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Gary Ryan, Director of Programs
Multi-Materials Stewardship Board (MMSB)
P.O. Box 8131 Station A
St. John's, NL A1B 3M9

Submission of the Canadian Wireless Telecommunications Association to the MMSB Proposed E-Waste Extended Producer Responsibility (EPR) Framework Program

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 the Multi-Materials Stewardship Board and the Province of Newfoundland and Labrador's Department of Environment and Conservation proposed e-waste EPR framework program.
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 RMC program has received regulatory approval from the provinces of Nova Scotia (October 2008) and British Columbia (November 2009). Further, Recycle My Cell has also been formally recognized by the provinces of Prince Edward Island and New Brunswick (March 2009), Saskatchewan (November 2009) and Manitoba (May 2009). The program is in various stages of active consideration in Alberta, Ontario, and Quebec.
4. The RMC program has been operating voluntarily within the province of Newfoundland and Labrador since its national launch in January 2009, and was officially recognized by the province on July 28, 2009.
5. Generally speaking, CWTA notes that the proposed regulations are reflective of those already established in other provincial jurisdictions. As such, CWTA does not foresee any difficulty in ensuring that RMC meets the proposed requirements as set out in the discussion paper. At the same time, CWTA respectfully notes at the end of this submission several aspects of the discussion paper that, in our view, require further clarification.

Program Partners for Newfoundland and Labrador

6. CWTA administers the RMC program across Canada on behalf of Bell, GEEP Inc., GREENTEC, Lynx Mobility, Motorola, MTS, Nokia, ReCellular, Inc., Research In Motion, Rogers Communications Inc., Samsung, SaskTel, Sims Recycling Solutions, Sony Ericsson, TBayTel, TELUS, Videotron, Virgin Mobile Canada, and WIND Mobile. These companies include all CWTA members offering wireless service in Newfoundland and Labrador, as well as the Electronic Product Stewardship Canada's (EPSC) - approved processors that handle the downstream materials.

7. Appendices of brand owners and collection points in Newfoundland and Labrador can be found at the end of this submission.
8. RMC's established network of collection points, and its ability to include new ones (including municipal locations or depots) in a timely fashion, will allow the program to run unimpeded during any anticipated transition period.

RMC Program Promotion

9. CWTA, and its participating members, have undertaken various promotional activities to raise awareness about cell phone recycling. Initiatives that will continue to promote RMC include:
 - RMC Web site highlighting 10 closest locations based on postal code searches;
 - RMC material on stakeholder Web sites;
 - Toll-free number for those without internet access or in need of more personalized information;
 - Promotional materials (including brochures, posters, tent cards and banner/button ads) for municipal and other 3rd party sites;
 - News Canada stories for inclusion in newspapers or Web sites;
 - Press releases highlighting latest developments regarding RMC;
 - Paid advertising to support specific events;
 - Sponsorship of events like Waste Reduction Week in Canada; and
 - Participation at local trade shows and fairs.

CWTA is also exploring social media as another method to increase RMC awareness.

Performance Indicators

10. In 2010 members of CWTA recycling program collected 309,229 wireless devices nationally. Of these, 6,143 devices were recovered within Newfoundland and Labrador via the program's 71 collection sites and as part of the Recycle My Cell School Challenge.
11. In a 2010 Quorus survey, conducted on behalf of CWTA, 65% of respondents from Newfoundland and Labrador with a cell phone in storage indicated they would be willing to recycle it or return it to a cell provider.
12. Data from that survey also indicates that 19% of Newfoundlanders and Labradoreans returned their devices to cell phone providers, 16% through a retail store, with another 4% using curbside recycling boxes and 4% using recycling depots.
13. Overall 48% of Canadians are aware of recycling programs for cell phones (in general). Cell phone companies are the most recognized for recycling programs with 25%, followed by electronic retailers at 17%. 39% of Newfoundland and Labrador residents are aware of recycling programs for cell phones in general, with 19% of respondents being aware of the Recycle My Cell program specifically. The CWTA intends to commission annual surveys which would allow for a comparative evaluation of the program from year one and beyond.

Recycle My Cell School Challenge

14. On February 2, 2011, Recycle My Cell announced the winning schools in the first annual Recycle My Cell Challenge. Held in partnership with the 2010 Waste Reduction Week in Canada, Canadian secondary schools and post-secondary institutions were challenged to recycle as many end-of-life wireless devices possible, including cell phones, smartphones, wireless PDAs, pagers, accessories and cell phone batteries.
15. From October 18 to November 30, 2010, students from 70 schools in six provinces participated in the Recycle My Cell School Challenge, collecting almost 4,000 wireless devices, as well as close to 200 kilograms of batteries and other wireless accessories.
16. The school in each province that collected the most cell phones, based on student population received a cash donation to support the school's green initiatives, as well as a new smartphone that the Principal awarded to a student who had shown outstanding leadership in environmental protection.
17. In Newfoundland and Labrador, where the Recycle My Cell Challenge was also extended to elementary schools (in partnership with the Multi Materials Stewardship Board), two schools have been named winners: Immaculate Heart of Mary School (First Place), Corner Brook
St. Gerard's School (Second Place), Corner Brook
18. CWTA, on behalf of RMC, is proud to acknowledge the outstanding efforts of students in these schools, and across Newfoundland and Labrador generally, in demonstrating environmental leadership.

Program Compliance and Standards

19. The RMC processors include FCM Recycling , Global Electric Electronic Processing Inc, GREENTEC, ReCellular, Inc., and Sims Recycling Solutions.
20. All of these processors are ISO certified and certified under Electronic Product Stewardship Canada's (EPSC) Recycler Qualification Program (RQP) per the requirements set out by other jurisdictions, meaning they have an environmental management system in place that ensures accountability and knowledge of the associated environmental impacts.
21. The recycling practices of these partners consist of zero-landfill contribution or shipment to developing countries, recycling of electronic hardware, and processing e-waste into raw materials for new consumer and industrial goods. Regular third party audits are conducted by accredited organizations in order for processors and their downstream partners to maintain their respective certifications. CWTA believes that provision of valid certificates should be sufficient for processors to establish their continued adherence to established standards.
22. CWTA notes that the selection of a processor by a carrier or manufacturer is a competitive matter, and as such does not provide specific recommendations as to which companies should do business with which other companies. CWTA does stipulate that for a processor to be involved with RMC they must meet all necessary standards.

23. Our current processing partners operate facilities located outside of Newfoundland and Labrador, as is consistent with the national scope of the RMC program. Given the nature of our material and the means by which we transport it, a disassembly facility is not required.
24. Should one or more Newfoundland and Labrador companies develop the capacity to process end-of-life cell phones and other wireless devices, in accordance with whatever formal standards are set by the Province, there is nothing that would prevent any participating partner in RMC from making use of those facilities at their discretion.

Other Issues

25. With respect to item xi) on page 5 of the discussion document, under *Contents of electronic stewardship plan*, it is not clear to CWTA whether MMSB proposes to have the sole authority to hire auditors, or whether an already-established, successful program such as RMC would have the flexibility to select one national auditor to fulfill this requirement (and similar requirements in other jurisdictions). CWTA submits that selection by the steward of its own auditor is fundamental to the protection of proprietary commercial data, and is beneficial to overall program efficiency.
26. Further to item i) on page 6 of the document, under *Annual report and other information*, CWTA notes that RMC currently reports on the aggregate number of devices recovered within a province, with a percentage breakdown for the amount recycled and reused. More detailed reporting – i.e. by brand – would be problematic, as RMC drop-off locations accept any device, regardless of brand. So Company A would have no way of knowing that one of its branded devices was collected by Company B, and so on. CWTA submits that given RMC’s “brand neutral” recovery strategy, and its current practice of reporting total number of devices collected by province, there should be no requirement for reporting of wireless device collection by brand in NL.
27. With respect to item ix) on Page 7 of the document, under *Annual report and other information* CWTA notes that RMC does not generate any revenues from consumers. RMC is a not-for-profit venture, and revenues from the sale of collected materials to processors directly support numerous charities. Moreover, RMC is funded through dues payable to a national trade association (i.e., RMC is funded through CWTA’s general budget, using CWTA staff and resources). As such it would be extremely difficult to break down which portion of CWTA’s overall budget was associated with the operation of RMC in NL. Therefore CWTA respectfully submits that (i) programs that do not collect any consumer fees for recovery/recycling should properly be exempt from reporting on revenues associated with the operation of the program in NL, and (ii) programs that operate as an extension of a broader national initiative should not be required to break down the by-province cost of that program. Furthermore, CWTA would be willing to commit in its program plan to reporting on charitable contributions that result from collection of materials from RMC nationally.
28. With respect to *Administrative Fees* outlined on page 7, CWTA maintains that the cost of monitoring government regulation should be borne out of the government’s annual budget. Anything else amounts to a hidden tax on business and consumers. CWTA notes that it does not collect any point-of-sale fees for RMC in any province, and would not want its carrier members to be in a position to have to pass a NL-specific ‘RMC administration fee’ on to NL consumers via their monthly bills.
29. On the last page (8) of the document, reference is twice made to ‘penalties,’ however at no point within the framework the document specifies what would trigger these ‘penalties.’ CWTA respectfully requests clarification of this item.

Conclusion

30. 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 will accommodate the requirements of the proposed provincial legislation and regulation. These corporate programs collect, transport, reuse and recycle mobile devices and accessories. Where no other option exists, these programs properly dispose of the products.
31. Consumers are already able to turn in their devices at any collection site across the province of Newfoundland and Labrador, completely free of charge. As an additional benefit to consumers, a variety of postage-paid mail-back options that accept any cellular phone are also in place.
32. Designated containers, located at each collection site, are stored until full and then shipped by courier to an aggregating and sorting facility or directly to a processor.
33. Devices are typically triaged and sorted into three categories: resalable devices; recyclable devices and accessories; and batteries.
34. Once the regulations are finalized further to this consultation process, CWTA will be pleased to file a stewardship plan that addresses all regulatory requirements and that commits to an agreed-upon level of reporting and marketing with respect to brand owners and partnerships.
35. CWTA looks forward to remaining a productive partner in the collection and processing of end-of-life wireless handsets and other devices in Newfoundland and Labrador, and remains available for any follow-up questions the Province may have in the meantime.

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

Appendix 1 – List of Brand owners / Drop off Locations

Appendix 2 – Collection Map of NL