



May 2, 2008

The Honourable John Gerretsen
Minister of the Environment
135 St. Clair Avenue West, 12th Floor
Toronto, ON M4V 1P5

Dear Minister

The Ontario Council of the Canadian Federation of University Women (CFUW) congratulates you on your appointment to the important position of Minister of the Environment for Ontario. We look forward to your leadership in this significant portfolio.

The Canadian Federation of University Women (CFUW) is a 10,000 member national organization with a long-established history of research and advocacy in public affairs. The CFUW Ontario Council with 5000 members pursues the same path with regard to provincial matters. Like Canadians in other jurisdictions, CFUW Ontario Council has become increasingly concerned about the reuse, recycling and safe disposition of waste electronic and electrical equipment (WEEE). We have researched and continue to research the problem as it applies to Ontario, to other provinces, and internationally.

CFUW, as a national organization, has carefully researched and approved resolutions under which all levels of the organization work. The environment has always assumed a large role in our research and advocacy. We take our guidance from this 1981 resolution.

RESOLVED: That the Canadian Federation of University Women (CFUW) urge the Government of Canada and the provincial and territorial governments to strengthen and enforce regulations for safe hazardous waste management;

RESOLVED: That CFUW urge that increased federal and provincial funding be made available for research, development and subsequent evaluation on environmentally appropriate and safe waste management and disposal technologies, and that some portion of the cost be paid for by the polluting industries;

RESOLVED: That CFUW urge the government of Canada and the provincial and territorial governments initiate:

1. comprehensive public information programs;
2. public hearings to discuss the problems of current practices and the need for prompt action through the development of safe and environmentally appropriate facilities;
3. programs which provide the public with the opportunity to participate in the development of criteria to guide the locating of such treatment and disposal facilities.

Waste Electrical and Electronic Equipment (WEEE) has extensive ramifications as we have discovered in researching the work of Waste Diversion Ontario (WDO) particularly as it applies to local jurisdictions and their budgets. The Ontario Electronic Stewardship (OES) final report presented to your Ministry on March 31, 2008 is a weighty document that we hope, after analysis, will form part of a phased-in government initiative but will also allow for further public input.

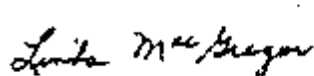
OES has developed what is described as a voluntary and incentive driven program for WEEE and is industry funded. The funding proposal appears to be derived either from disposal fees paid by the consumer as in the Alberta ARMA program or by fees derived from the purchase price. In its 1981 resolution, CFUW has stated that polluters should pay some portion of the cost of the management, treatment and safe disposal of such substances. What portion will industry actually pay through fees levied on Stewards by OES? Because the OES Program is voluntary, what proportion of material will be generated by those not belonging to the plan?

We believe that Ontario citizens are anxious to see a clear-cut program wherein they can exercise individual social responsibility for waste electronic and electrical products. Citizens further want to see retailers, importers, assemblers and manufacturers, only some of whom now participate in take-back programs, exercise their share of responsibility and costs. There is a real concern that oversight be in place in accordance with international and national directives about the shipment of hazardous waste to off-shore countries with dubious environmental and labour practices.

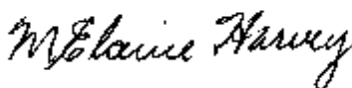
The OES report has a number of admirable features but also some about which CFUW Ontario has some questions. Please see the addendum to this letter.

The WEEE problem has many facets but CFUW Ontario Council believes that solutions do exist that now require the concerted intervention of the Government of Ontario. We urge the Government of Ontario to work with due diligence and in a timely fashion to bring in a program, phased-in if necessary, to address this pressing environmental concern.

Yours truly,



Linda MacGregor, President
CFUW Ontario Council



M. Elaine Harvey Chair
Legislation Committee
CFUW Ontario Council



Arlie Freer, writer & researcher
Issues Coordinator
CFUW Muskoka,

CFUW Ontario Council
Addendum, May 2, 2008 re OES March 31, 2008 Final Report

Areas to commend:

1. The concern for privacy issues in the reuse of WEEE is clearly stated as is the need for security at collection sites, the secure destruction of materials and the removal of reusable parts, which must not contain personal or institutional information.
2. OES will take the lead responsibility for establishing an integrated network of approved collection sites, transporters and EOL processors to manage Phase 1 WEEE.
3. There is consistency with other programs in Canada - British Columbia, Alberta, Saskatchewan and Nova Scotia – in the creation of a largely unified system.
4. The provisions of Year 1 promotion and education efforts are good providing that the program is not oversold in terms of collection and distribution capacities.
5. The provision of OES-sponsored turnkey service collection events for retailers and municipalities should generate much response and serve as an educational vehicle.
6. The emphasis on the three R's: reuse, refurbishment and recycling is part of a general environmental emphasis.
7. Of interest is peer-to-peer reuse opportunities through implementation of a province-wide online electronic materials exchange network, similar to the system currently offered in British Columbia (<http://www.bcemex.ca/>)
8. The OES support for participating municipalities will include promotion and education plus a \$165 per tonne collection incentive for Phase 1 material. It should be noted, however, the projected cost for special “Round-Up” events (retailers, parking lot sessions) is \$285 per tonne
9. If material is sorted and prepared for transport according to OES standards, OES will cover the costs of WEEE transportation and end-of-life processing. OES will work with municipalities on appropriate signage, staff training and health and safety concerns. Such support should engender a high degree of participation.
10. A worthwhile pilot program is the assessment options for collecting large rear projection and console television sets and studying international activities on CRT glass recycling options for leaded glass and its applicability to Ontario.
11. A stated objective is accessibility targets for all Ontarians to WEEE material collection.
12. OES members through the “Designing for the Environment” initiative undertake to improve the environmental performance of their products reducing toxicity, redesigning for improved reusability, reducing packaging and minimizing environmental and human health impacts through the product life cycle. (p.93)

Areas to clarify or about which there may be concerns:

1. A concern has been the low level of response to an initial expression of interest survey sent in December 2007 to 335 municipalities. Only 23 completed the initial survey and only 10 completed the follow-up survey.
2. There are concerns that the initial projections for material may be understated as people bring in items from personal storage and older television models now becoming obsolete with the advent of CRT and LCD televisions. 9% has been built into the budget but this may not be sufficient. This points to the uncertainty of some of the projections for WEEE based on Alberta results and the higher concentration of commercial sales in Ontario plus Statistics Canada growth estimates.
3. The reuse section of the three R's (p. 29) estimates that only 5% to 10% of residential WEEE is potentially reusable as the material has been too long in storage. About 50% to 65% collected from the commercial, industrial and institutional sector has value for use and/or recycling. This leaves a percentage of unknown material ranging from a high of 45% to a low of 25%, which presumably has little or no reuse value. Will promotion and education programs address this reusability factor?
4. An area of great concern is the downstream sale of used equipment and the processing of waste collected in Ontario.
 - “A number of companies are known to sell equipment to overseas markets with unknown end-of-life environmental applications.” (p. 28)
 - “As discussed earlier, there are companies that provide shipping containers to clients and will pay for a container loaded with WEEE, take it away for free or in some instances provide a tax receipt. The destination of this equipment is typically outside of Canada, with unknown EOL environmental applications.” (p. 30)
 - “Downstream processing currently takes place in many locations within Ontario, North America and globally. When downstream processing occurs outside of North America, processing may not always comply with the Canada-Wide Principles for Electronics Product Stewardship as issued by the Canadian Council of Ministers of the Environment (CCME). Further, there is no guarantee that processing is undertaken in a safe and environmentally sound manner that satisfies local, provincial and national regulations and international obligations, including the *Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and Their Disposal*.” (p. 35)

Will government legislation address this concern?

5. Manufacturer and retailer recycling programs are not consistent and while some accept all brands, some only accept a subset of Phase 1 materials. This leads to confusion on the part of the public.
6. The collection of WEEE is a voluntary activity on the part of municipalities. Some municipalities have initiated WEEE collection programs with varying levels of service. WDO reports that of 87 municipal programs that report to WDO, 67 collect Phase 1 WEEE. The costs of these programs are met from local budgets or by drop-off fees. It is

- assumed that the costs are not fully recovered at the present time. WEEE must not get wet or have broken glass which then becomes a hazardous waste for which special handling is required. Many smaller municipalities do not have adequate storage. Nor do they have shrink-wrap abilities to ensure the safe transportation of WEEE to collection and processing points, a requirement that was waived for municipalities. OES proposes that for collectors of WEEE that adhere to packaging standards, there will be no net cost for the shrink-wrap. (p. 51) Therefore, should not standards for handling, boxing and/or wrapping be consistent to achieve lower costs for handling and transportation?
7. Some municipalities felt that the \$165 incentive payment was too low and that the use of pallets and shrink-wrap was a concern. Can this section be revisited with trial programs that would determine if payments are too low? Can research and development be speeded up for new improved technologies, reusable transportation container systems and reusable pallets? (p. 86) Municipal cooperation seems to be a key component in the success of Phase 1.
 8. It is suggested that second-hand material collection organizations such as the Salvation Army could be used as collection agencies. However, all the problems associated with municipal handling of WEEE would be present for these approximately 150 collection sites operated by charitable or other organizations. Are the costs associated with staff training, health and safety and lower volumes an efficient use of OSE money and that of the sponsoring charity as compared to that of municipalities which operate on a larger scale? OES plans to allow reuse organizations to extract revenue-generating scrap from their operations and retain the money from the sale of such material. Is this not another health and safety issue that will have to be closely monitored? It should be noted, “At no time will a pallet be picked up if it is not safe and properly packaged and marked in accordance with OES Sorting and Packaging Requirements.” (p. 65) The red tape in monitoring these approximately 150 collection sites is enormous as compared to the use of municipal collection sites.
 9. “In many instances, the second life of the refurbished off-lease equipment takes place outside of Ontario and this is extremely difficult to track and monitor.” (p. 93) There is thus a limited ability to monitor second use options. Responsibilities do not end until the material has reached end-of-life. In addition, “End of lease EEE that is collected by Stewards and resold outside of Ontario will not be eligible for a credit against their fees paid to OES”. (p. 111) How is this to be determined if this material is extremely difficult to track and monitor?
 10. “Not all WEEE will be managed by OES. ... Many companies have existing contractors with preferred processors which may or may not end up being OES-approved processors.” (p. 114) Is this not an environmental loophole? Should not all processors meet OES and/or provincial standards?
 11. There will be only a modest increase in the number of participating municipalities in Year 1 from 67 to 79. Because no population statistics accompany these figures, the total provincial impact cannot be assessed. In addition, only 28% of WEEE will be part of the Year 1 program.
 12. If collection and transportation programs will be in place for Phase 1 material, why cannot Phase 2 materials be included as well?