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## PACKAGING AND PRINTED PAPER STEWARDSHIP GUIDELINE

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Section 19 of the *Packaging and Printed Paper Stewardship Regulation (MR 195/2008)* under the Waste Reduction and Prevention Act allows the Minister to establish written guidelines to set additional requirements for the packaging and printed paper stewardship program and its operation. The minister may establish guidelines for the management of packaging and printed paper, issue guidelines that set criteria for program performance evaluation, or address any other matter provided for under the regulation.

The program requirements and plan evaluation criteria for packaging and printed paper are established as follows:

### A. STEWARDSHIP PLAN

Stewards of designated materials are required to submit a program plan proposal for approval by the minister. The following program requirements, as set out in Section 4(2) of the regulation, must be included in any proposed stewardship program plan. Additional instructions pertaining to the requirements of the stewardship plan and program are provided in sections B through J.

Manitoba has stated a preference for the integration of stewardship fees into the price of the product communicated to the consumer. A stewardship organization may propose that fees to support a program be shown separate from the product price at the point of sale. The amount of the fee, the manner in which it is to be charged, and information about how these fees will be communicated to the public, shall be outlined in the stewardship program plan that is submitted to the minister for consideration and approval. Separate fees will not be considered for approval for program plans addressing designated materials collected through the residential recycling program.

A plan for a packaging and printed paper stewardship program shall include provision for:

1. the establishment and administration of a waste reduction and prevention program for packaging and printed paper with waste reduction and prevention targets as set out in the plan;
  2. the appropriate management of waste packaging and printed paper in accordance with any written guidelines established by the Minister;
  3. a province-wide, convenient collection system for waste packaging and printed paper without user fees at the point of collection;
  4. a system for the payment of expenditures incurred in the collection, transportation, storage, processing and disposal of packaging and printed paper in connection with the waste reduction and prevention program;
  5. the orderly collection of revenues from subscribers to the program in balance with expenditures for the program;
  6. the establishment and administration of education programs for the purpose of the waste reduction and prevention program;
  7. the establishment and administration of a point-of-sale information program for the purpose of the waste reduction and prevention program;
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8. the payment of salaries and other costs of government for the administration and enforcement of this regulation and of the Act as it relates directly to packaging and printed paper; and
9. on-going consultation about the stewardship program with persons who the operator considers the stewardship program may affect, including members of the public, in accordance with any guidelines respecting consultation that the minister may establish.

The plan may also deal with research and development, training and educational activities, as well as activities related to waste reduction and pollution prevention.

The minister may provide additional program guidance.

## **B. REQUIRED PROGRAM PLAN COMPONENTS**

For a stewardship program plan to be accepted for evaluation and approval, the following components must form part of the plan proposal:

1. A funding formula for service providers that reflects the range of program conditions across the province and promotes recycling program effectiveness and efficiency;
2. Where community-based collection and recycling services form part of a proposed stewardship program plan for packaging and printed paper, the program operator shall fund 80% of the cost of managing designated materials through municipal residential diversion programs;
3. Program support for schools, post-secondary education institutions, public space, and public event recycling designed to minimize waste from packaging and printed paper;
4. Program support for a comprehensive litter abatement program; and
5. Accurate monitoring and reporting on beverage container sale, recovery and recycling rates.

## **C. PROGRAM PLAN EVALUATION**

For the purpose of plan evaluation, proposed plans shall demonstrate how:

1. the cost of managing designated waste materials is borne by the stewards and users of the product or packaging rather than by the taxpayer;
2. the management of these materials is economically and environmentally sustainable;
3. industry stewards determined the method by which these materials are managed and how these costs are borne by the affected stewards, users of the product or packaging, and potential program partners;
4. the methodology by which fees, if any, will be set and collected under an approved program plan;
5. a comprehensive public awareness and education program will be developed and implemented in consultation with the department;
6. the operator provides a province-wide collection system that provides public access in all regions of Manitoba that is convenient and consistent;
7. the product stewardship program in Manitoba is harmonized, where practical and feasible, with those of other provinces;

8. funds raised for the management of a designated material or product category will be directly related to the costs of managing that designated material or product category;
9. revenue raised through the program is used only for the expenses associated with the program and not to cover steward obligations related to any other stewardship program to which the stewards belong;
10. the transparency of program operations is provided through the development of industry proposals, program plans, and annual reports, which will be available to all stakeholders;
11. the operator undertook appropriate consultations on program plan proposals prior to submission of those proposals to Government;
12. the operator will resolve stakeholder disputes;
13. the operator will conform to regulatory requirements to ensure a level playing field among stewards responsible for a designated waste stream;
14. the operator will measure, monitor and report on program performance, including meeting designated material recovery rate targets; and
15. the operator will adhere to guideline provisions for pollution prevention and best management practices (Section J).

#### **D. PUBLIC CONSULTATION PROCESS FOR PACKAGING AND PRINTED PAPER**

1. Stewards shall:
    - a. ensure that stewardship program decisions and activities include processes or measures for informing those affected by decisions and actions in a timely manner;
    - b. provide meaningful opportunity for public consultation and due process, including the timely release of pertinent information; and
    - c. where applicable, employ collaborative decision-making and consensus-building processes.
  2. Stewards shall seek input during the development and amendment of the program plan, annual reporting, and review of operations from:
    - a. government;
    - b. service delivery agencies;
    - c. relevant external agencies; and
    - d. the public.
  3. Prior to submitting its program plan to the minister, the applicant is required to consult with affected stakeholders and the public. Stewards shall:
    - a. at the outset of any program plan consultation, identify:
      - i. who they expect to consult with;
      - ii. the purpose of the consultation; and
      - iii. how they will conduct the consultation.
    - b. seek input from those who:
      - i. have a mandate or responsibility in a related program area;
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- ii. are expected to implement the proposal;
  - iii. are expected to bear the cost of implementing the proposal; and
  - iv. will be impacted by the proposed plan.
4. In its program plan proposal, identify to the minister:
    - a. who has been consulted in the process of developing and evaluating the plan and/or proposal options;
    - b. any objections and concerns raised by those who were consulted; and
    - c. endorsement of proposed responsibilities by program partners.

#### **E. DESIGN OF AN ADEQUATE COLLECTION SYSTEM**

1. The program plan shall adequately provide for collecting and managing designated packaging and printed paper.
2. Stewards may partner with existing collection systems established by other stewards or another program plan for other designated materials.
3. Consultation with local governments, including municipal corporations, community councils, and First Nations should occur to determine the most effective collection system for the community.
4. The collection system design should consider and prioritize the degree of risk presented by the product.
5. The plan shall adequately provide for reasonable and free consumer access to collection facilities and recycling services, **and be an incremental improvement to programs in place prior to the plan**. Accordingly, consumers are not to be charged a fee by the program operator at the point of collection.

#### **F. ACHIEVING DESIGNATED MATERIAL RECOVERY RATE**

1. In consultation with the program operator and other stakeholders, the minister will confirm minimum performance targets for designated materials.
2. The minimum program performance target for beverage containers will be the recovery of 75% of the containers sold by **stewards of beverage containers, excluding milk (as defined in the regulation)** in the province.
3. The minimum program performance target for plastic bags is set in the Guideline for Plastic Bags. (#2008-2)
4. Stewards are expected to commit to continuous improvement in program performance.
5. The minister may establish other performance requirements in consultation with the program operator and other stakeholders.

#### **G. ESTABLISHING APPROPRIATE PERFORMANCE MEASURES**

1. A steward may recommend appropriate program performance measures in the plan submitted for approval. The measures must show both what is recovered and what is not.
2. The minister may specify one or more performance measures or targets in approving the program plan.

3. A steward may include any type of performance measures or targets in the program plan, in addition to any required by the Minister.
4. The following performance measures are examples for consideration by stewards:
  - a. sales and recovery data;
  - b. municipal waste composition study results, including data from Manitoba studies, other provincial agencies, and Statistics Canada;
  - c. periodic surveys of public awareness of the program and use of the collection system;
  - d. the amount of designated packaging and printed paper collected by the program or its service providers;
  - e. the efficiency of recycling programs as measured by cost per tonne recovered;
  - f. number of collection points and participation rates; and
  - g. proportion of product to be managed, according to the principles of pollution prevention and 4Rs hierarchy.

## **H. DISPUTE RESOLUTION PROCEDURE**

A program plan shall adequately provide for a dispute resolution process which allows for fair, transparent and unbiased independent processes where all views are known when stakeholder or public interests may be affected.

## **I. ANNUAL REPORT**

Section 16(1) of the *Packaging and Printed Paper Stewardship Regulation* requires operators of approved program plans to submit an annual report within 90 days after the end of each fiscal year. In addition to Section 16(2) of the regulation which provides the minimum requirements for an annual report, operators shall:

1. post a copy of the report on the program website;
2. document the performance in adherence to the program plan; and
3. specify what the stewards will do to reduce or eliminate any gap between actual and projected performance.

An annual report may also include information on the following:

### **1. Educational Materials and Strategies**

- a. describe educational materials and strategies used;
- b. provide examples of educational tools, such as newspaper, radio and television advertisements, web pages, flyers and posters; and
- c. comment on the success of various strategies.

### **2. Collection Facilities**

- a. provide information about collection/processing facilities.

### **3. Reducing Environmental Impacts**

- a. information on efforts taken to reduce environmental impacts through a reduction in the disposal of packaging and printed paper;

- b. Identify efforts to reduce the environmental impacts of designated material throughout the product life-cycle, including increased reusability and recyclability; and
- c. Demonstrate a commitment to continuous improvement.

**NOTE:** Program operators may consolidate and aggregate individual steward reporting requirements to protect proprietary information.

#### **4. Consistency with the principles of Pollution Prevention and the 4Rs Hierarchy**

- a. describe how the recovered product was managed in accordance with the principles of pollution prevention and the 4Rs hierarchy; and
- b. report on what percentage of material is managed according to the principles of pollution prevention and at each level of the 4Rs hierarchy.

#### **5. Recovery Rate**

- a. document product recovery rate information;
- b. provide aggregated data of the total amount of product sold and collected, along with the recovery rate, if applicable or, if not, an alternative performance measure to show both what is recovered and what was not; and
- c. report on the amount of product collected and processed in each region or district, if possible.

#### **6. Financial Statements**

- a. submit independently audited financial statements; and
- b. demonstrate commitment to financial transparency and accountability on the use of funds collected from consumers. Individual companies' proprietary information will not be disclosed in any documentation. The program operator/stewardship organization is responsible for establishing secure data reporting and management systems.

### **J. POLLUTION PREVENTION AND BEST MANAGEMENT PRACTICES FOR PACKAGING AND PRINTED PAPER**

- 1. For packaging and printed paper, Manitoba promotes the principles of pollution prevention and the 4Rs of reduce, reuse, recycle and recover. In accordance with Manitoba's principles of sustainable development, product stewards shall:
  - a. promote environmentally acceptable uses of products from packaging and printed paper that have a more beneficial or less adverse impact on the economy, environment, human health and social well-being when compared with competing uses of products from packaging and printed paper;
  - b. where environmentally and economically sustainable, promote local processing, manufacture and use of products from packaging and printed paper as an alternative to exporting recovered material to another jurisdiction; and
  - c. operate in a manner supportive of national and international agreements.