



**City of Kingston
Report to Council
Report Number 24-042**

To: Mayor and Members of Council

From: Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services

Resource Staff: Karen Santucci, Director, Public Works & Solid Waste

Date of Meeting: January 23, 2024

Subject: Product Care Association of Canada - Municipality Lighting Materials Services Agreement

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

Under the *Resource Recovery and Circular Economy Act, 2016*, Ontario Regulation 522/20, Electrical and Electronic Equipment, designates that lighting equipment fall under Ontario's Individual Producer Responsibility (IPR) regulatory framework. IPR holds producers accountable for their products and packaging once consumers are finished with them; sets mandatory and enforceable requirements for resource recovery; and gives producers choices for resource recovery services in a competitive market.

As of January 1, 2023, lighting producers are individually accountable and financially responsible for collecting, reusing, refurbishing or recycling their products when consumers discard them. The EEE Regulation defines lighting as equipment that has the primary purpose of producing light, such as light bulbs, tubes and lamps, and includes incandescent, fluorescent, halogen, light-emitting diode (LED) and high-intensity discharge (HID) lamps. The definition does not include lighting that is provided with another product or fixture, or falls into the category of information technology, telecommunications and audio-visual (TTT/AV) equipment as defined by the Regulation.

January 23, 2024

Page 2 of 5

Product Care Association of Canada (PCA) is a Canadian not-for-profit association that was created by manufacturers, distributors and retailers (collectively called “producers”) to develop and operate recycling programs. There is opportunity to enter into an agreement with PCA that would provide revenue to the City for collecting these designated lighting products.

Recommendation:

That Council authorize the Mayor and Clerk to execute a new revenue generating agreement with Product Care Association of Canada, in a form satisfactory to the Director of Legal Services, for the recovery of funds related to the management of designated lighting products.

January 23, 2024

Page 3 of 5

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Brad Joyce, Commissioner,
Infrastructure, Transportation &
Emergency Services**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services	Not required
Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

January 23, 2024

Page 4 of 5

Options/Discussion:

The *Waste Free Ontario Act* was legislated in November 2016. The intent of the Act and other supporting legislation is to build a circular economy whereby products and packaging are designed to minimize waste and then be recovered, reused, recycled, and reintegrated back into production. A key driver of the circular economy is Individual Producer Responsibility (IPR). IPR means that producers are responsible and accountable for collecting and managing their products and packaging after consumers have finished using them.

The Province is responsible for determining which materials transition to IPR and the transition of designated products such as electronics, tires, and batteries has occurred over the past several years.

The four main categories of material to transition to IPR include:

- Tires: Producers became responsible for ensuring used tires are collected and recycled or reused as of January 1, 2019.
- Hazardous or Special Products: Transitioned to IPR on October 1, 2021, except for single-use batteries, which transitioned in July 2020.
- Electronic Equipment: Transitioned to IPR in January 2021 and lighting equipment transitioned January 1, 2023.
- Blue Box Program Plan: Will transition to the new regulatory framework for resource recovery starting on July 1, 2023 through to December 31, 2025.

The purpose of this report is to seek approval to execute an agreement to recover funds for the collection and transfer of designated lighting products.

Background

Product Care Association of Canada (PCA) is a Canadian not-for-profit association that was created by manufacturers, distributors, and retailers (collectively called “producers”) to develop and operate recycling programs, as required by regulations in various provinces, for the products they produce and market. On August 14, 2023, PCA received feedback from the municipal working group regarding a lighting agreement template and, subsequently, incorporated several edits into the lighting only agreement before proceeding with the distribution to municipalities. PCA is working with each municipality on the follow-up and execution of the agreements for which the substantive effect is to provide funding to the municipality for the collection and transport of designated lighting products.

The effective date of the agreement for the City of Kingston will be backdated to January 1, 2023, when the Ontario lighting program began. Hazardous fluorescent lighting is currently collected through the City’s Hazardous Waste Depot separate from the Hazardous Special Products program. Small-item bulbs (e.g., compact fluorescent) are also accepted year-round at the Kingston Area Recycling Centre (KARC) administration office. The City finances all of the

January 23, 2024

Page 5 of 5

costs to receive, transport and dispose of these products. With backdating the effective date for the agreement with PCA, the City will provide the required 2023 data to substantiate a payment to the City for the collection of the fluorescent lighting for that year.

Once the agreement with PCA is in place, KARC will initiate changes to accept all lighting products designated by the EEE regulation, such as incandescent light bulbs that residents are currently directed to put into their curbside garbage. The various lighting products will be shipped to designated processors as stipulated by PCA. The process of product collection, transfer and submission of data for expenditure recovery will continue on an ongoing basis.

Existing Policy/By-Law

Solid Waste Management By-Law Number 2014-5, Amended 2016-160

Notice Provisions

None

Financial Considerations

The agreement with PCA will result in approximately \$6,000 of annual expenditure recovery funding.

Contacts:

Karen Santucci, Director, Public Works & Solid Waste, 613-546-1181 extension 1856

Other City of Kingston Staff Consulted:

Jason Hollett, Manager, Solid Waste Services

Alan McLeod, Deputy Director, Legal Services

Exhibits Attached:

None