- (j) Communication and education; and
- (k) Collection, transport and processing of collected products.

8.3 Service Provider Compensation

OPEIC does not contract directly with collection sites, transporters and processors, but relies on the its contracted service provider's collection network. In 2019, OPEIC conducted consultations in association with its contracted service provider on the methodology for determining compensation for collection sites. The details of these consultations are summarized in section 5.2 above and Appendix C. Based on findings from a study undertaken as part of the consultation process, it was determined that compensation levels and depot costs appear to be relatively aligned.

8.4 Risk Management and Reserve Fund

OPEIC actively reduces the risk arising from product management using a number of methods including:

- Requiring service providers conduct third-party audits of their operations (including operating procedures and control systems) as part of responsible environmental management practices.
- Maintaining adequate insurance to cover liabilities, environmental or other, including directors' and officers' liability insurance.
- Providing collection site guidelines to all contracted collection facilities. The guidelines provide practical guidance and best management practices for collection site operators regarding staff handling and storage of Program Products collected.
- Maintaining a reserve fund. The reserve fund provides financial stability to the Program in the event of unexpected increases in collection volumes, fluctuations in operating costs or reduced revenue due to economics or other factors. It also provides funds to facilitate the Program's windup, if necessary. OPEIC monitors the Program's financial performance on an ongoing basis to ensure it remains financially sustainable and that an adequate reserve fund is maintained.

8.5 Audited Financial Statements

The Program reports out annually on total sales in its annual report in accordance with generally accepted accounting principles and industry practice to ensure transparency and accountability. The Program's financial statements are audited annually by an independent third-party auditor and are published on the Program's website.

Table 9: Management Cost Performance Metrics

Performance Metric	Reporting Commitment/Target
Annual aggregated unit sales by product category	Report annually
Audited financial statements	Report annually

9 Management of Environmental Impacts

In response to section 13 of the Regulation, OPEIC through the contracted service provider will work with its service providers to ensure Program Products are managed, where feasible, in accordance with the Pollution Prevention Hierarchy (PPH). The following section details the program's current management options for Program Products at end-of-life and relevant considerations.

9.1 Product Design

Product design influences the durability and reliability of products, which has a direct impact on the life of a product and EoL management options. Producers optimize product design to reduce the materials used, which in turn reduces product weight, material content and product volume. Specifically, Producers conduct analyses on the use of plastics and other materials in the design and manufacture of EOPE, maximizing the use of materials that can be recycled and reused.

Product design eliminates, wherever possible, the use of hazardous substances, replacing them with non-hazardous materials that can be reprocessed and reused.

Producers actively work to reduce the environmental impact associated with product packaging waste. Trends include the reduction in packaging weight and volume, more efficient use of packaging materials, the use of recycled content and recyclable materials.

Producers actively encourage dealers to consolidate orders, rather than place multiple, small orders to lower packaging and transportation requirements.

9.2 Manufacturing Processes

Producers have ongoing initiatives to reduce waste associated with the manufacturing of products. These include the collection, recycling and reuse of remnant ferrous and non-ferrous metals that result from the manufacture of components. Other waste materials that can be recovered and recycled during the manufacturing process for productive uses, including plastic, corrugated and paper materials, are collected for processing and alternate uses.

Supply chain initiatives include the use of returnable/reusable packaging for components from suppliers. Suppliers are encouraged to locate support operations in close proximity to manufacturing operations, thereby reducing transportation-related energy use in the delivery of components.

Producers seek to reduce water use in water-dependent manufacturing processes through improved process efficiencies. Initiatives include the treatment and reuse of process water to reduce total needs.

9.3 Reuse and Repair

While reuse and repair of Program Products are worthy goals, there are several considerations that make it difficult to include it as a viable management option for Program Products. In Canada, there are requirements for mandatory safety testing under programs such as the Canadian Standards Association (CSA) or Underwriters Laboratories of Canada (ULC). Manufacturers are responsible for the safety of all products with safety certification. Outside of licensed and authorized service facilities, manufacturers cannot guarantee the safety of the product after it has reached end of life. Additionally, manufacturers may have warranty restrictions on the sale of used products.

The Program Plan recognizes that consumers give properly working EOP to friends and family as well as to charitable organizations. As long as the product is in good working order, such reuse does exist outside the parameters of the Program.

9.4 Recycle/Recover

9.4.1 Regular Products

The Program strives to manage collection materials using the highest option on the PPH as set out under subsections 5(3)(d-g) of the Regulation, where economically feasible and viable. OPEIC utilizes the contracted service provider's product management system to meet these objectives.

OPEIC's contracted service provider contracts with all processors who handle regular products. Its processors are required to conform to the Electronics Product Stewardship Canada (EPSC) Electronic Recycling Standard (ERS), among other required tracking, inspection and reporting standards as set out of the Program. The contracted service provider retains the right to audit processors at any given time to ensure awareness of health, safety and environment concerns are in place and adherence to responsible downstream recycling processes, as per the EPSC Standard.

The EPSC Electronic Recycling Standard defines the minimum requirements for handling end-of-life electronics and contains mandatory environmental, occupational health and safety, and material handling requirements. This Standard was originally developed by EPSC in 2004 and is employed by electronic recycling programs and processors across Canada. Although the contracted service provider's processors currently use the EPSC Standard, it may choose to adhere to a different recycling standard, such standard to be recognized and accepted nationally or by other provinces. OPEIC will commit to reporting annually on any changes to the environmental standards to which the contracted service provider holds its processors accountable.

As OPEIC's regular products are accepted along with the contracted service provider's products and commingled at point of collection, materials are reported out by commodity only, not by product type or component. The management of plastics will be enhanced significantly as a result of collecting OPEIC regular products with the contracted service provider's products. Its processors utilize processing

techniques and technologies that separate out plastics, allowing them to be recycled. The Program follows the chain of custody through to the end fate of the product; however, the Program's ability to do so is limited by the ability of processors to provide such information. With respect to regular products, OPEIC commits to reporting all end fate information provided by the contract service provider's processors in accordance with EPSC Standards in the Program's annual report.

9.4.2 Bulky Products

Bulky products are processed through the private scrap metal industry. Currently, EOPE is collected at sites throughout the province and moved through a value chain from collectors to consolidators through to end processors. Bulky products are comprised primarily of ferrous and non-ferrous metals and are managed in the same manner as other large metal products, including automobiles and major appliances. The two scrap metal processors that receive the vast majority of scrap metal from provincial sources, both employ processing technologies that extract 99% of all metals leaving shredder residue, which includes plastic residue. This shredder residue is presently sent to landfill.

OPEIC's ability to influence the scrap metal processors to address plastic residue is limited because EOPE represents a negligible portion of the total material they process. Nevertheless, OPEIC will work in collaboration with other partners to improve plastics management. Specifically, OPEIC commits to:

1. Engage in dialogue with stewardship agencies representing other metal-containing products, Canadian Association of Recycling Industries (CARI), Institute of Scrap Recycling Industries (ISRI) and the two BC scrap metal processors to confirm current practices and obtain a deeper understanding of plastic residue and approaches to improving plastics management starting in the first full reporting year;
2. Conduct a scan on recycling innovations for shredder residue and barriers to recovering plastic residue and prepare a report by the end of the second full reporting year.

Table 10 details current recycling and recovery methods for common commodities found in OPEIC Products. Through the contracted service provider, OPEIC will continue to manage collected products and accessories, including batteries, in accordance with the Pollution Prevention Hierarchy whenever feasible and economically viable recognizing that the management process of commodities is subject to change.

9.4.3 Battery Management

As noted earlier, EOPE are powered using rechargeable batteries exclusively and do not use primary (single-use) batteries. The processors of regular products remove all batteries from regular Program Products and send them to an approved downstream processor where base materials are extracted and recycled. OPEIC will report out on the management method and processes for batteries employed by its contracted processors as provided by the processor in accordance with the Electronics Product

Stewardship Canada (EPSC)⁶ Electronic Recycling Standard (ERS). OPEIC does not have the ability to monitor or control the management of batteries if a local government chooses to direct regular Program Products they collect to the private scrap metal recycling system. In such instances, the local government will need to consult directly with the scrap metal facility to determine the manner in which the batteries are managed.

With respect to bulky products, scrap metal processor representatives state their facilities prefer that batteries be removed prior to drop off and that they remove them if they are readily accessible.⁷ The scrap metal industry as a whole endeavours to remove batteries from all products prior to processing as the batteries present both a health and safety and environmental hazard if shredded. However, scrap metal recycling companies do not currently report out on their battery management practices.

OPEIC is committed to continuous improvement in the management of batteries from Program Products, including:

- Engaging in dialogue with scrap metal recycling industry to better understand the issues and major concerns surrounding battery handling and management in the first reporting year and report out on findings in its annual report;
- Working with other stewardship programs, CARI and scrap metal recycling industry members to identify potential opportunities to improve battery management practices in year two.

Table 10: Examples of Commodity Management Derived from Program Products

Commodity	Downstream Process ⁸
Aluminum	Shred and Consolidate
Circuit Boards	Smelt
Copper	Shred and Consolidate Shred and Smelt
Ferrous Steel	Shred and Consolidate, Sorting and Processing
Glass	Crush, Smelt, Washing & Grinding
Plastics	Sorting, Separation, Grinding, Extrusion and Pelletizing, Shredding and Granulation
Rechargeable Batteries	Processed and Recycled
Wire and Cables	Smelt, Sorting and Processing

⁶ The EPSC Electronic Recycling Standard defines the minimum requirements for handling end-of-life electronics and contains mandatory environmental, occupational health and safety, and material handling requirements.

⁷ Interview with Schnitzer Steel representative, January 10, 2020.

⁸ Downstream Processes are based on the descriptions provided by the Recycler Qualification Office (RQO) and EPSC Electronic Recycling Standard verified Processors detailing the end disposition of product managed.

Table 11: Management of Environmental Impacts Performance Metrics

Performance Metric	Reporting Commitment/Target
For regular products, report all end fate information provided by the contract service provider's processors in accordance with EPSC Standards	Report annually
Bulky Products	
Engage in dialogue with stewardship agencies representing other metal-containing products, Canadian Association of Recycling Industries (CARI), Institute of Scrap Recycling Industries (ISRI) and the two BC scrap metal processors to confirm current practices and obtain a deeper understanding of plastic residue and approaches to improving plastics management starting in the first reporting year;	Report annually
Conduct a scan on recycling innovations for shredder residue and barriers to recovering plastic residue and prepare a report by the end of the second full reporting year.	Report by end of the second full reporting year.
Plastics Management	
Dialogue with scrap metal recycling industry to better understand the issues and major concerns surrounding battery handling and management in the first reporting year and report out on findings in its annual report.	First full reporting year
Work with other stewardship programs, CARI and scrap metal recycling industry members to identify potential opportunities to improve battery management practices in second reporting year.	Second full reporting year

10 Dispute Resolution

As OPEIC's operations are managed by a contracted service provider, any disputes arising will be managed by the contracted service provider employing its dispute resolution process.

The service provider contracts with all suppliers and service providers to the Program through commercial agreements. It also contracts with reputable downstream processors and ensures compliance with vendor standards. A three-step process is employed for any unresolved disputes arising from collection or processing contracts to ensure a timely and coordinated resolution.

- Step one: The contracted service provider will address any disputes with services providers directly through face-to-face discussion;
- Step two: Any unresolved disputes will be addressed using negotiation and mediation between parties;
- Step three: If no resolution has been reached at this point, standard commercial legal procedures including arbitration and civil proceedings will be implemented if required.

11 Performance Monitoring and Reporting Commitments

The Program's performance is measured using a number of indicators, including collection volumes, accessibility, consumer awareness and results from regional waste composition audits. Considered together, these metrics demonstrate the success of the Program. A summary of OPEIC's performance metrics are listed below in Table 12. The reporting metrics set out below align with the Ministry's third-party assurance requirements for financial and non-financial information.

Table 12: Summary of OPEIC Program Performance Metrics

Performance Metric	Reporting Commitment/Target	Subject to Audit
Collection Sites		
Number and location of contracted collection sites for regular and bulky items, identifying changes from previous year	Report annually by collection site type (regular and/or bulky products), provide list of sites with locations and identify changes from previous year	Yes
Number of contracted regular and bulky collection sites by regional district	Report annually	No
Number of collection events by regional district	Report annually	No

Performance Metric	Reporting Commitment/Target	Subject to Audit
Collections		
Estimated weight of “regular” products collected	Report annually	Yes
Estimated weight of “regular” products collected by regional district	Report annually	No
Estimated weight of “regular” products collected per capita by regional district	Report annually	No
Number of units of bulky items collected	Report annually	No
Develop a methodology for estimating units collected by the end of the first full reporting year following plan approval and report out on the proposed methodology in that year’s annual report.	For first full reporting year	No
Report out on total estimated units collected starting for the second full reporting year.	For second full reporting year and annually thereafter	Yes
Set appropriate metrics and collection targets for regular and bulky products after the third full reporting year	Following third full reporting year and annually thereafter	Yes
Waste Composition Audits		
Participation in all waste composition studies committed to by SABC	Report annually	No
Number and location of waste audits conducted	Report annually	No
Kilograms per capita of Program Product identified during waste audits	Report annually	No
Total weight of batteries found per waste audit conducted	Report annually	No
Accessibility		
Accessibility rate for “regular” products	Maintain accessibility rate of 99.5% based on SABC’s Accessibility Standard	No
Maintain the number of bulky collection sites maintained by the contracted service provider as a baseline as of December 31, 2019	Maintain 81 bulky collection sites as a baseline	No
For both regular and bulky items, provide service to gap areas that do not have a		No

Performance Metric	Reporting Commitment/Target	Subject to Audit
permanent collection site in a timely manner and a manner appropriate to the context as determined by OPEIC.		
Report out annually on government requests for bulky access and continue to work with regional districts to address any gaps identified with regard to consumer access to bulky products collections. Advertise these options in affected communities using appropriate channels as required.	Annual	No
Reevaluate collection network to ensure that accessibility rates have not materially changed over the duration of this Program Plan	Conduct an accessibility study in or before 2023	No
Survey techniques and results	Report each year in which a survey is conducted.	No
Consumer Awareness		
Percent of residential consumers of EOPE that are aware that EOPE can be recycled	Increase year-over-year above 2017 baseline (29%) with a target of 35% in 2022 and 70% in 2024.	No
Residential consumer awareness survey	Conduct every two (2) years from 2020	No
Description of program's educational materials and strategies	Report annually	No
Summary of survey methodology and survey question asked	Report annually	No
Program website visits	Report annually	No
RCBC Recyclepedia website visits and hotline calls	Report annually, as applicable	No
Create free downloadable FAQ document for dealers.	Within one year of program plan approval.	No
Management of Environmental Impacts		
End fate management of materials	Report annually	Yes
End fate management of batteries	Report annually	Yes
Changes to Environmental Standards for processors of regular products.	Report annually	No
Engage in dialogue with stewardship agencies representing other metal-containing	Report annually	No

Performance Metric	Reporting Commitment/Target	Subject to Audit
products, Canadian Association of Recycling Industries (CARI), Institute of Scrap Recycling Industries (ISRI) and the two BC scrap metal processors to confirm current practices and obtain a deeper understanding of plastic residue and approaches to improving plastics management starting in the first reporting year;		
Conduct a scan on recycling innovations for shredder residue and barriers to recovering plastic residue and prepare a report by the end of the second full reporting year.	Report by end of the second full reporting year.	No
Dialogue with scrap metal recycling industry to better understand the issues and major concerns surrounding battery handling and management in the first reporting year and report out on findings in its annual report.	First full reporting year	No
Work with other stewardship programs, CARI and scrap metal recycling industry members to identify potential opportunities to improve battery management practices in second reporting year.	Second full reporting year	No
Management Costs		
Annual aggregated unit sales by product category	Report annually	No
Audited financial statements	Report annually	Yes

Appendix A: Participating Entities in the Program Plan Consultations

BC Bottle Return Depot Association
Call2Recycle
Canadian Association of Recycling Industries
Canadian Electrical Stewardship Association
Cariboo Regional District
Central Kootenay Regional District
City of Delta
Columbia Shuswap Regional District
Comox Valley Regional District
Comox Valley Regional District
Comox Valley Regional District
District of Squamish
Electronics Products Recycling Association
Fraser Valley Regional District
Greater Vancouver Regional District
Peace River Regional District
Recycle BC
Recycling Council of BC
Regional District of East Kootenay
Regional District of Fraser Fort George
Regional District of Kootenay Boundary
Regional District of North Okanagan
Regional District of Okanagan Similkameen
RM Recycling
Salvation Army
Sunshine Coast Regional District

Appendix B: Consultation Summary

In accordance with section 5(1)(c)(iv) of the BC Recycling Regulation and supporting guidance provided by the Ministry of Environment and Climate Change Strategy, the following summarizes all comments received by OPEIC from program stakeholders during public consultations held by OPEIC as documented in section 5 of the Program Plan. For each question/comment received, the summary identifies OPEIC's response, the industry sector(s) of the stakeholder(s) posing the question, the number of stakeholders that posed the question/comment, and whether an amendment has been made to the program plan in response to the question/comment. For ease of reference, questions have been grouped according to the corresponding section of the program plan.

In some instances, questions have been edited for brevity, while retaining all the material elements of the question. Some also represent a consolidation of very similar or identical comments received.

3. Appointment of Stewardship Agency					
Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
3a	The small number of products that are covered by this program makes cost effective collection and tracking near impossible. Consolidation of stewardship programs may be the most cost effective way for stewards to fulfil their EPR roles, reduce consumer confusion, and reduce the time required for Local Governments to review and consult on programs.	<p>Outdoor Power Equipment Institute of Canada (OPEIC) manages more than an EPR program and has responsibilities to outdoor power equipment manufacturers and retailers. OPEIC's choice in how it manages its products in accordance with regulatory requirements is a business and governance decision made by OPEIC.</p> <p>While OPEIC will remain an autonomous stewardship program, its operations will be integrated with those of its contracted service provider. The contract with OPEIC's service provider is only for operational services. One reason for remaining autonomous is to be able to provide further performance metrics as compared to the program's previous performance indicators. See also response to question 6t below.</p>	RD	2	No

4. Products Covered Under Stewardship Plan

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
4.1 Inclusion/Exclusion of Products					
4a	The OPEIC program categories were determined at the onset of the initial 2012 program launch. With the substantial change in program operations, [this review period would seem] to be an appropriate time to reconsider how you have categorized the products [and determine] if reorganization is necessary to calculate a recovery or capture rate. Other programs such as CESA have made changes to their product categories as they gained operational experience, and have based their categories on difference [sic] collection streams.	<p>OPEIC has reviewed its product categories (i.e., EHF structure) and does not see further segmentation resulting in better alignment with the collection of regular and bulky products. Even at a more granular level, certain product types have both lighter and heavier models (e.g. electric lawnmowers), which require different approaches for collecting them. Ultimately, there is no criteria that allows for a clear separation between products collected through the service provider's regular and bulky collection systems.</p> <p>Providing a consolidated value for collections to calculate an accurate or meaningful capture rate is problematic for several reasons, which are detailed under section 6.4 of the program plan.</p> <p>The program plan has been amended to provide clearer criteria for distinguishing between regular and bulky products. However, these criteria do not relate to product type, but rather by product design (i.e., the existence of wheels or not).</p>	Municipality RD	2	No.
4b	We [Recycling Council of BC] would like to see the program include a few additional items that many would consider outdoor power equipment; air compressors and portable generators, for example, are items we get calls on an occasional basis.	Schedule 3 of the Regulation covers electric and electrical powered products. There are a number of stewardship programs responsible for this schedule of products. OPEIC covers the products under "snow blowers and mowers and other gardening tools". The products referenced in the question are not products	RCBC	1	No

4. Products Covered Under Stewardship Plan

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
		typically associated with the products manufactured by manufacturers of outdoor power equipment.			
4c	While we recognize that the more common fuel-powered outdoor power equipment products, such as lawnmowers and chainsaws, are not considered regulated products under Schedule 3 of the Recycling Regulation, we would like to take this opportunity to encourage the expansion of the Regulation to include these materials, as they are more of an environmental concern and burden to our facilities than their counterparts. It may be that the stewardship group definition in the Recycling Regulation may be problematic. OPEIC is responding to a definition of their product as described in Schedule 3 of the Recycling Regulation of the Environmental Management Act. This definition describes it as similar in structure to a ... vacuum cleaner etc. In the experience of the consumer, an electric hedge trimmer is likely more similar to a gas-powered hedge trimmer, which is not covered by the Regulation. The confusion of definition by power source is lost on most residents, as it has been with OPEIC who have 'accepted' these gas-powered products for years, and claimed their recycling weight in annual reports? When this Schedule was announced it seems like there was an attempt by industry	<p>As noted in the question, fuel-powered products are outside the scope of BC's Recycling Regulation. Schedule 3 of the BC Recycling Regulation addresses "Electronic and Electrical Products". Included under this category are "snow blowers and mowers and other gardening tools" (see section 2(1)(d)(5)), which are the focus of the OPEIC program. Fuel-powered OPE are not covered under the Regulation and are consequently not part of the OPEIC program. Questions regarding the scope of product coverage under the Regulation is outside the purview of the program and should be referred to the Ministry.</p> <p>Consumers may recycle fuel-powered OPE through the extensive network of private scrap metal collection facilities located throughout the province. OPEIC conducted a study demonstrating that fuel-powered outdoor equipment is being responsibly managed by the private scrap metal recycling industry and has been so for decades. Creating a stewardship program for outdoor power equipment would be costly to industry and consumers with no additional environmental benefit.</p>	RD	3	No

4. Products Covered Under Stewardship Plan

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	groups to come up with their own Plan for their specific product groups. Perhaps these Stewards might now want to consider a more harmonized response to the regulations.				
4d	A majority of calls (~70%) we receive pertain to gas-powered equipment. I know that OPEIC did run a pilot program for those items and they are accepted at some locations at their discretion, but this scattered approach has led to some inconsistencies and public confusion, creating an additional obstacle for them to conveniently recycle their materials.	The OPEIC program has never run a pilot program for fuel-powered OPE because fuel-powered outdoor power equipment is not a product category under the BC Recycling Regulation. A network of private scrap metal collection sites has always existed to manage these products. Please see 4c response above.	RCBC	1	No

4.1.2 Orphaned Products

4e	Re section 4.1.2 [of the program plan]: This term ("the same") needs further explanation. For example, would corded electrical products and modern wireless products have the "same function" or "similar function"? Depending on the definition applied to this term, the scope of orphaned product may be scaled down significantly.	As long as the product fits under one of OPEIC's existing product categories and is electric-powered, the Program will accept the product.	RD	1	Yes
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4.1.3 Batteries

4. Products Covered Under Stewardship Plan

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
4f	Batteries are listed as a product within the electronic and electrical product category within the Recycling Regulation. While Batteries are addressed in section 4.1.3 [of the consultation draft], it may be appropriate to explicitly list batteries as products covered under the plan under the first part of section 4. The explanation of the types of batteries the program manages under section should be contained within section 4.1.3 of the [consultation draft] plan.	While batteries are not a product category under the OPEIC program plan, all batteries collected with electric outdoor power equipment are managed by the program. Batteries are separated from the products during processing are managed responsibly by the service provider's processors. Electric outdoor power equipment does not use primary (single-use) batteries. They are powered using rechargeable batteries exclusively. OPEIC will report out on the management process of batteries collected at end-of-life through the program.	Stewardship Agency	3	Yes. See section 4.2.3 [previously section 4.1.3].
4g	With respect to the following detail from the plan: "The Program's primary processors remove the batteries from Program Products and send them to an approved downstream processor where base materials are extracted and commodified at the Program's expense". Please clarify what "commodified" means in this context? What is the program's definition of end-fate for batteries (i.e. recycle, re-use, other)? How does the program plan to track and report on the end of life management of the batteries to ensure they have been appropriately managed?	Batteries collected with EOPE products are consolidated by OPEIC's service provider's processors and sent downstream to a battery recycler. Reference to "commodified" in the program plan has been amended to "recycled". OPEIC will report out on the management method and processes employed by its contracted processors as provided by the processor in accordance with the Electronics Product Stewardship Canada (EPSC) Electronic Recycling Standard (ERS). The EPSC Electronic Recycling Standard defines the minimum requirements for handling end-of-life electronics and contains mandatory environmental, occupational health and safety, and material handling requirements. Through its contracted service provider, the program will continue to dialogue with downstream processors to increase the level of	Stewardship Agency	2	Yes, section 4.2.3 [previously s.4.1.3]. Also clarified program reporting commitment.

4. Products Covered Under Stewardship Plan

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
		transparency regarding the end fate of materials from program products.			

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
6.1 Collection Site Types					
6a	Will all regulated products be accepted at collection events (including bulky items)?	The scope of products accepted at collection events depends on the type and location of each collection event. For example, OPEIC will be participating in the contracted service provider's outreach events, some of which have the ability to collect regular/light products, but not bulky products. Some collection events organized by local or regional governments may have the capacity to accept larger/bulky products. OPEIC will endeavour to provide collections wherever it is practical and logically feasible.	Municipality RD	2	Yes. See section 6.1.
6b	I'm interested in knowing exactly how the contracting of recycling services to CESA will function. Will all current CESA collectors be automatically added as OPEIC collectors and how will they be informed of this change?	The intent is that of the contracted service provider's contracted collection sites will be accepting EOPE. The contracted service provider notified its collection sites about the change on February 7, 2019. The contracted	RD	1	Yes. See section 6.1.

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	Will it just be revealed to these collectors as an expansion of products that are accepted?	service provider will be working with OPEIC to develop a communication strategy upon plan approval.			
6c	Once the alignment with CESA is official, will new signage be sent out to all sites that collect CESA products?	The contracted service provider's signage will be modified to identify EOPE. OPEIC is currently working with its contracted service provider to determine the best approach as it relates to signage communications.	Municipality	1	No
6d	Has CESA confirmed they have capacity to accept OPEIC's larger items at its collection sites?	The intention is that all of the contracted service providers collection sites that accept bulky products will accept bulky OPEIC products.	RD	1	No
6e	Very excited about the collection of OPEIC products with CESA products. We commend OPEIC on this development.	Thank you!	RD	1	No
6f	Section 3.1 Collection System (Page 5) [of the Program Plan]: "OPEIC has taken a market-driven approach in establishing the network by partnering with the Canadian Association of Recycling Industries (CARI) association for metal recyclers." Is the partnership document available to stakeholders?	OPEIC has maintained an informal partnership with CARI since the inception of the program. CARI worked with OPEIC in partnership to encourage scrap metal recyclers to contract with OPEIC and provide access to their facilities for the purposes of sampling. OPEIC maintains formal contracts with CARI member sites where OPEIC undertakes sampling. Under the new collection model, OPEIC appreciates CARI's continued support in providing access to its collection sites to conduct sampling.	RD	1	Yes. See section 6.3

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
6.2 Accessibility					
6g	We were pleased that the Outdoor Power Equipment Institute of Canada (OPEIC) has decided to shift their approach to stewardship, by choosing to move from a market-driven collection system to a traditional stewardship program collection model. The number of collection streams that a resident has when they visit a recycling depot can be overwhelming, and it puts a strain on facilities to try to accommodate individual collection containers for each stewardship program. The subtle distinction between an electric hedge trimmer and an electric jigsaw is not intuitive to the average consumer. By combining collection streams, it avoids increasing demands on collection sites to explain the difference, to sort out misplaced materials, and to display accessible collection containers and signage for each program. Combined transportation of materials between CESA, LightRecycle and OPEIC will also reduce the greenhouse gas impacts of transportation to processors, which benefits all British Columbians.	OPEIC is pleased to be able to access the collection network of its contracted service provider (another stewardship agency) to provide convenient recycling for consumers.	RD	2	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
6h	Has there been much thought given to the number of depot locations or access points that OPEIC will have in the future?	The program will provide the same number of depot locations and access points provided through the service provider.	RD	1	Yes. See section 6.2.
6i	The accessibility standard for depots references SABC's Accessibility Standard and not the standard described in Part 3 of the Recycling Regulation. There may be reasons why the Recycling Regulation accessibility standard may not fit all product categories but I think it fits this one.	Part 3 of the BC Recycling Regulation applies to products that are not managed under an approved stewardship plan. The OPEIC program operates under Part 2 of the Regulation and adheres to the SABC Accessibility Standard followed by other approved stewardship programs. Therefore, the accessibility provisions under section 11(3) of the Regulation do not apply to electric outdoor power equipment.	RD	1	No
6j	As we [Recycling Council of BC] field inquiries from throughout the province, we are sometimes not able to provide residents with a recycling option within reasonable driving distances, particularly in the Columbia Shuswap Regional District (e.g., Golden) and the Bulkley Nechako Regional District (e.g., Smithers). Perhaps regional roundup events in more remote areas would be helpful in shoring up those service gaps.	As of the date of plan submission, OPEIC's service provider has collection sites in both Golden and Smithers. The program will offer collections through the contracted service provider's collection network providing greater accessibility to consumers. OPEIC will also be participating in all of its contracted service provider's collection events in rural and remote areas of the province.	RCBC	1	Yes. Section 6.2.
6k	The RDCK hosts several HHW round ups every year as well, in the past years OPEIC has partnered with us to provide funding and service to collect EOPE at these events. Again, our smaller communities do not qualify for	OPEIC will continue participate in the funding of collection events in smaller communities where OPEIC identifies a need.	RD	1	Yes. See section 6.2.

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	dedicated collection sites, for them these collection events are an important part of their recycling service. With the contracting of collection to CESA, will these events still be funded by OPEIC? CESA often funds collection at these events as well if there is no collector nearby so I imagine it would continue but wanted to make these events were still considered.				
6l	Will you calculate and report on the accessibility to residents on the collection network for bulky items separately from regular items?	OPEIC will report out on accessibility of bulky collection sites.	RD	1	Yes. See section 6.2.
6m	For our (RDCK) own sites our attendants replied to say that electric outdoor equipment is much less common than gas powered equipment but that we still do receive up to a few dozen items a year at our busier sites that get processed along with our scrap metal. Is there any intent to continue this service under the new plan? For bulky items and for all items at our more remote sites I think this would be beneficial for the program as these small sites serve populations that do not qualify for designated collection sites under the SABC standards. Will there be any issues with recycling EOPE this way? i.e. are embedded or attached	<p>Any facility in a community that meets the SABC Accessibility Standard and that is willing to accept electric outdoor power equipment from consumers for free can contract with OPEIC or its service provider to provide this service. All contracted collection sites will need to operate under the same terms and conditions as other contracted sites. Consumers will have the option to recycle EOPE through the service provider's collection network, or continue to access private scrap metal recycling facilities.</p> <p>If a local government chooses to manage collected EOPE through the private scrap metal recycling system, consultation with the scrap metal facility will be</p>	RD	1	Yes. See s.4.2 re battery management

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	<p>batteries a hazard when collecting and processing with scrap metal? [sic]</p> <p>Is there any interest to operate similar to MARR at these sites and provide refunds for local government collectors so they can offer free disposal of EOPE?</p>	<p>necessary to determine the manner in which the batteries are managed.</p> <p>MARR has a unique compensation model that addresses the unique concerns regarding its products. Specifically, it compensates collection sites for the costs associated with the removal of ozone depleting substances from its products. OPEIC does not have those considerations with its program's products. The program will employ a traditional compensation model where contracted sites will receive compensation based on volumes of regular program product collected. Sites accepting bulky products will be required to report units of bulky electric outdoor power equipment collected. For remote locations, OPEIC will work with its contracted service provider and the local community to determine the most appropriate method for providing collection services.</p>			
6n	<p>Collection System and Consumer Accessibility, Page 10 of the program plan: "This collection system has been developed in collaboration with other stewardship programs to enhance program performance through increased operational efficiencies." Although a 'one-stop-drop' for EPR products and recyclable materials is an admirable objective, stakeholders have been informed that there may be significant policy changes within the bottle depot network. What is OPEI's back-up</p>	<p>OPEIC will work with a service provider that will achieve the program's performance objectives.</p>	RD	1	No

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	plan, if bottle depot collection is not available to the program?				
6.3 Collections					
6o	Will OPEIC be reporting on the numbers of items collected by collectors at the regional district level? Would like to see a reporting system that reports weight at the regional district level.	OPEIC will report on the estimated weight of regular products and units of bulky products reported by collectors at the regional district level. The program will not provide actual weights of regular products collected because EOPE will be collected with its contracted service provider's products and residential fixtures (BC Lamps & Lighting Equipment program). The processor samples a percentage of bags received and total estimated weights are calculated using the total weights of material processed. For bulky products, the wide variation in product weights makes converting unit counts to weights problematic. OPEIC will work with regional districts on an individual basis to address any unique reporting requirements.	RD	1	Yes. See section 6.3.
6p	Can collection statistics be reported by municipality? Collection statistics at the regional district level are not always reflective of the actual distribution of the collection sites in a regional district that covers a large area. In addition, municipalities are responsible for reporting their recycling rates to their respective Councils. OPEIC (and all stewardship programs) do have the data at a	Section 8(1)(e.1) of the BC Recycling Regulation requires programs to report annually on the total amount of the producer's product collected in each regional district. Accordingly, OPEIC will report out Program Products collected at the regional district level. Adding a requirement to report out at the municipal level would add significant administrative and logistical complexity. In addition, some collection sites collect products from multiple communities making tracking at the municipal level impossible. Products collected are weighed and	Municipality	1	Yes. See section 6.3.

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Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	municipal level - so it should be shared to assist us.	sampled at the processing stage, at which point products are already commingled. OPEIC would be pleased to work with any local government directly to try to address specific municipal requests on an individual basis.			
6q	With reference to OPEIC's 2016 draft program plan, 3.1 Collection System, Page 5: "This approach recognizes the intrinsic, positive value of EOPE products at end-of-life and has proven to be an effective approach to stewarding EOPE despite fluctuations in commodity markets." All 'market-based' programs, including the OPEIC Stewardship Plan, should develop and consult on a procedure to establish a non-market/traditional EPR approach, should the market approach no longer be viable. Hopefully it will never be required, but a back-up plan would ease local government concerns around the potential failure of the market and the implications this would have for solid waste operations and illegal dumping.	Under the new program plan, OPEIC is transitioning to a traditional EPR collection model that is not reliant on the free market scrap metal collection system and where accessibility is not impacted by market forces.	RD	1	No
6r	With reference to the 2016 draft program plan, 3.1 Collection System, Page 5: "In addition, indicators suggest the market for scrap metal will strengthen in the coming years." If OPEIC is monitoring these	Market health is no longer a concern given that the program is moving away from a market-driven system to a more traditional stewardship framework.	RD	1	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	'indicators' why not report on the market 'health' in annual reports? The status of market conditions would inform the suitability of the 'market approach' adopted by the program. This should be included as a performance measure.				
6s	With reference to the 2016 draft program plan, 3.1 Collection System, Page 5: "OPEIC contracts with existing collection sites to create a network that provides year-round recycling options for consumers wishing to return their broken or unwanted EOPE at no charge." If OPEIC has contracts with all collection sites, why couldn't OPEIC include material segregation, data collection and reporting as required elements of the contract?	<p>Under the proposed program plan, OPEIC is transitioning to a more traditional collection model, which will provide estimated collection data at the processor level.</p> <p>For private scrap metal facilities, product segregation at the collector level is not possible for many reasons:</p> <ul style="list-style-type: none"> (1) Space limitations (2) EOPE is often collected by peddlers and scavengers and delivered to scrap metal facilities already commingled as "tin". Segregating EOPE from other tin would be cost prohibitive. (3) Unlike major appliances, EOPE products are relatively small compared to other products. They are often commingled with other "tin" both at point of receipt and by the site itself. It is very difficult and costly to segregate at that point. (4) Regional districts that offer collections do not want to segregate, track and report EOPE (see question 6x below for example). OPEIC consulted with a number of regional districts 	RD	1	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
		that operate collection sites about segregating products and providing tracking and reporting to OPEIC. All indicated they were not interested in tracking and reporting regardless of compensation given that EOPE is commingled with other metals at point of collection and too difficult to segregate and track.			
6t	<p>The Plan appears to be moving forward by contracting out the responsibility for collection and management of OPEIC products to CESA. This may be good. There are efficiencies in creating larger collection programs to manage the collection of 'like-minded' products – eg. used oil, anti-freeze, car batteries, tires etc... or tv's, electric leaf blowers, vacuum cleaners and toasters. However, it is important that this model does not contract out overall responsibility. One of those responsibilities of a Stewardship Plan is the ability to measure performance and show continuous improvement.</p> <p>Measuring numbers or weights, is the best indicator of the efficacy of a program. The contracting out of collection (Section 6.4) cannot be used to justify a lack of ability to collect real performance data.</p>	<p>See response to question 3a above regarding program management responsibilities.</p> <p>See response to question 6o above re approach to measuring collections.</p>	RD	1	Yes. See section 3.

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
6u	The proposed approach in the 2019 Plan to contract with the Canadian Electrical Stewardship Association (CESA) for collection, transport and processing of obligated products is a clear improvement upon the prior approach of relying on the scrap metal market to fund collection. That said, with CESA providing collection services to the outdoor power equipment and lighting programs, data transparency has become increasingly important. Other Extended Producer Responsibility (EPR) programs have developed reporting protocols to transparently allocate tonnages reported by multiple programs. Please reference Recycle BC 2017 Annual Report (Page 21), which identifies total tonnes collected by Recycle BC, and the tonnes excluded by Recycle BC and reported to other stewardship programs. Will CESA commit to a data transparency approach similar to, or improve upon, the one already adopted and implemented by Recycle BC?	Yes, OPEIC in conjunction with CESA and BC Lights, will report total tonnages of regular products collected along with a breakdown by program to provide data transparency.	RD	1	Yes. See section 6.3.
6v	How will OPEIC be reporting weights from sampling by CESA's processor? Are there challenges with the small volumes of EOPE that are foreseen to be collected compared to CESA products and residential fixtures?	OPEIC will follow the approach taken by its contracted service provider and the BC Lamps and Lighting Equipment program in reporting weights from sampling. The total weight of EOPE collected will be estimated by sampling 10% of bags collected monthly (based on total	RD	2	Yes, see section 6.3.

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Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	<p>Would a unit count be possible and extrapolate based on units? We would offer as a low-cost solution that you consider modifying the methodology to record both the number of units and the weight for just the OPEIC products found, and that you report collection in units and not kilograms for regular items. This would add minimal cost to your proposed methodology, and have the added benefit of allowing for a common unit of measure for comparison to sales, adding regular to bulky units collected, and the use of a recovery rate in setting targets.</p>	<p>bag count from previous month) and multiplying the monthly average of EOPE found in sampled bags by the total weight of products collected by the contracted service provider.</p> <p>With regard to unit counts, please see section 6.3.</p>			
6w	<p>With reference to section 3.3 Collection Rate, Page 6: "Consequently, it is not possible to segregate EOPE from the mixed-stream of recycled metal products and provide discrete volumes." This statement is inaccurate. Under the Major Appliance Recycling Roundtable program, products containing refrigerants are segregated for CFC removal prior to entering the mixed-stream of recycled metal products. Under the Canadian Electrical Stewardship Association program, collectors are paid to count items such as exercise equipment prior to entering the mixed-stream of recycled metal products. And in this Stewardship Plan, OPEIC states that all collectors are under contract. It is unclear why OPEIC believes that</p>	<p>Through its contracted service provider, OPEIC will be providing estimated collection weights.</p> <p>Given their size and environmental processing requirements for refrigerants, major appliances are easily segregated by private scrap metal collection facilities. Similarly, the contracted service provider's bulky products are collected separately due to their size, whereas regular products are commingled at point of collection and collection weights estimated by the processor. See response to question 6s above.</p>	RD	1	No.

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	segregating and counting program material is “not possible”. Further explanation is required.				
6x	In review of the OPEIC Stewardship Plan, it seems to lack defined targets for recovery and measurements of sold and collected units or weights. Perhaps this is because there is not a proper collection system in place and therefore no way to collect this data. Many of the Cariboo Regional District refuse sites are listed as drop off locations for OPEIC items, even though we have asked to have them removed. Going forward we have no intention of counting OPEIC items for the few dollars that may be offered for “managing” them.	This comment from a regional district reflects the challenges in providing exact unit counts at the local/municipal, or even regional level (see question 6s above).	RD	1	Yes, see section 6.3.
6y	There does not appear to be any intention to set collection targets or even collect data on either sales, collected units or collected weights. What will be provided is data on, the number of collection sites, public awareness surveys, and vague estimates of the probable weight of OPEIC material collected throughout the Province. These estimates will be done by a sampling method which could be regarded to be ‘highly variable’. The Plan as it is presented, appears to fall well short of a strategy to, measure, set	The program plan commits to report out on annual sales of electric outdoor power equipment. The method for estimating collected weights of regular products is based on a sampling methodology set out in section 6.3 of the program plan. See section 6.3 with regard to unit counts for regular and bulky products collected. Given the historic market-driven collection model, OPEIC does not have exact collection data upon which to set future collection targets at this time. OPEIC has amended the program plan to commit to a timeline for introducing collection targets.	RD	2	Yes. See section 6.3.

6. Collection System and Consumer Accessibility

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	measurable targets and then create a strategy for continuous improvement of those targets. This is fundamentally what a Stewardship Plan is supposed to do.				
6z	There should be actual collection target rates and an incorporated year over year improvement. Do you have a timeline for that? How are you going to move to a target-based program?	See response to question 6y.	Municipality RD (3)	4	Yes. See section 6.3.
6aa	Metro Vancouver staff comments (included in the following pages), submitted during the 2016 Plan renewal, detail a timeline where OPEI commits to establish absolute collection rate targets for collecting outdoor power equipment. Neither the 2016 nor the 2019 Plans propose to established absolute collection rate targets. When can stakeholders expect OPEI to start consulting on its recovery rate targets, as established in the 2011 Plan?	See response to 6y above.	RD	1	Yes
6ab	Data Collection. Formalize the collection of data, including options that exist outside of the official EPR collection network. If 'competing' collectors do not have an incentive to report data, paying for data or	See question 6x and response to question 6s above.	RD	1	Yes

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	providing an incentive to report should be considered 'in-scope' for program obligations.				

6.4 Capture Rate and Recovery Rate

6ac	<p>With reference to Section 6.4 (Capture Rate and Recovery Rate) of the program plan: Given that batteries are a regulated product, how will the program plan address a recovery rate for batteries? If the plan does not address a recovery rate, what is the rationale?</p>	<p>The Program will not provide a recovery rate for batteries for various reasons:</p> <ul style="list-style-type: none"> (1) Batteries are commingled at point of collection. The contracted service provider's collection bags capture its products, OPEIC products and fixtures from the BC lamps and lighting equipment program. Products from all three programs may contain batteries. (2) Some battery types can be the same for products from different programs. Some products accepted through the OPEIC program and through the contracted service provider's program use the same batteries. Once commingled at point of collection it is not possible to discern which program such batteries belong to. (3) Some products are recycled without a battery, while others are recycled with more than one battery. Accordingly, calculating a recovery rate based on the number of batteries recycled does not provide a reliable indicator of the true recovery rate of batteries. (4) There are EOPE products that are sold without batteries. 	Stewardship Agency	1	Yes. See section 6.4.
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6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
		(5) There is the potential of batteries from products that may not be associated with EOPE products.			
6ad	6.5 Waste Composition Audits, Page 14: "The waste composition study methodology and sample sizes are determined by the local government responsible for the audit. The product categories included in the studies are determined in cooperation with the various stewardship agencies, including EOPE as a product category." Outdoor power equipment is not a standard sort category for waste composition audits. Outdoor power equipment may be included in the Metal/Non-Consumable Mixed Metals/Machine Parts or the Electronic Waste/Other Electronics categories. Therefore, only the Stewardship Agencies of BC (SABC) waste audit work, conducted once every year or so, would search specifically for outdoor power equipment. The program cannot rely on waste audits conducted by local governments, independent of the SABC study, to search for outdoor power equipment categories.	OPEIC's program plan commits to participating in all waste composition audits conducted by local governments that SABC members participate in. Local governments utilize waste composition audits as the means of determining the breakdown of materials in their landfills and at a frequency they have determined satisfactory to evaluate their waste composition.	RD	1	Yes
6ae	7.1 Consumer Market in BC: Page 16: "EOPE dealers indicate that the vast majority of EOPE products are sold in urban/suburban	See response to question 6ad above. The frequency of waste composition audits is determined by local	RD	1	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	areas of the province." Based upon this statement, only SABC waste audits conducted in urban/suburban local governments could reasonably expect to detect EOPE. Since the SABC waste audits rotate locations, urban/suburban waste audits will only be conducted every 3 or 4 years, indicating that the small amount of data generated through these processes will make it difficult to draw any conclusions.	governments. SABC and OPEIC do not determine the frequency or location of these waste audits.			
6af	With reference to section 3.3 Waste Composition Studies, Page 7: "OPEIC will continue to participate in waste composition studies in partnership with other stewardship organizations and regional governments, where feasible." "Feasible" needs to be defined in this context. Otherwise the commitment to participate lacks clarity.	The program plan has been amended to remove reference to "where feasible". See response to 6ad above.	RD	1	Yes
Non-Program Product					
6ah	Can the program offer a list of depots that accept both electric and gas powered equipment, or have an indication of which depots would accept both on the website.	OPEIC's online collection site locator provides consumers with information on all collection sites that accept electric outdoor power equipment. OPEIC's website directs consumers that they can take their used fuel-powered products to any scrap metal recycling location in the province.	RCBC	1	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
6ai	Options for Local Government. All EPR programs should develop an arrangement for local governments who receive, or pick-up illegally dumped material, to be paid for managing and handling this material, whether or not the facility is designated as a depot. Local governments, generally, do not seek to compete with private depot operators, yet still receive this materials from residents and businesses. (A recommended project for the Stewardship Agencies of BC would be to find out the root causes for consumers to use non-program pathways to discard program material, such as people who dump illegally, who bring materials to transfer stations even when there are permanent depots available, prefer 'round-up' events to permanent depot locations, and 'hide' banned materials in residential loads of garbage. Such a study is recommended to include possible solutions to address these issues, such as enhanced collection models that go beyond the drop-off approach (depot model), and financial incentives to encourage product and packaging recovery directly through the EPR programs' collection infrastructure.)	<p>OPEIC provides excellent accessibility to BC residents through its network of collection sites. In 2016, OPEIC engaged with local governments and other stewardship agencies and ongoing dialogue to address the issue of illegal dumping.</p> <p>If you obtain Program Product, you can take it to a local EOPE collection site. In addition, through community outreach/consumer awareness, as outlined in section 7, we strive to promote positive consumer behavior to mitigate illegal dumping. OPEIC will continue to address illegal dumping through these approaches to promote responsible disposal of EOPE at designed collection sites.</p> <p>Illegal dumping is a criminal activity and OPEIC continues to advocate for stronger enforcement of litter prohibitions by local governments and enforcement agencies.</p>	RD	1	No
6aj	[With regard to section] 3.3 Collection Rate Sampling Targets, Page 7 [of the 2016 draft]	Under the new program plan, OPEIC will be estimating collection volumes by sampling volumes collected by	RD	1	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	program plan]: “OPEIC will continue to conduct sampling studies [of scrap metal recycling facilities] on an annual basis and will report out on sampling percentages annually.” In addition to these percentages, it will be important to characterize the sampling methodology so that stakeholders can be informed about the significance of the results.	the contracted service provider. The sampling methodology is detailed under section 6.3 of the program plan.			
6ak	Collector Satisfaction: The program should monitor and report on the satisfaction of collectors with the ‘market-based’ approach, and their intent to continue participating in the program.	OPEIC is moving from a market-based collection model to a more traditional stewardship model.	RD	1	No
Sampling of Private Scrap Metal Collection Facilities					
6al	8 Performance Measurement Summary and Reporting Commitments, Page 22: “Number of sampling events/Number of sites samples” Sampling is a methodology, not a performance measure. This would be like reporting a performance measure for consumer awareness by stating the number of respondents who participated in a survey. Instead, suggest performance measures for: <ul style="list-style-type: none"> ○ Market Health: At a minimum, the program should report annually on indicators and/or indices which 	This is no longer applicable to the new program plan as it relates to the original draft plan submitted for consultation in 2017. Re a performance measure for market health, see also response to question 6r.	RD	1	No

6. Collection System and Consumer Accessibility

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	demonstrate the 'health' of the market which justifies this approach. This performance measure must be normalized to account for differences in urban and rural parts of the province.				

7. CONSUMER AWARENESS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
7.1 Communications Objectives					
7a	Why is the consumer awareness goal 70% by 2024? Shouldn't it be higher if the percentage reflects "owners of OPE"?	The program will work towards achieving the target of 70% awareness by 2024 amongst those who have purchased OPE. With the awareness level of 26% from OPEIC's 2017 consumer awareness survey serving as a baseline for assessing improvement in consumer awareness, a 44% increase in five years represents an ambitious target for the program. Refining the target to focus on actual owners of the product effectively increases the significance of the awareness value because the percentage of the BC population that owns EOPE is relatively small.	Municipality	1	Yes. See section 7.6.

7. CONSUMER AWARENESS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
7b	With reference to section 4 Consumer Awareness Targets, Page 13: "The program will target 55 percent consumer awareness by 2021." Recommend the program be more ambitious in setting an awareness target, improving on a mere one percent annual increase.	See response to question 7a.	RD	1	No
7c	Public Awareness: It appears that the OPEIC strategy for increasing public awareness for their products is to blend with other better recognized stewardship groups (see: Introduction).	OPEIC will be responsible for its consumer awareness activities under the new program plan. Working with our contracted service provider provides additional opportunities for consumer awareness activities and public engagement.	RD	1	Yes. See section 7.6.
7.4 Communications Strategies, Tools and Methods					
7d	Will the CESA Ambassador program provide OPEIC products/informational materials?	Yes. As noted in section 7.4 of the program plan, the contracted service provider will be circulating information about the OPEIC program and products through its consumer outreach program.	Municipality	1	Yes. See section 7.4.
7e	RCBC is no longer the go-to resource as many municipalities are now utilizing private localized "what goes where" apps, that aren't managed through RCBC.	SABC continues to use RCBC as an important source of information for provincial residents regarding the handling of all stewardship products, including electric outdoor power equipment. OPEIC will continue to maintain its participation in the Recycling Council of BC's hotline and RCBC's online information portal "Recyclopedia", where the public can find information	Municipality	1	Yes. See section 7.4.

7. CONSUMER AWARENESS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
		<p>about accepted Program Products and where to take them.</p> <p>OPEIC appreciates being notified when a municipality introduces a locator app or other tool for information residents about recycling options so that OPEIC can provide the municipality with up-to-date information about EOPE collection sites in their area to include in their app.</p>			
7f	While we try to promote the program whenever possible, we find that the general awareness of the program is quite low, with many people being surprised that they could recycle their lawnmowers and pressure washers. It would be helpful to have some promotional materials like brochures or graphics that communicate the program's existence.	With the approval of the new program plan, OPEIC will be initiating extensive consumer outreach to increase program awareness. This will include online and print materials (e.g., brochures) with graphics.	RCBC	1	Yes. See section 7.4.
7g	There does not seem to be a plan for increased consumer awareness, retail presence or staff training at drop-off depot. The Plan needs to commit to continuous communication with every point on the supply chain. Providing rack cards 'on demand' or a web presence is insufficient. As this type of product has a long useful life it will be important to place education materials in the spot where consumers need it when	<p>OPEIC's communications strategy has been reframed to identify efforts to engage with consumers at every point throughout the lifecycle of the product.</p> <p>Providing program information at point of sale is challenging. For the most part, retailers are not program participants and the program has limited ability to influence their actions. Retailers have limited space and are generally reluctant to make space for rack cards and other materials. Nevertheless, OPEIC will continue to</p>	RD	1	Yes. See section 7.4.

7. CONSUMER AWARENESS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	they are asking the question, 'Can I/where do I take this to, recycle. A web site will not be sufficient for this.	engage retailers and encourage them to display information about the OPEIC program to customers. All of the contracted service provider's collection sites will be notified of the inclusion of EOPE products and related operational changes.			
7h	How will OPEIC proactively communicate the change in collection methods to residents, to redirect them from the advertised collection network that has been in place for seven years to the new collection model?	OPEIC has always communicated changes to its collection network to consumers and residents through the collection site finder on its website and through RCBC's hotline and Recyclepedia. OPEIC will update its collection site finder to identify the new collection network and notify RCBC of these changes as well.	RD	1	Yes. See section 7.4.

8. MANAGEMENT OF PROGRAM COSTS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
8.3 Service Provider Compensation					
8a	How will compensation be determined for collectors for large and bulky items? What rational or methodology was used to establish this offer? This is the key factor in	The Ministry has issued guidance on Producer Paying the Cost of Managing Obligated Materials and Dispute Resolution. As OPEIC will be contracting with its service provider for collection services, OPEIC will work in cooperation with the contracted service provider on conducting consultations later in 2019. OPEIC cannot	Municipality Regional District (2)	3	Yes. See section 8.3.

8. MANAGEMENT OF PROGRAM COSTS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	determining the number of depots and rural standards.	<p>conduct consultations on its own as it is reliant on its contracted service provider to provide collection services. Specifically, OPEIC will be involved in developing a proposed compensation methodology, engaging in consultations with collectors and determining appropriate compensation for collectors with respect to its Program Products.</p> <p>Notice will be provided in advance of the consultations for stakeholders interested in participating in the consultations.</p>			
8b	<p>The plan as it is presented acknowledges that this model will be unable to provide compensation to any point in the supply chain. The fundamental principle of an EPR program is to ensure that the manufacturer/consumer pays the full-cost of the product throughout its lifespan. The Plan as it is presented only commits to 'determining a methodology for determining compensation'. If this is a necessary step in the development of a mature stewardship plan then I would suggest a firm timeline to develop a full-cost compensation/incentive for collectors/processors.</p> <p>In the RDKB, residents who drop OPEIC items off at RDKB facilities pay a 'scrap metal' tipping fee. This is contrary to the stewardship model and OPEIC may want to</p>	<p>See section 5.2 and Appendix C with regards to regular products.</p> <p>With regard to bulky products see response to 8a.</p> <p>Given the nature of OPEIC products and the manner in which they will be collected along with its contracted service provider's products, OPEIC will be applying a traditional compensation methodology in assessing fair compensation levels. Facilities receiving compensation will not be permitted to charge consumers to drop off unwanted program products and will be required to report program product collected.</p>	RD	1	Yes. See section 5.2 and Appendix C.

8. MANAGEMENT OF PROGRAM COSTS

Question #	Question	OPEIC Response	Sector	# of Times Asked	Program Plan Amended
	examine MARR's model for compensating collectors.				
8c	Although some of the programs have achieved stellar recovery rates, many collectors are not compensated for their activities. As a result, recovery of obligated material is likely lower, and there are early indications of some collectors transferring materials to other pathways because there is no meaningful benefit for the collector to 'go the extra mile'.	See response to question 8a above.	RD	1	Yes. See section 8.3 above.
8d	The BC Bottle and Recycling Depot Association would like to participate in the creation of collector compensation methodology. Who do we contact?	Since the public consultation period on the program plan, OPEIC has conducted consultations on collector compensation methodology with its service provider in 2019. Notice was provided in advance to all those interested in participating in the consultations.	Collector	1	No
8.4 Risk Management and Reserve Fund					
8e	5 Reserve Fund, Page 9: "The reserve fund will stabilize funding the case of year-to-year cost variances resulting from fluctuations in sales, program enhancements and to cover unforeseen expenses of the Program." Given that this is a 'market-based' program with no operational costs, only a small reserve seems	Moving to a traditional stewardship model, the program requires a reserve fund to address unanticipated fluctuation in program revenues from product sales and operational expenditures.	RD	1	Yes. See section 8.3.

8. MANAGEMENT OF PROGRAM COSTS

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	justified. Has OPEIC placed a cap on the reserve fund?				

Appendix C: Analysis & Cost Compensation Model

