

Collection System Requirements Guidance

1.0 Purpose

This document provides compliance guidance for the following regulations issued under the *Resource Recovery and Circular Economy Act, 2016* (RRCEA):

- Tires Regulation ([O.Reg. 225/18](#))
- Batteries Regulation ([O.Reg. 30/20](#))
- Electrical and Electronic Equipment (EEE) Regulation ([O.Reg. 522/20](#))
- Hazardous and Special Products (HSP) Regulation ([O.Reg. 449/21](#))

This guidance is intended for producer responsibility organizations (PROs) and producers, who are required to establish and operate collection systems, and service providers under these regulations. It assumes familiarity with, and should be read in conjunction with, RPRA's compliance bulletins.

This guidance clarifies the arrangements that must be in place when a collection site or activity is part of a public collection system that producers rely on to meet accessibility requirements under a regulation, whether the system is shared or not. It explains how RPRA will verify these arrangements, including when collection sites or activities are shared.

The guidance does not address how collected materials should be managed or reported. For material management requirements, refer to the applicable regulations. For performance reporting, visit [RPRA's website](#).

2.0 Background

Under the RRCEA regulations, producers must establish and operate enough collection sites and other collection activities throughout Ontario to allow consumers to discard or drop off designated materials.

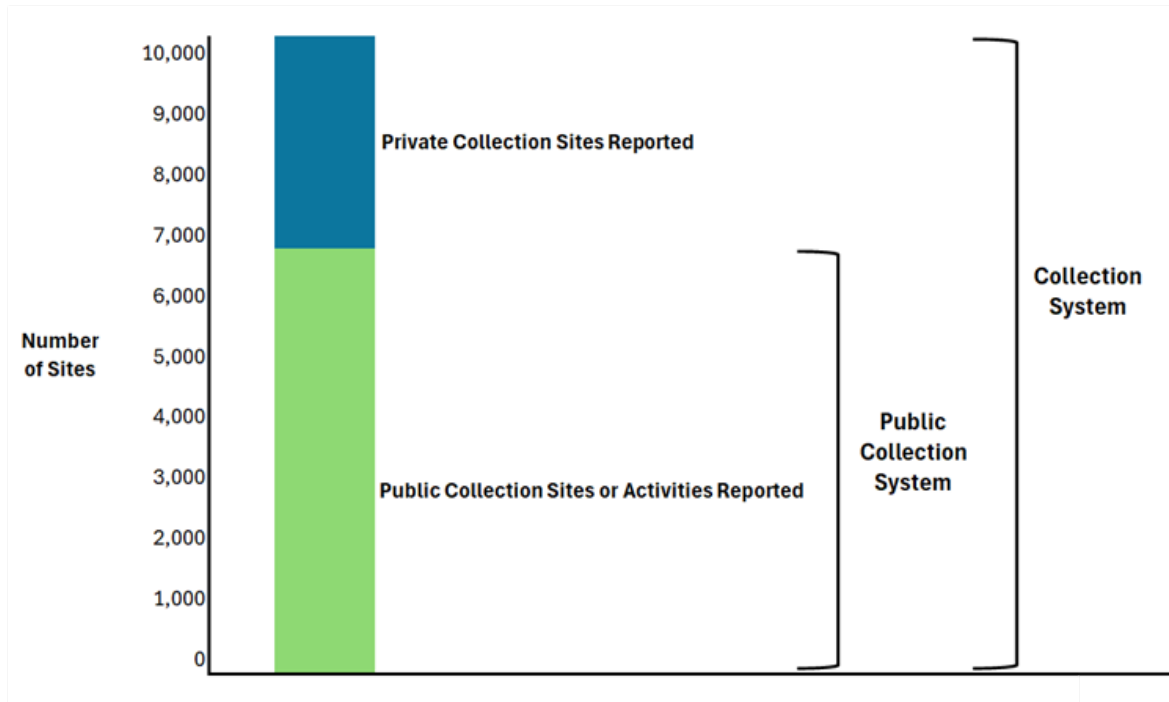
These collection sites and activities must meet the specific requirements in each regulation.

Private collection sites, which are not required to accept materials from the public and/or may have restricted access, are not part of the public collection system. However, these sites must be reported to RPRA to allow for effective monitoring and transparency of the collection system.

Producers, or their PROs, must report details of their collection system to RPRA, including the location of collection sites and other collection activities.

Figure 1 illustrates how public and private collection sites make up a collection system. Private collection sites are optional sites that are outside of the public collection system and are not being relied upon to meet accessibility requirements (except for in automotive HSP, where private sites do count toward accessibility). Private collection sites must be reported, and material collected from these sites can count toward management requirements. Producers, or their PROs, may have more public collection sites than the minimum required to meet accessibility requirements, and these must also be reported.

Figure 1: An example of a collection system



3.0 Key Terms

Collection Site Operator

An entity that collects designated material at a location or through other collection activities.

Designated Materials

All materials obligated by the:

- Tires Regulation ([O.Reg. 225/18](#))
- Batteries Regulation ([O.Reg. 30/20](#))
- Electrical and Electronic Equipment (EEE) Regulation ([O.Reg. 522/20](#))
- Hazardous and Special Products (HSP) Regulation ([O.Reg. 449/21](#))

Other Collection Activities

Events, curbside pickup, call-in collection, direct collection, and other activities related to the collection of materials, that a producer may use to increase the amount of material collected. Specific regulations may allow a producer to reduce the number of collection sites required in a community based on these activities.

Public Collection Site

A collection site that is part of the public collection system and meets collection site requirements as outlined in the regulations for public accessibility, material acceptance, and operational standards. Public collection sites and events will be posted on RPRA's website.

Private collection sites, which are not required to accept materials from the public, will not be posted.

Producer Responsibility Organization (PROs)

A person **retained by a producer** for the purpose of carrying out one or more of the following producer responsibilities:

1. Arranging for the establishment or operation of a collection or management system.
2. Establishing or operating a collection or management system.
3. Preparing and submitting reports.

In addition, under the hazardous and special products regulation, a PRO includes a person retained by a person for the purpose of:

4. Implementing a promotion and education program.

A PRO does not include a processor retained solely for the purposes of processing designated materials or a refurbisher/rereader retained solely for the purposes of refurbishing/rereading designated materials.

The following table sets out some specific examples:

Specific Example	Assessment
A company has been retained by one or more producers to provide compliance services to establishing or operating a collection or management system.	The company is considered a PRO.
A company has established and operates a collection system for ITT/AV and decides it wants to offer services to EEE producers to assist them in meeting their compliance obligations in Ontario for establishing and operating a collection and management system.	The company is <u>not</u> considered a PRO until it is retained by a producer.
A company implements a promotion and education program for fertilizers to help multiple producers comply with the requirements in the HSP Regulation.	The company is considered a PRO. Note the promotion and education responsibility is unique to the HSP regulation.
A company hired by a battery producer to prepare and submit reports to RPRA related to the producer's supply data.	The company is considered a PRO.
A company both hauls and processes oil containers and is only retained for the producer to obtain performance tonnage.	The company is <u>not</u> considered a PRO.

Service Provider

Any of the following who are registered with RPRA:

- A hauler: a person who arranges the transport of designated material used by a consumer in Ontario that is destined for processing, reuse, refurbishing, retreading, or disposal;
- A refurbisher: a person who prepares or refurbishes batteries or EEE used by a consumer in Ontario for the purpose of reuse;
- A tire retreader: a person who replaces the tread on worn tires with a new tread in order for the tire to be used for its original purpose; or
- A processor: a person who receives and processes designated material used by a consumer in Ontario for the purpose of resource recovery.

4.0 Guidance for Public Collection Systems

This section provides guidance about the types of arrangements and sharing agreements required to be in place when a collection site or activity is reported to RPRA as part of a public collection system. This section explains what evidence a producer, or their PRO, may need to provide to RPRA to satisfy the requirements in the regulations relating to collection systems. This guidance does not apply to private sites.

RPRA may request evidence that a producer, or their PRO, has an arrangement or sharing agreement in place. If a producer, or their PRO, fails to provide acceptable evidence, RPRA will remove those collection sites or other collection activities, which may result in noncompliance.

Whether shared or not, producers must belong to a compliant collection system throughout the performance year. This means that each producer's collection system must be compliant, regardless of whether all parts or none of the system is shared. If a producer's collection system does not meet the collection requirements, a producer or their PRO must either:

1. Establish more public collection sites, or
2. Enter into an agreement with another collection system to share some or all public collection sites.

Guidance related to potential management shortfalls or exceedances are addressed in RPRA's Management Requirements Guidance.

4.1 Arrangements

For a producer or their PRO to claim a collection site or activity as part of their public collection system, the producer or their PRO must have an arrangement with either:

- The collection site operator of the collection site or collection activity; or
- A service provider who has an arrangement with the collection operator and is registered and reports annually to RPRA.

The arrangement must be documented and address the responsibilities for operational standards and material collection, ensuring compliance with regulatory requirements. An arrangement could be a legally binding contract, or it could consist of informal written

correspondence between the parties about the collection of designated material at collection sites or other collection activities.

Evidence demonstrating an arrangement may include:

1. Contracts – signed agreements between the PRO and the operator of a collection site or a service provider detailing the responsibilities for establishing and/or operating the site or activity.
2. Bills of Lading – documentation showing the transportation of collected materials from the collection site or activity to a processing facility.
3. Invoices – billing records from the collection site or service provider detailing the services provided.
4. Remittances – proof of payments made to the collection operator's authorized representative or service provider for services rendered, such as managing or maintaining site infrastructure or public awareness materials.
5. Written communications - Email exchanges or other written correspondence with the collection operator's authorized representative confirming arrangements, approvals, or decisions related to the establishment and/or operation of the collection site or activity.

The following are examples of arrangements in practice:

- A producer or their PRO has an arrangement with a national retail chain to set up collection bins in store locations across Ontario. Customers can drop off used materials, and the producer or their PRO ensures the collected materials are picked up by a registered hauler.
- A producer or their PRO has an arrangement with a municipality to use its depots as public collection sites. The municipality agrees to collect the materials, and the producer or their PRO ensures the collected materials are picked up by a registered hauler.
- A producer or their PRO has an arrangement with a community organization or local government to host collection events where the public can drop off used materials. The producer or their PRO ensures the collected materials are picked up by a registered hauler.
- A producer or their PRO has an arrangement with a service provider to operate a network of collection sites and events across Ontario. The producer or their PRO ensures that the service provider establishes and operates the collection sites and events in accordance with regulatory requirements.

4.2 Sharing Agreements

A producer or their PRO can include a collection site or activity in their public collection system if it overlaps with another producer or PRO's system, only if a sharing agreement is in place.

A sharing agreement is a legally binding agreement among producers or their PROs relating to a collection site or other collection activity in their public collection system that addresses overlap with another producer or PRO's system.

The following table outlines when a sharing agreement is required.

Scenario	Description	Sharing Agreement Requirement
Fully shared collection system	Producers or their PROs collaborate to establish and operate a collection system for a specific designated material (whether a public collection system or a combined public and private collection system).	A sharing agreement is required to address the shared sites and activities being relied on to establish and operate the public collection system.
Partially shared collection system	Producers or their PROs establish and operate a collection system for a specific designated material. Other producers or their PROs, whether proactively or reactively, share select sites or activities that support the public collection system.	A sharing agreement is required to address the shared sites and activities being relied on to establish and operate the public collection system.
Independent collection system	Producers or their PRO establish and operate a collection system for a specific designated material, independently managing all aspects to support the public collection system.	A sharing agreement is not required.

It is recommended that producers or their PROs proactively establish sharing agreements setting out how collection activities are to be shared should overlap occur.

To enable a compliant public collection system where collection sites and activities are shared, it is recommended that a sharing agreement include:

- **Roles and Responsibilities:** defines clear roles, including who manages sites, oversees material collection, and monitors and reports.
- **Collaboration Framework:** outlines processes for joint decision-making, resolving disputes, and how new producers or PROs can be added, and existing producers or PROs can leave.
- **Cost Sharing:** specifies how costs for establishing and operating shared collection sites and activities will be divided.
- **Site Selection and Compliance:** documents how site relationships are validated and distributed, ensuring locations meet regulatory requirements.
- **Issue Management:** outlines processes for addressing issues such as material overflow, cleanliness, safety, and public feedback.
- **Monitoring and Reporting:** establishes data-sharing methods and reporting for all parties.

A sharing agreement may cover multiple collection sites or activities. Producers or their PROs may consider engaging a third-party to assist in developing and implementing sharing agreements. A third-party may facilitate the secure sharing of commercially sensitive information between multiple entities.

4.3 Setting up and maintaining collection systems in the registry

This section explains what producers and their PROs need to do to set up and maintain collection systems in the registry.

For any type of collection system registered, producers or their PROs must keep accurate and up-to-date records and report to RPRA any changes to their collection sites and activities.

4.3.1 Fully shared collection system

Producers or their PROs in a fully shared collection system must request to be set-up in the registry as a 'Shared Collection System' and confirm having a sharing agreement at the time the request is sent to RPRA. Producers or their PROs may be required to provide supporting evidence of a sharing agreement upon RPRA's request.

4.3.2 Partially shared collection system or independent collection system

Collection site locations can have multiple active collection site activities per material from multiple PROs/collection systems.

If notified by RPRA that more than one producer or their PRO have reported a public site or other collection activity for the same material at the same location, producers or their PRO are expected to submit plans to address the overlap within 30 calendar days.

Overlap in public collection sites or other collection activities can be addressed by:

1. Reporting additional collection sites or activities that are not shared with other producers or their PROs; or
2. Confirm a sharing agreement is in place with the other producer(s) or their PRO(s). Producers or their PROs in a sharing agreement may be required to provide supporting evidence of the sharing agreement upon RPRA's request.