

November 30, 2017

VIA EMAIL

Mr. Bert Verriet
Chair
Automotive Materials Stewardship

Re: Access to Reserves held by Stewardship Ontario

Dear Mr. Verriet:

Thank you for your letter of June 16, 2017 regarding funds held by Stewardship Ontario under the Municipal Hazardous or Special Waste (MHSW) Program. Thank you also for your patience while we considered your request.

Section 35 of the *Waste Diversion Transition Act, 2016* (WDTA) continues the fund established by an industry funding organization (IFO) under Section 32 of the *Waste Diversion Act, 2002* in respect of a waste diversion program and continues the requirement that the fund be held in trust by the IFO. This requirement applies to the fund established by Stewardship Ontario in respect of the MHSW Program.

Subsection 35 (2) of the WDTA states that the funds held in trust by an IFO shall only be used for certain purposes, including paying for the cost of operating the waste diversion program and costs related to the wind up of the IFO and the program. The costs described in Subsection 35 (2) do not include contributing to the costs of, or the establishment of a reserve by, an approved ISP.

Under the WDTA, the Minister may issue a direction to wind up a waste diversion program and the IFO that operates that program. Stewardship Ontario is required to hold the funds in respect of the MHSW Program in trust until it is determined how these funds are to be dealt with as part of the wind up of the MHSW Program.

Sincerely,

Resource Productivity and Recovery Authority



Glenda Gies
Chair

- c. Geoff Rathbone, Director of Transition, Resource Productivity and Recovery Authority
John Coyne, Chair, Stewardship Ontario