MINISTER OF
SUSTAINABLE DEVELOPMENT

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

JUL 26 2018

Mr. Mark Kurschner
President
Product Care Association of Canada
105 West, 3rd Avenue
Vancouver BC V5Y 1E6

Dear Mr. Kurschner:

I am pleased to issue an Approval to the Product Care Association of Canada (PCA) for the Manitoba Household Hazardous Waste Stewardship Program (the Program) effective July 1, 2018. This Approval will expire June 30, 2023, pursuant to Section 7(4) of the Household Hazardous Material and Prescribed Material Stewardship Regulation (Regulation) under the Waste Reduction and Prevention Act (WRAP Act).

This Approval is issued to PCA under Section 7(2) of the Regulation and is subject to PCA meeting the conditions as set forth in "Attachment A" of this letter, and which forms part of this Approval.

If I am not assured that PCA is implementing or operating the Program substantially in accordance with its intent, or where I or my officials have concluded, based on relevant circumstances, that the Program or terms of this Approval, including "Attachment A: Conditions of Approval" should be reviewed, then pursuant to Section 8 of the Regulation new or additional conditions may be imposed as deemed appropriate so as to ensure that the environmental outcomes and regulatory requirements are fulfilled.

The Department intends to establish guidelines for third party assurance of non-financial information to be reported by all approved stewardship program operators in the Province of Manitoba. My officials in Manitoba Sustainable Development will work with PCA to establish guidelines to provide the Manitoba government with a reasonable level of assurance that key performance measures of the Program are reported accurately.

It is a priority of this department that the Program provide convenient, province-wide accessibility to all Manitoba communities including Manitoba's northern, remote and First Nations communities. I expect PCA to work collaboratively with other Producer Responsibility Organizations to maximize synergies and deliver program outcomes in a cost effective and efficient manner.

My department intends to initiate a review of the Household Hazardous Material and Prescribed Materials Stewardship Regulation with a view to modernizing the related stewardship programs and expanding the list of designated materials. I would expect PCA to cooperate with the department during this process and implementing any relevant outcomes.

I will take this opportunity to remind you that under Section 11(1) of the Regulation, as Minister, I have the authority to suspend or cancel the Approval of the Program at any time if there is a breach or contravention by PCA as the operator of the Program, of either the WRAP Act or the Regulation or the conditions set forth in this Approval and, if applicable, subsequent amendments of this Approval.

Any notices to be provided to department officials pursuant to this Approval shall be submitted in writing to: Senior Manager, Waste Diversion and Recycling Unit, Manitoba Sustainable Development, Box 38, 200 Saulteaux Crescent, Winnipeg, Manitoba, R3J 3W3.

PCA should submit their next application for renewal of this Approval by January 31, 2023 to allow adequate time for review and public consultations.

I look forward to the continued operation of the Program in the Province of Manitoba.

Yours sincerely,

Rochelle Squires
Minister

Attachment

c: Darrin Noble, Chair of the Board
Mannie Cheung, VP Operations
Glen Holmes

ATTACHMENT A
Conditions of Approval

Product Care Association of Canada (PCA)

The conditions set forth below form part of the Ministerial Approval for the Manitoba Household Hazardous Waste Stewardship Program (the Program) pursuant to the Household Hazardous Material and Prescribed Material Stewardship Regulation (Regulation) and are as follows:

THAT PCA:

1. Implement and operate the Program substantially in accordance with its intent, consistent with the requirements of the WRAP Act, the Regulation, the Conditions of Approval and the Guideline for Household Hazardous Material and Prescribed Material Stewardship, as approved and amended from time to time.

2. Identify a senior official with PCA as a contact person to work with my officials at Manitoba Sustainable Development to provide such assistance or any information (including both financial and non-financial information) that may be deemed necessary in a timely manner to enable them to provide me with information to assess whether PCA has implemented the Program and it is operating substantially in accordance with its intent and the Conditions of Approval and, if applicable, subsequent amendments to this Approval.

3. Retained earnings shown on PCA financial statement for the Manitoba Program (total revenues less total expenditures), as determined by an external auditor, shall not at any time during the term of this Approval, exceed an amount equal to one year's program revenue.

4. Establish 10 new full-service HHW collection sites over the duration of this Approval.

5. Include compact fluorescent lights and tubes from the Industrial, Commercial and Institutional sector in Manitoba as part of this Program beginning in 2020.

6. Increase public education and awareness efforts to improve public participation in the Program.

7. Submit an annual report to Senior Manager, Waste Diversion and Recycling Unit, Manitoba Sustainable Development per the applicable regulation and guidelines.

8. Provide updated information on collection sites/depot locations to Manitoba Sustainable Development when requested or when substantial changes occur.

9. Maintain its status as a body corporate and registration under The Corporations Act, C.C.S.M. c. C225 (Manitoba) while operating the Program.