



Ministry of  
Environment

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## Guidance

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### **Submission Checklist For Product Stewardship Plans Under the Recycling Regulation**

**Version 1.0**

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**Extended Producer Responsibility Section  
Environmental Standards Branch  
Environmental Protection Division**

## Disclaimer

This document, and references to the Recycling Regulation, is provided for information and guidance only. This guidance in no way supplants, replaces, or amends any of the legal requirements of the Regulation under the *Environmental Management Act*. Conversely, an omission or truncation of regulatory requirements in this guidance document does not relieve producers or other parties of their legal obligation to fully comply with all regulatory requirements.

Users should rely on official versions of the *Environmental Management Act* and the Recycling Regulation as reproduced on the BC Laws website or obtain a copy from Queens Printer.

# Submission Checklist for Product Stewardship Plans Under the Recycling Regulation

## Purpose

This Submission Checklist for Product Stewardship Plans (the checklist) provides guidance to producers, or agencies acting on their behalf, to ensure that Product Stewardship Plans (stewardship plans) meet the requirements of the Recycling Regulation (the Regulation). The Regulation (Part 2, Section 4) requires producers to submit product stewardship plans in a “manner and format satisfactory to a director, for the products within the product category of the product the producer sells, offers for sale, distributes or uses in a commercial enterprise in British Columbia”.

In order to address regulatory requirements in a standardized format and allow for a more efficient review by stakeholders and the Ministry of Environment (the Ministry), stewardship plans should be developed and submitted using the checklist provided in this document.

This document is to be used in conjunction with the [Recycling Regulation](#) under the [Environmental Management Act](#); the [Recycling Regulation Guide](#); the *Guide to Third Party Assurance for Non-Financial Information in Annual Reports* (available upon request); [BC’s hazardous waste legislation and regulations](#); and other legislation and guidance as necessary. Contact the Ministry file lead if further clarification is required.

## Guidance

The following checklist is a screening tool used by the Ministry to determine the completeness of stewardship plans. A complete and accurate stewardship plan is less likely to experience delays during the Ministry review or be rejected. The checklist is to be completed and submitted as a preface to the stewardship plan demonstrating that the stewardship plan includes information required under the Regulation, as well as recommendations provided through the *Recycling Regulation Guide*, and by Ministry staff directly. For your convenience, references to the applicable sections of the Regulation are provided throughout the checklist.

Bolded headings in the checklist below correspond to headings in the *Recycling Regulation Guide* with the addition of three section headings - “Introduction”, “Duty of producer”, and “Products covered under the stewardship plan”. Additional information, such as relevant sub-headings and optional appendices may also be included at the discretion of the producer or agency.

If answering “yes” (Y) to the criteria below, please reference the page number(s) where the corresponding information can be found in the stewardship plan. If answering “no” (N) or “not applicable” (NA) provide a brief explanation or reference where a broader explanation is located in the stewardship plan.

## Submission checklist

<b>General</b>
Stewardship plan title:
Product category:
Stewardship plan submission date:
Date of originally approved stewardship plan and subsequent plans and/or amendments:
Submitted by:
Primary contact (name, phone, and email):
Stewardship program website:

Information included in the stewardship plan	Y/N/NA	Explanation if N or N/A
In deciding whether to approve the stewardship plan, the director may consider Section 5(2)(a) through (m). In developing the stewardship plan and program operations consideration was given to the following:		
<ul style="list-style-type: none"> <li>The population and geographical area of the markets in which the producer sells, offers for sale, distributes or uses in a commercial enterprise the product</li> </ul>		
<ul style="list-style-type: none"> <li>The manner in which the product is marketed and retailed by the producer</li> </ul>		
<ul style="list-style-type: none"> <li>The nature of the product</li> </ul>		
<ul style="list-style-type: none"> <li>The amount of product the producer expects to sell, distribute or use in a commercial enterprise each year</li> </ul>		
<ul style="list-style-type: none"> <li>The amount of product the producer expects to collect each year</li> </ul>		
<ul style="list-style-type: none"> <li>The size of the population intended to be served by each collection facility</li> </ul>		
<ul style="list-style-type: none"> <li>The provision of convenient options for the collection of products in urban centres and small, isolated communities, and for persons with disabilities or who have no access to transportation</li> </ul>		
<ul style="list-style-type: none"> <li>The methods of product collection, storage, transportation and management</li> </ul>		
<ul style="list-style-type: none"> <li>The structure of financial and operational co-operation with other producers</li> </ul>		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
Cover page		
Table of contents		
Glossary of terms and abbreviations		
<b>1. Introduction</b>		
a) Provides the regulatory context for stewardship plans in BC  <i>For example: "In British Columbia the <a href="#">Recycling Regulation</a> under the <a href="#">Environmental Management Act</a> sets out the requirements for extended producer responsibility, including the requirement for product stewardship plans."</i>		
<b>2. Duty of producer - Section 2(1)</b>		
a) Provides the regulatory context for why a producer must have an approved stewardship plan  <i>For reference, Section 2(1) of the Regulation provides:            A producer must (a) have an approved plan under Part 2 [Product Stewardship Plans] and comply with the approved plan with respect to a product in order to sell, offer for sale, distribute or use in a commercial enterprise the product in British Columbia</i>		
b) If the producer is submitting an independent stewardship plan, the stewardship program information is easy for the public to locate on the program website and the webpage link is provided in the stewardship plan		
<b>3. Appointment of stewardship agency (if applicable) - Section 2(2),(3),(4),(5)</b>		
a) Provides the following statements: <ul style="list-style-type: none"> <li>• Before the agency begins to carry out the duties of the producer under Part 2 of the Recycling Regulation the producer must notify the agency in writing of the appointment, specifying the duties under Part 2 the agency will perform on behalf of the producer – Section 2(2)</li> <li>• A copy of any notification the agency received from the producer is available upon the request of a director – Section 2(4)(b)</li> <li>• The stewardship plan confirms the duties that the agency will perform on behalf of each producer that has joined the agency; or alternatively, state how written confirmation will be provided to a director under the Regulation – Section 2(3)(a)</li> </ul>		
b) Lists of the producers the agency currently represents in an appendix and/or provide the regularly updated membership webpage link – Section 2(4)(a)		
c) Describes the producer membership		
d) Identifies the approximate collective market share that the member producers represent in BC for the products covered under the stewardship plan		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
e) Stewardship program information is easy for the public to locate on the agency website and the webpage link is provided in the stewardship plan		
Agency governance		
f) Describes the agency’s structure and governance that demonstrates transparency and oversight, such as:		
<ul style="list-style-type: none"> <li>Operating as a not for profit corporation, under the Canada Not-for-Profit Corporations Act, and/or BC Societies Act</li> </ul>		
<ul style="list-style-type: none"> <li>Current board of directors (name and affiliation) accountable to the producer membership</li> </ul>		
<ul style="list-style-type: none"> <li>Webpage link to the program’s Federal Corporation Information</li> </ul>		
<ul style="list-style-type: none"> <li>The process or webpage link for stakeholders to obtain current bylaws and financials</li> </ul>		
<ul style="list-style-type: none"> <li>Current or anticipated advisory committees, associations, etc.</li> </ul>		
Performance monitoring and reporting commitments		
g) Provides the reporting commitments:		
<ul style="list-style-type: none"> <li>Any changes in the agency’s structure and governance from the previous annual report</li> </ul>		
<ul style="list-style-type: none"> <li>List of board members and affiliation</li> </ul>		
<b>4. Products covered under the stewardship plan - Section 4 and relevant schedule</b>		
a) Lists the applicable regulatory schedule and product categories		
b) Lists the included (and excluded if relevant) products and/or program defined product categories and the regularly updated webpage link for all products covered		
c) Identifies other stewardship program(s) for the same products operating under a separate stewardship plan – Section 5(2)(l)		
<b>5. Stakeholder consultation - Section 5(1)(b)</b>		
Consultation undertaken prior to stewardship plan submission		
a) The producer(s) have undertaken satisfactory consultation with stakeholders prior to submitting the stewardship plan for approval, including:		
<ul style="list-style-type: none"> <li>Identifying the stakeholders whose interests will potentially be or are affected by the provisions of the proposed stewardship plan and program operations</li> </ul>		
<ul style="list-style-type: none"> <li>The consultation process engaged a cross-section of identified stakeholders</li> </ul>		
<ul style="list-style-type: none"> <li>The stewardship plan and consultation materials clearly provided sufficient detail to enable those affected by the plan and program operations to determine the implications to their interests, including, if applicable, a summary of the program’s potential impacts, both positive and negative, to affected stakeholders</li> </ul>		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
<ul style="list-style-type: none"> <li>• Provides the proceedings of the consultation process including:               <ul style="list-style-type: none"> <li>○ The effective and timely notice of consultation opportunities (distribution lists, advertisements, etc.)</li> <li>○ The amount of time given to respond to the draft stewardship plan</li> <li>○ When and where the meetings and/or webinars were hosted</li> <li>○ The parties consulted and attendance at meetings or webinars, including who they were and/or their affiliation</li> <li>○ Documents and materials presented</li> <li>○ Webpage link to all publically available consultation materials</li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li>• Describes the transparent process for reviewing submissions and responding to stakeholders on how their responses were addressed</li> </ul>		
<ul style="list-style-type: none"> <li>• Details the stakeholder responses, the options considered for the stewardship plan or program operations, and the rationale for why each option is or is not being pursued</li> </ul>		
<b>Ongoing stakeholder engagement</b>		
b) Describes the opportunity for stakeholder input in the implementation and operation of the stewardship program		
<b>6. Collection system and consumer accessibility – Sections 5 and 8</b>		
a) Provides the following commitments:		
<ul style="list-style-type: none"> <li>• The producer collecting and paying the costs of collecting and managing products within the product category covered by the stewardship plan, whether the products are currently or previously sold, offered for sale or distributed in BC – Section 5(1)(c)(i)</li> </ul>		
<ul style="list-style-type: none"> <li>• Reasonable and free consumer access to collection facilities – Section 5(1)(c)(iii)</li> </ul>		
<ul style="list-style-type: none"> <li>• With respect to the solvent and flammable liquids, pesticide, gasoline and pharmaceutical product categories a commitment to – Section 5(1)(c)(ii):               <ul style="list-style-type: none"> <li>○ the collection of residuals and containers that are or were in direct contact with a residual, and</li> <li>○ the management of residuals and containers collected</li> </ul> </li> </ul>		
<b>Collection system</b>		
b) Describes the product collection system and program operations, including:		
<ul style="list-style-type: none"> <li>• The different types of collection channels (e.g., depot, return-to-retail, private or commercial, mobile, events, mail-back, etc.) given the nature of the product (e.g., small, large, hazardous, etc.)</li> </ul>		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
<ul style="list-style-type: none"> <li>The process to identify the varying collection performance for the sub-categories of products covered under the stewardship plan</li> </ul>		
<ul style="list-style-type: none"> <li>The principles for collection accessibility (e.g., province wide, small isolated communities, rural/urban areas, by regional district, etc.)</li> </ul>		
<ul style="list-style-type: none"> <li>The process to identify areas that are underserved and/or have lower than average collection</li> </ul>		
<ul style="list-style-type: none"> <li>Efficiency and consistency opportunities being pursued with other stewardship programs</li> </ul>		
Product pathways that are not directly managed by the stewardship program		
<p>c) Describes the end-of-life and/or the export pathways for all of the products covered under the stewardship plan that are not directly managed by the stewardship program, including:</p> <ul style="list-style-type: none"> <li>Private handling of industrial, commercial and institutional products</li> <li>Disposal at landfill</li> <li>Incidental municipal and/or other stewardship program collection</li> <li>Market-based commodity system</li> </ul>		
<ul style="list-style-type: none"> <li>Describes the process for tracking the unmanaged product pathways, such as: <ul style="list-style-type: none"> <li>Unaccounted for product study</li> <li>Behavioural survey</li> <li>Waste composition study</li> <li>Industry associations and representatives</li> </ul> </li> </ul>		
Performance monitoring and reporting commitments		
d) Provides performance metric(s) and targets(s) for the following:		
<ul style="list-style-type: none"> <li>A recovery rate, or</li> <li>An alternative performance metric - Section 5(1)(a) <ul style="list-style-type: none"> <li>If an alternative metric to a recovery rate is used, rationale is provided in the stewardship plan</li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li>Collection accessibility <ul style="list-style-type: none"> <li>Facilities province-wide</li> <li>Facilities for each regional district</li> <li>Rural/urban regions</li> <li>Different types of products</li> </ul> </li> </ul>		
e) Provides the reporting commitments:		
<ul style="list-style-type: none"> <li>The total amount of the producer's product sold - Section 8(2)(e)</li> </ul>		
<ul style="list-style-type: none"> <li>The total amount of the producer's product collected - Section 8(2)(e)</li> </ul>		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
<ul style="list-style-type: none"> <li>The total amount of the product recovered in each regional district - Section 8(1)(e.1)</li> </ul>		
<ul style="list-style-type: none"> <li>The total amount of the product recovered per capita for each regional district and for the province</li> </ul>		
<ul style="list-style-type: none"> <li>The varying collection performance for the sub-categories of products covered under the stewardship plan and the actions that will be taken to increase the collection of these products</li> </ul>		
<ul style="list-style-type: none"> <li>The location of collection facilities, and any changes in the number and location of collection facilities from the previous report - Section 8(2)(b)</li> </ul>		
<ul style="list-style-type: none"> <li>Identified under-served areas or regions with lower than average collection and the actions that will be taken to address collection in underserved areas (e.g., funded collection and awareness events, etc.)</li> </ul>		
<ul style="list-style-type: none"> <li>Information from local government waste composition analysis identifying the kilos per capita for program materials</li> </ul>		
<p>f) The reporting metrics align with the requirements of third party assurance for non-financial information – Section 8(2)(h), including:</p> <ul style="list-style-type: none"> <li>Stewardship program specific definitions, and</li> <li>Stewardship program applicable criteria</li> </ul>		
<b>7. Consumer awareness</b>		
<p>a) Describes the kind (e.g., target the right audience at the right time in the right place) and amount of advertising and consumer education planned to inform consumers of the location and operation of collection facilities and the environmental and economic benefits of participating in the product stewardship program – Section 5(2)(j) and Section 5(1)(c)(iv) including:</p>		
<ul style="list-style-type: none"> <li>Program specific and collaborative communications tools (e.g., websites, province-wide hotline, municipal calendars, etc.)</li> </ul>		
<ul style="list-style-type: none"> <li>Participation with other stewardship programs in awareness and education initiatives (e.g., advertising, shared events, ambassador program, etc.)</li> </ul>		
<p>b) Describes the strategies and actions to make retailers adequately aware of the stewardship program, including information to correctly answer consumer questions regarding visible fees, the safe handling of products, and collection channels</p>		
Performance monitoring and reporting commitments		
<p>c) Provides a consumer awareness metric(s) and target(s)</p>		
<p>d) Provides the reporting commitment: A description of the program’s educational materials and strategies – Section 8(2)(a)</p>		
<b>8. Management of program costs - Section 5(1)(c)(v)</b>		
<p>a) Describes the stewardship program’s funding model and oversight, including:</p>		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
<ul style="list-style-type: none"> <li>• Transparency and accountability principles and/or practices for the management of fees collected</li> </ul>		
<ul style="list-style-type: none"> <li>• Financial risk management principles and/or practices, for example:               <ul style="list-style-type: none"> <li>○ Maintaining a reserve fund</li> <li>○ How the balance is justified</li> <li>○ Methods to maintain the fund overtime</li> </ul> </li> </ul>		
Performance monitoring and reporting commitments		
b) Provides performance monitoring metrics and targets		
c) Provides the reporting commitment to independently audited financial statements detailing – Section 8(2)(f): <ul style="list-style-type: none"> <li>• All deposits received and refunds paid, and/or</li> <li>• Revenues and expenditures for any fees associated with the approved stewardship plan that are charged separately and identified on the consumer receipt of sale</li> </ul>		
<b>9. Management of environmental impacts - Section 5(1)(c)(v)</b>		
a) Provides for the management of the product throughout the product's life cycle and in adherence to the order of preference in the pollution prevention hierarchy – Section 5(1)(c)(v) and Section 5(2)(c)(viii), including: <ul style="list-style-type: none"> <li>• Options and strategies for each level of the hierarchy</li> <li>• Factors that impact the decision-making process               <ul style="list-style-type: none"> <li>○ Level of direct influence or ability to impact</li> <li>○ Technical and economic feasibility</li> <li>○ Environmental and safety impacts</li> </ul> </li> <li>• Research and development</li> <li>• Opportunities to expand materials collected and/or processed</li> <li>• Influence expansion of processing capabilities in the future</li> <li>• Identified acceptable product and/or material end fates</li> <li>• The various product and/or material processing pathways relative to their final disposition</li> <li>• Program environmental and safety risk management practices and due diligence processes for the collection and processing of products and/or materials to end disposition (e.g., certifications, standards, processor inspections, third-party audits, downstream tracking systems, legislation, etc.)</li> </ul>		
Performance monitoring and reporting commitments		
b) Provides acceptable product and/or material end fate metrics and targets (If applicable)		
c) Provides the reporting commitments:		
<ul style="list-style-type: none"> <li>• Efforts taken by or on behalf of the producer to reduce environmental impacts throughout the product life cycle and to increase reusability or recyclability at the end of the life cycle - Section 8(2)(c)</li> </ul>		

Information included in the stewardship plan	Y/N/NA	Reference Page # and/or Explanation
<ul style="list-style-type: none"> <li>• A description of how the recovered product was managed in accordance with the pollution prevention hierarchy - Section 8(2)(d) including:</li> </ul>		
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ Conformance with acceptable product and/or material end disposition</li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ Program environmental and safety risk management practices and due diligence processes for the collection and processing of product(s) and/or material(s) to end disposition</li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ Degree of certainty over the processing pathways to support quantitative information on product and/or material end disposition</li> </ul> </li> </ul>		
<p>d) The reporting metrics align with the requirements of third party assurance for non-financial information – Section 8(2)(h), including:</p> <ul style="list-style-type: none"> <li>• Stewardship program specific definitions, and</li> <li>• Stewardship program applicable criteria</li> </ul>		
<b>10. Dispute resolution - Section 5(1)(c)(vi)</b>		
<p>a) Provides a dispute resolution procedure for disputes that arise between a producer and person providing services related to the collection and management of the product during implementation of the stewardship plan or operation of the product stewardship program</p>		
<b>11. Performance monitoring and reporting commitments – Section 5(1)(c)(v)</b>		
<p>a) Summarizes in a table the performance monitoring and reporting commitments over the five-year period of the plan, and beyond (if no amendments are required or are delayed) that are detailed under each of the relevant section headings. Do not include performance metrics and targets in the table that are not addressed under the appropriate section headings</p>		
<p>b) Identifies performance monitoring and reporting commitments that are subject to third party assurance for non-financial information – Section 8(2)(h)</p>		