

Ministry of the Environment,
Conservation and Parks

Ministère de l'Environnement,
de la Protection de la nature et des
Parcs

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Mr. Nick Aubry
Chair
Ontario Electronic Stewardship
5750 Explorer Drive, Suite 301
Mississauga, ON L4W 0A9

and

Ms. Glenda Gies
Chair
Resource Productivity and Recovery Authority
4711 Yonge Street, Suite 408
Toronto, ON M2N 6K8

Dear Mr. Aubry and Ms. Gies:

On April 30, 2019, the Resource Productivity and Recovery Authority (the Authority) provided me with a report on options to ensure that any surplus funds not needed by Ontario Electronic Stewardship (OES) for program operations or wind up expenses related to the waste diversion program for waste electrical and electronic equipment (WEEE) be used for the benefit of Ontario consumers. The report identifies a projected surplus of \$27.8 million if the program ceases operation on June 30, 2020 as per the direction issued to OES on February 8, 2018. The report summarizes the steps the Authority took to develop and consult on options and reports on stakeholder feedback and the preferred option. The report describes strong stakeholder support for addressing the projected surplus funds by extending the operation of the waste diversion program for WEEE for an additional six months.

As a result, and pursuant to section 14 of the Waste Diversion Transition Act, 2016, it is in the public interest that I amend the timelines set out in the direction letter to wind up the waste diversion program for WEEE issued to OES on February 8, 2018. I am directing that the waste diversion program for WEEE cease operation on December 31, 2020. It is still expected that OES will wind up its operations once the waste diversion program for WEEE has ceased operation.

As a result of extending the operation of the waste diversion program for WEEE, I expect the wind up plan will outline the steps needed to implement the preferred option of extending the existing fee elimination during the wind up period to benefit Ontario consumers and to substantially eliminate the amount of funds projected to be held by OES once the program has ceased operation.

The length of any fee elimination period will be determined in a manner that would provide for sufficient funds for the costs of operating the program during the wind up period, as well as costs incurred to wind up the waste diversion program for WEEE, and OES. The wind up plan shall also set out a proposal to deal with any residual funds after the fee elimination has concluded and OES has finished its final financial reconciliations for the program and organization wind up.

All other elements included in the direction to wind up the waste diversion program for WEEE on February 8, 2018 remain unchanged except as necessary to implement this direction.

It is my expectation that the implementation of the wind up plan shall begin on the date on which the Authority approves the wind up plan, which I anticipate will be no later than June 30, 2019.

It is expected that OES and the Authority will continue to engage with each other and work cooperatively on the implementation of the wind up directions and any associated policy directions issued to the Authority pursuant to section 29 of the Resource Recovery and Circular Economy Act, 2016.

Lastly, OES and the Authority shall post this wind up direction to their respective websites.

Sincerely,



Jeff Yurek
Minister

c: Mr. Serge Imbrogno, Deputy Minister, Ministry of the Environment, Conservation and Parks