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Ontario Industry Stewardship Plan Processor Standards

Effective: June 30, 2015

Background:

Product Care Association operates the Ontario Industry Stewardship Plan (ISP) to ensure these materials are collected and recycled or otherwise safely disposed of in an environmentally appropriate way.

Product Care's Paints and Coatings ISP was approved by Waste Diversion Ontario on December 10, 2015, and became effective on June 30, 2015.

Product Care Association is approved by the WDO to implement and operate the following ISP materials:

Paint and Coatings:

- Latex, oil, solvent based coatings, paints and stains tinted or non-tinted, and the containers in which they are contained
- Pressurized containers: All aerosol paint and coatings and the containers in which they are contained
- Non-Pesticide marine coatings
- 25 L Maximum container Size

The Ontario ISP, rules and material definition can all be viewed on the Product Care Association website at <https://www.productcare.org/service-partners/resources/?province=on&type=&product=>

Purpose:

The Processor Standards define the minimum operating requirements to qualify as a Product Care Association processor of ISP materials.

The Processing Standards do not absolve processors from any federal, provincial and/or municipal legislation and regulations applicable to their operation. It is the processors' responsibility to be aware of and abide by all such legislation and regulations.

Product Care Association reserves the right to review and revise these standards on an ongoing basis.

The most current version will be posted on the Product Care website. Product Care will, as a courtesy, provide notification of changes to approved processors for which it has current email addresses;



however, it is the approved processor's responsibility to regularly check the Product Care website for revision.

Who this applies to:

For the purpose of these standards, a *Processor* means any person or firm duly registered with Product Care as authorized to process Ontario ISP materials.

Enforcement of these Vendor Standards:

Processors shall:

- Provide Product Care Association with all reasonable information relating to these standards or any matter that relates to the Ontario Industry Stewardship Plan(s) or procedures of Product Care Association
- Acknowledge that Product Care Association has a right of access to any and all such information during normal business hours and on 24 hour notice.

Moreover, Product Care Association may verify compliance information provided by processors, either directly or through a third party acting on its behalf. Please note that all parties acting on behalf of Product Care Association are bound by strict confidentiality agreements.

1. General Requirements

All Ontario ISP Processors shall:

- 1.1 Possess a valid business license if they are a commercial operation.
- 1.2 Possess comprehensive or commercial general liability insurance, including coverage for bodily injury, property damage, complete operations and contractual liability with combined single limits of not less than \$5,000,000 per occurrence, \$5,000,000 general aggregate. Ontario ISP processors must have Product Care Association listed on the policy as an additional insured party.
- 1.3 Possess environmental liability insurance with combined single limits of not less than \$5,000,000 per occurrence, \$5,000,000 general aggregate. Ontario ISP materials processors must have Product Care Association listed on the policy as an additional insured party.
- 1.4 Identify and comply with all applicable regulations, including but not limited to:
 - Ministry of the Environment and Climate Change, Environmental Compliance Approval (ECA);
 - Ontario Hazardous Waste Information Network registration requirements;
 - Ontario *Environmental Protection Act*, 1990 (including R.R.O. 1990, O. Reg. 347, General – Waste Management);
 - *Transportation of Dangerous Goods Act* (TDGA);
 - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, 2005 (EIHWHRMR) under the Canadian Environmental Protection Act;
 - Municipal zoning bylaws or other bylaws, such as fire codes, parking and hours of operation.

- 1.5 Have a written policy approved by senior management outlining corporate commitment to environmental management and continuous improvement.
- 1.6 Implement and maintain an emergency response plan to prepare for and respond to emergency situations, including fires, spills and medical events.
- 1.7 Maintain a documented process to identify, assess and ensure compliance with this standard and all applicable regulatory requirements, including but not limited to:
 - Environmental regulations, including permits or certifications for operating, air emissions, or other discharges;
 - Occupational health and safety regulations.
- 1.8 Document the downstream flow and handling of Ontario ISP materials from receipt at their facility to each point of final disposition, including details on how the waste materials are processed at each point and the percentage of processed materials sent to each downstream processor. Product Care Association will treat this information as confidential.
- 1.9 For out-of-province processors, demonstrate that they meet or exceed environmental health and safety standards equal to Ontario requirements and meet their own jurisdictional laws, regulations and maintain proper permitting.
- 1.10 Maintain all records for a minimum of two years, or as required by regulation, including manifests, bills of lading and waste records.
- 1.11 Provide notice of any fines or regulatory orders in the previous five years and within 60 days of any subsequent fine or regulatory order.

2. Occupational Health and Safety

All MHSW processors shall:

- 2.1 Identify and demonstrate compliance with all applicable health and safety regulations, including but not limited to:
 - *Employment Standards Act*;
 - *Occupational Health and Safety Act*;
 - *Workplace Safety and Insurance Act*;
 - *Canada Labour Code* or equivalent in their area of jurisdiction.
- 2.2 Possess workers' compensation coverage through either a provincial/state program or a private insurance policy. Processors shall supply Product Care Association with valid certificates upon request and within five business days of such request.
- 2.3 Be compliant with the Workplace Hazardous Materials Information System (WHMIS), including training requirements, or equivalent in their area of jurisdiction.
- 2.4 Implement and maintain an Occupational Health and Safety (OHS) program to ensure compliance with applicable OHS legislation.

3. Material-Specific Requirements

Note: The material-specific standards outlined in Table 3.1 is the minimum standard that service providers are required to meet. A disposal standard has been set for waste materials for which no known commercially viable recycling process is available¹. In these cases, processors who choose to pilot recycling processes would not be penalized for failing to meet the disposal standards outlined.

Table 3.1: Material-Specific End-of-Life Management Requirements

MHSW Category	MOE Waste Class	End-of-Life Management Requirements
<p align="center">Paints & Coatings, and containers in which they are contained</p>	<p align="center">145</p>	<p>Paints and coatings must be segregated into respective recycling streams which may consist of:</p>
		<ul style="list-style-type: none"> • Alkyd paints • Latex paint • Solvent-based coatings • Water-based coatings • Metal containers • Plastic containers
		<p>Alkyd and latex paints must be recycled according to the following minimum rates:</p> <ul style="list-style-type: none"> • Alkyd paint: 75% • Latex paint: 75%
		<p>Solvent-based / Alkyd coatings must be handled in the following manner (in order of precedence)</p>
		<p>1) Recycle into new product – recycling rate subject to waste quality</p>
		<p>2) Subject to fuel blending processes for poor quality wastes</p>
		<p>Water-based coatings must be handled in the following manner (in order of precedence):</p>
		<p>1) Recycle into product 2) Fuel blending 3) Solidification and landfill</p> <p>Containers must be recycled according to the following recycling rate target:²</p> <ul style="list-style-type: none"> • Metal containers: 90% • Plastic containers: 50%

¹ Under the *Waste Diversion Act*, landfilling, incineration and energy-from-waste are not considered recycling.

² Product Care Association recognizes that metal and plastic are commodities that are subject to significant market fluctuations. As such, the stated recycling rates for paint and coating containers should be interpreted as goals rather than set targets



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4. Diversion Reporting Requirements

Diversion Reporting is extremely important to Product Care Association in order to ensure proper reporting on recycling and diversion performance against targets as required in the Ontario Paint ISP plan. In order to track the flow of ISP materials from collection through to recycling and/or safe disposal, Product Care Association requires service providers to report on the final destination of all ISP materials received and processed at approved processor sites. Service Providers work with Product Care to achieve the ISP material(s) plan's recycling efficiency rates, and support Ontario in finding more innovative, cost effective and efficient ways to divert more waste from landfill.

Service Providers must provide diversion reports to Product Care no later than 30 days after the end of each quarter. To download a diversion report, please refer the Product Care website under "Reporting & Registration".

<https://www.productcare.org/service-partners/resources/?province=on&type=&product=>