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Ontario Battery Regulation: Introductory Information

As you may be aware, the Ontario Ministry of the Environment, Conservation and Parks released proposed regulations for [Batteries](#), which includes the shift to a full producer responsibility framework (see background below) for managing the end-of-life for small single-use batteries, small rechargeable batteries (weighing 5 kg or less) and large rechargeable batteries (weighing more than 5kg).

The Ministry has also released draft regulations for [Recycling of Electrical and Electronic Equipment \(EEE\)](#) covering new electronics categories including power tools and small appliances. This means your obligations as stewards may be different for batteries versus other related products. Please be sure to read the regulations for an understanding of the policies proposed.

According to the proposed regulations, obligated producers would be environmentally accountable and financially responsible for the management of the products they are putting into the Ontario marketplace, including collection, promotion and education, registration, reporting and auditing. Producers will have the option of selecting their individual Producer Responsibility Organization (PRO) to fulfill their Ontario obligations. This places full end-of-life product management responsibility on product producers, with oversight by the Resource Productivity and Recovery Authority (RPPRA).

Your legal obligations under this model are different than any other provincial program for batteries. If you manufacture, market or sell any of these products, these regulations will undoubtedly have a significant impact on you and your business. We encourage you to take the time to understand what's been announced, how this may affect your organization, and [submit your comments](#) directly to the Ministry (due by June 23).

Call2Recycle is currently conducting an extensive review of the draft regulation and will make available a members-only legal bulletin detailing the regulation and requirements in the coming weeks. Call2Recycle will also host an informational webinar in June for interested parties to learn more about the regulations and potential implications to its program and members. Call2Recycle will formalize and submit comments on the regulation to the Ministry of the Environment, Conservation and Parks in advance of the deadline of June 23.

Background:

According to the Waste Free Ontario Act which includes the Resource Recovery and Circular Economy Act and the Waste Diversion Transition Act of 2016, producers should be responsible for the end-of-life management of their products. According to this Act, all product producers are to be transitioned to a new producer responsibility model governed and enforced by the Resource Productivity and Recovery Authority (RPPRA). See [here](#) for the strategy for a Waste-Free Ontario.



As part of this strategy, the province is moving away from the traditional product stewardship model where provincial, territorial or municipal governments have been responsible for managing products at their end-of-life (EOL), and where legislated EHF's or public funds have been used as the program funding base. In its place, the new Extended or Individual Producer Responsibility (EPR/IPR) model, identifies end-of-life products as the responsibility of producers with funding for end-of-life product management covered by the producers. Click [here](#) for more information about EPR in Canada.