

In Plain Language: Electronic Product Stewardship Regulations

Background

Nova Scotia is a world leader in recycling and recognizes the importance of managing waste for the benefit of both the environment and economy. Nova Scotia sends less waste to landfills than any other province and employs more than 3,000 people in the solid waste-resource field.

Electronic waste is a growing problem in Nova Scotia. In 2003, it was estimated that Nova Scotians disposed of more than 4500 tonnes of electronic waste. By 2010, this number is predicted to increase to 5000 tonnes. Electronic products contain hazardous materials like mercury, lead, cadmium and various flame retardants which can threaten environmental and human health, when disposed.

Nova Scotia is proposing electronic waste regulations, which will require industry to take responsibility for its products when they reach their end of life. The goal of the program is to keep electronic products out of our landfills through the creation of a province-wide collection and recycling system for electronic waste, and a ban on the disposal of these products. The program is aimed to protect Nova Scotians and their environment, while making the best use of our resources.

Nova Scotia's electronic waste regulations follow the lead of other nations and Canadian provinces. Japan, the European Union; the US states of Maine and California; and the provinces of Alberta, Ontario, British Columbia and Saskatchewan have all passed regulations which require the collection and recycling of certain electronic waste.

Program Description

Electronic products included in the program will, in its first year, be limited to TVs, computers, laptops and notebooks with CPUs, keyboards, mouse, cables, monitors and printers. In its second year, the program will be expanded to include scanners, audio and video playback and recording systems, telephones, fax machines, and handheld wireless devices including cell phones. Additional items may be added to the program in future years.

The regulations affect both "brand owners" and "retailers".

Brand owners are persons or businesses that make and/or distribute electronic products in Nova Scotia, including those that assemble new electronic products (e.g. computers) from component parts and sell them. All brand owners, small and large, including those located out of province, will have to comply with the regulations. *Note: Component manufacturers/distributors are NOT considered brand owners under these regulations.*

Retailers are persons or businesses that sell electronic products whole (including brand owners who assemble products for direct sale) to the public. Under the proposed regulations, retailers will be required to:

1)

Ensure that the brand owners of affected products they sell are covered under an approved stewardship program. If the brand owner does not have an approved program, the retailer will not be able to sell their products.

2) Provide information at the point of sale on where customers can take their old products for recycling. This information will be provided by brand owners/third parties operating a program.

The requirements for **brand owners** are greater than those for retailers. Each brand owner will be required to participate in the program in one of two ways. The options available are listed below.

OPTION 1:

The brand owner must submit a written proposal to the Minister of Environment and Labour for approval, which must include the following:

- Locations of facilities, where consumers may return their end-of-life electronic products.
- An agreement with RRFB Nova Scotia to manage any electronic products under the brand owner's name, which are returned at a collection facility administered by the RRFB.
- A description of the proposed methods to reuse or recycle electronics products and components, including anticipated markets for these materials.
- An education and awareness program for consumers including: purpose of stewardship program, environmental benefits of program, and collection options provided by brand owner.

Annual reporting will be required on quantities of products collected by the brand owner. On request from the Minister, the brand owner may be asked for additional information on the program concerning recycling and recovery processes, locations of collection and processing facilities, processing standards, or other program aspects. =====**OPTION 2:**A brand owner can enter into an agreement with a third party to operate all or specific components of an electronic product stewardship program on the brand owner's behalf. Under this option, the third party would submit a program proposal to the Minister, rather than the brand owner. Brand owners must also ensure that their brand name, image or logo is clearly affixed and showing on their products. In both of the above options, **consumers** will be responsible for taking their end-of-life electronic products to a collection facility, free of charge. The Nova Scotia Consumer Paint Product Stewardship Program is most similar to the one proposed for electronics. For that program, all brand owners use the equivalent of Option 2. RRFB Nova Scotia manages the program for them. In that program, consumers may return used paint to any Enviro-Depot™ location in the province. Brand owners pay RRFB Nova Scotia to manage the program.

EXAMPLE:

Bob's Computer Shop is considered both a "brand owner" and a "retailer" because the business builds computers with various components and sells these computers, along with other electronic products.

Once registered, Bob's Computer Shop may choose to submit a proposal for an electronic product stewardship program (for products they assemble) to the Minister for approval (see Option 1) or enter into an agreement with a third party to submit a proposal on their behalf (see Option 2). Under the first option, Bob's Computer Shop will be required to cover all program costs as they are incurred. Under the second option, Bob's will be required to submit payments to the program administrator, for a share of program costs.

Bob's Computer Shop also sells brand name computers and monitors. Bob's Computer shop does not need a stewardship plan for these products, as they are covered under their respective brand owners' plans.

As a retailer, Bob's Computer Shop must also inform customers where to take their end-of-life products for recycling. This means providing information on the program in a place where customers can read it.