

December 13, 2013

The Praxis Group
242, 2451 Dieppe Avenue SW
Calgary, AB T3E 7K1

Introduction

1. The Canadian Wireless Telecommunications Association (CWTA) is the authority on wireless issues, developments and trends in Canada. It represents wireless service providers, as well as companies that develop products and services for the industry.
2. CWTA appreciates the opportunity to share its views on Alberta's proposed Designated Materials Recycling Regulation.
3. The Canadian wireless telecommunications industry, under the auspices of the CWTA, has developed Recycle My Cell (RMC), a free, national cellular phone recycling program. The primary objective of RMC is to minimize the introduction of wireless devices into Alberta's landfills.
4. The RMC program has operated voluntarily within the province of Alberta since its national launch in January 2009, and was officially recognized by the province in June 2011, at which time CWTA and the Ministry entered into a Memorandum of Understanding. The program has received regulatory approval from the provinces of Nova Scotia (October 2008), British Columbia (November 2009), Newfoundland & Labrador (May 2013) and Manitoba (September 2013). Further, Recycle My Cell has also been formally recognized by the provinces of New Brunswick (March 2009), Prince Edward Island (March 2009) and Saskatchewan (November 2009).
5. CWTA administers the RMC program on behalf of Bell, BlackBerry, Eastlink, GEEP Inc., GREENTEC, LG Electronics Canada Inc., Lynx Mobility, Motorola Mobility, MTS, Nokia, ProMobility, Rogers Communications, Samsung Electronics Canada Inc., SaskTel, Sims Recycling Solutions, Sony of Canada, TBayTel, TELUS, Videotron, and Virgin Mobile Canada. Participating wireless providers currently operating in Alberta include: Bell, Rogers, TELUS, and Virgin Mobile.
6. The program accepts mobile devices that are primarily designed to connect to cellular or paging networks, regardless of brand, model, origin, or age. The devices include: cellular phones, wireless smartphones, wireless PDAs, pagers, and aircards, as well as certain accessories and rechargeable batteries.
7. Recycle My Cell accepts all orphan, historic, and imported mobile devices, as well as mobile devices from non-participating brand owners, when consumers return such products to the Recycle My Cell drop-off locations.

8. In 2012 there were 446 drop-off locations within 75 communities in Alberta. The vast majority of these locations are affiliated with carrier member programs. CWTA and its members support a return-to-retail model for collection drop-off sites. It is felt that the most effective method for cell phone recovery is simply dropping off an existing device(s) when a new one is purchased.
9. Consumers are also able to return devices to third-party locations, such as depots, municipal offices, etc. where these locations choose to participate as drop-off locations.
10. In instances where a drop-off location is not available, RMC offers several mail back options through its member programs which will allow any consumer in the province – with access to Canada Post service – the ability to conveniently and easily return their devices and accessories at no cost to the consumer.
11. All of processors involved in the program are ISO certified and/or verified under Electronic Products Recycling Association's (EPRA) Recycling Vendor Qualification Program (RVQP) meaning they have an environmental management system in place which ensures accountability and knowledge of the associated environmental impacts.
12. CWTA is pleased to offer the following feedback on those areas of specific concern to it:

Electronics Recycling Program Expansion

Expansion of Alberta's electronics recycling program:

13. The Ministry is contemplating an expansion of the existing electronics recycling program to include additional categories of materials, including audio/visual, telecommunications, small household appliances, and power tools. It is proposed that this expanded program would be managed by ARMA.
14. CWTA does not have any specific comments concerning the materials being planned as additions to the current program. However, it is important to note that any additional material added to the program should be clearly defined in a manner that is consistent with other jurisdictions; as many of our members are responsible for a variety of materials, it becomes challenging for them when the definitions of what is included are not properly harmonized.
15. CWTA supports the Ministry in maintaining the current approach for cell phone recovery. CWTA is committed, with its partners, to the ongoing delivery of its cellular phone recovery program within the province.
16. As noted, RMC has operated within the province since 2009; during this time 383,683 devices have been recovered as a result of RMC and member initiatives. RMC operates with no fees charged to consumers purchasing or recycling mobile devices, and has an extensive collection network that provides consumers access and ease.

Alberta Recycling to continue management of the expanded electronics program:

17. Mandating producers to join a specific organization in order to fulfill their obligations appears contrary to the notion of Extended Producer Responsibility.
18. As indicated in the CCME Action Plan, “Producers and importers are the primary agents who are responsible for EPR program design, operation and funding.” One of the key principles to EPR should be a producer’s ability to decide how best to take responsibility for their materials. By prescribing participation in a program, producers lose ability to make decisions concerning how to best manage products at the end-of-life and have little ability to impact how a program is delivered. While some producers may opt to join the already established program, others may have alternate options that can provide similar, if not better, results.

Enable Extended Producer Responsibility

Enabling extended producer responsibility in regulation:

19. CWTA has a unique perspective in administering a national EPR program. Given its operation in multiple jurisdictions and under various regimes (voluntary, MoU with Government, regulated but managed by third-party, regulated but direct relationship with Government) CWTA has had the ability to find best practices that allow the program to run efficiently in all environments. This experience has also highlighted the challenges when province’s roll out new EPR regimes without considering those already in place.
20. While CWTA and its members fully support the need to base recycling programs on the principles developed by the Canadian Council of Ministers of the Environment, we continue to encourage the Department to harmonize its EPR approach with those that are already in existence in other jurisdictions as much as possible, addressing best practices learned from each jurisdiction. While much time has been devoted to the idea of harmonization, little has actually been done to support it across Canada.

Allowing producers to meet their regulatory obligations individually or by joining a collective:

21. Producers should be able to meet their regulatory obligations in a manner that makes the most sense for them, whether that is individually or by joining a collective of their choosing. There are already numerous EPR programs in place across Canada for the material that is being added by the Ministry. Many of the producers that would be obligated to participate in a program in Alberta are likely already part of a program elsewhere. This experience has given them the ability to fine-tune their current programs in a manner that would provide benefits to both the government and consumers.
22. The key requirement for individual or collective programs should be their ability to meet requirements outlined in Alberta’s regulations. This can be managed through the Stewardship Plan process and Annual Report submissions.

The regulatory requirements of stewardship program plans:

23. Expecting producers to submit program plans that outline how they will meet requirements is reasonable. As noted already, the requirements for the stewardship program should be harmonized with other jurisdictions in order to minimize the negative impact on those producers that run multi-provincial or national programs.

Annual reporting requirements on program performance:

24. Expecting anyone that operates a program within the province to provide annual feedback on program performance is reasonable.

Conclusion

25. CWTA is generally supportive of the changes that Alberta Environment and Sustainable Resource Development is proposing. The key element will be the degree to which the proposed changes are harmonized with regulations and requirements already in place across Canada.
26. Harmonized regulations would allow for obligated parties to find efficiencies in program operation to the benefit of residents in the province. Where harmonization is not possible, best practices from other jurisdictions should be considered.
27. CWTA also looks forward to continuing its relationship with the Ministry while it maintains the RMC program within the province.
28. RMC aims to prolong the useful life of mobile devices by encouraging customers to return their used devices rather than throw them away. RMC leverages existing programs operated by wireless service providers and handset manufacturers, which fulfills the requirements of the proposed provincial regulations.
29. CWTA looks forward to remaining a productive partner in the collection and processing of end-of-life wireless handsets and other devices in Alberta, and remains available for any follow-up questions the Province may have in the meantime.

*****End of Document*****