



Stewardship Plan Requirements

Extended Producer Responsibility



Preparation and submission of a Stewardship Plan

This guidance document outlines requirements for stewards and producer responsibility organizations in developing and submitting a stewardship plan.

The Extended Producer Responsibility Regulation (EPRR) section 13(1) requires stewards to submit a stewardship plan that addresses the elements outlined in section 13(2) and to consult with affected stakeholders on their plan's development. Consequently, when assessing whether to approve a plan, the Minister must determine whether the plan submitted includes all elements required by the Regulation and whether the engagement met the regulatory requirement set out in section 14(2)(a).

In case of any discrepancy or inconsistency between this document and [relevant regulation](#), the regulation shall prevail.

Table of contents

Preparation and submission of a Stewardship Plan.....	1
1. Plan Due Dates	3
2. Plan Duration and Renewal	3
3. Stewardship Plan Requirements	4
4. Material Collection	4
5. Stakeholder Engagement and Ongoing Input	4
6. Key Performance Indicators and their Measurement	6
7. Material Management	7
8. Detailed Implementation Plan.....	8
9. Free and Reasonable Collection – Packaging and Paper Product	9
10. Free and Reasonable Collection – Hazardous and Special Products	11
11. Cost recovery	12
12. Fair compensation.....	12
13. Collaboration to improve efficiency and effectiveness	13
14. Public Awareness	13
15. End-of-Life Material Management.....	14
16. Dispute resolution	15
17. Other Requirements.....	17
18. Records Submission	18

1. Plan Due Dates

Section 22 of the *Extended Producer Responsibility Regulation* outlines transition provisions for the first stewardship plans. The stewardship plans are due as follows:

- Schedule 1, Hazardous and Special Products, Battery subcategory – July 25, 2024 (six months after regulation comes into force);
- Schedule 1, Hazardous and Special Products, All other subcategories – September 25, 2024 (eight months after regulation comes into force); and
- Schedule 2, Packaging and Paper Products, All subcategories – September 25, 2024 (eight months after regulation comes into force).

2. Plan Duration and Renewal

The maximum length of a plan approval is five years.

The first program plan for a designated material may be approved for a shorter period of time to allow those implementing the plan to collect sufficient information to set performance targets informed by operating data. The approval letter will state the expiration date.

No later than 120 days before the expiration date, the steward, or producer responsibility organization on their behalf, shall submit a stewardship plan renewal in the form of a new stewardship plan, proposed amendments to the current plan, or reasons why no amendments are required. All relevant requirements of stewardship plan preparation apply including engagement to support any of the stewardship plan renewal options (new, amended, or unchanged).

3. Stewardship Plan Requirements

The following sections of this guidance document follow the order of the requirements in section 13(2) of the *Extended Producer Responsibility Regulation*. A proposed stewardship plan should follow this format and have a section heading for each requirement. When developing a stewardship plan it is important to be mindful that the plan, if approved, will form part of the legal authorization to operate a stewardship program. Therefore, the plan should be concise, easy to comprehend, written in concrete language and address only the regulatory requirements (i.e., do not include extraneous statements such as 'X is the leading producer responsibility organization').

4. Material Collection

s.13(2)(a) the designated materials that will be collected and recovered under the program;

Identify the designated materials to be collected and managed under the plan including specific products or product types with examples, where appropriate.

5. Stakeholder Engagement and Ongoing Input

s.13(2)(b) a description of the stakeholder engagement undertaken during the development of the plan and how stakeholder input was incorporated into the plan;

Describe the stakeholder engagement. Refer to the [Engagement Requirements](#) to ensure that the requirements have been met. The feedback received during the engagement should be reflected in the approach taken throughout the plan.

s. 13(2)(c) the opportunities that will be provided for ongoing stakeholder input, including input from stewards who are resident in Yukon, in relation to the implementation and operation of the program and how the input will be considered by the operator of the program

Describe how each class of stakeholder, including but not limited to service users, service providers, stewards based in the Yukon and stewards based outside of the Yukon, will be able to provide input to those implementing the plan throughout the life of the plan.

s. 13(2)(d) if the plan is submitted by a producer responsibility organization on behalf of a steward, details about the establishment of a local advisory committee to the organization, including

a. the membership of the committee, the majority of which must be composed of stakeholders resident in Yukon, and

ii. the role of the committee in relation to the implementation and operation of the program;

The purpose of the local advisory committee is to give stakeholders resident in the Yukon and those with a direct connection to the Yukon's interests, a structure for engagement with the producer responsibility organization that is implementing an approved plan. The committee should be comprised of a variety of stakeholders, which may include stewards, service providers, non-governmental organizations, etc.

The plan should describe the number of committee members, representation on the committee, the recruitment process for committee members and the role of the committee in relation to the producer responsibility organization.

6. Key Performance Indicators and their Measurement

s. 13(2)(e) the targeted collection rate, or, if required by the Minister, an alternative performance metric for each type of designated material to be collected and recovered under the program;

For each category of designated materials, the plan must propose collection rate targets for each of the five years for which a plan may be approved. The proposed targets should reflect the principle of continuous improvement and increase progressively over the five years.

Material types for collection rate targets should align with

- (i) categories used by stewards when reporting the quantity of the designated products supplied,
- (ii) categories of materials that can be practically measured in the collection system, and
- (iii) with s.13(2)(g) in Section 7,

The collection rate is defined in the Regulation as a weight-based measure. The Minister may consider and approve the substitution or supplementation of this measure by an alternative performance metric. The plan proponent may propose an alternative metric with a comprehensive rationale for the substitution or supplementation of the weight-based measure by the alternative metric.

Examples of alternative measures include reduction and/or reuse targets yielding better environmental outcomes achieved through specific actions, volume-based targets for low density products, unit-based targets where supply data are reported in units.

s. 13(2)(f) any other performance measures, requirements, or targets required by the Minister;

The Minister may require additional performance measures, requirements, or targets to track a plan's implementation and the resulting program's performance. These requirements will be communicated to stewards or producer responsibility organizations as applicable. Examples of additional metrics include reporting on collection and/or management rates for specific sub-categories of the designated materials, final destination of collected materials, and the greenhouse gas emissions resulting from plan implementation.

Performance indicators, requirements or targets may be included in the stewardship plan for the Minister's consideration. The indicators, requirements, or targets should be representative of performance; be easily communicated and understood by stakeholders; be based on accessible, reliable, accurate, and verifiable data; be cost effective to collect; and be consistent over time to facilitate comparisons.

7. Material Management

s. 13(2)(g) a description of how the designated materials to be collected and recovered under the program will be categorized by types of materials or products for the purposes of reporting and record-keeping, as required under this Regulation;

The Plan should provide descriptions of how designated materials will be categorized for the purposes of reporting and record keeping. The categories (types) of designated materials may be different from categories and subcategories of designated materials for collection and recovery than prescribed by the Schedules of the Regulation.

The plan should address any subcategorization that differs from the Schedules as program implementation occurs to align with more robust collection and management operating data available over time.

8. Detailed Implementation Plan

s. 13(2)(h) a start date for the program and a timeline setting out the measures that must be taken prior to the start date;

Section 23 of the Regulation sets out the latest date by which the stewards must start operating the extended producer responsibility program. These dates are as follows:

- Schedule 1, Hazardous and Special Products, Battery subcategory – the later of April 1, 2025, or 6 months after approval of the stewardship plan;
- Schedule 1, Hazardous and Special Products, Antifreeze, Diesel Exhaust Fluid, Lubricating Oil and Oil Filter subcategories – the later of July 1, 2025, or 6 months after approval of the stewardship plan;
- Schedule 1, Hazardous and Special Products, Alarm subcategory – January 1, 2027;
- Schedule 1, Hazardous and Special Products, all other subcategories – October 1, 2025, or 9 months after approval of the stewardship plans; and
- Schedule 2, Packaging and Paper Products, all subcategories - October 1, 2025, or 9 months after approval of the stewardship plans;

This section should state the actual start date of the program and provide a workplan timeline leading up to the start date. Key milestones that could be included in the timeline include determining collection system design, procuring collection and management services, signing of agreements with service providers, communications with key stakeholders, public communication campaigns, and other activities to ensure successful plan implementation.

s. 13(2)(if) a description of how local governments and Yukon First Nation governments may be engaged in the program;

Yukon municipal governments and First Nations governments may currently provide waste collection services (i.e., garbage, recycling, and organics services) to their residents and may want to be involved in future extended producer responsibility programs.

This section should describe the proposed role for interested municipal governments and First Nation communities.

9. Free and Reasonable Collection – Packaging and Paper Product

s. 13(2)(j) if the plan includes the collection and recovery of designated materials in the packaging and paper products category

- i. **a description of how the program will meet the collection requirements in paragraph 12(a), including**
 - a. **a description of the collection facilities or collection services to be provided under the program, including details about which communities or areas of Yukon will be served by the facilities or services, and**
 - b. **the level of access to the facilities or services described under clause (A), such as the hours of operation of the facilities and the frequency with which the services will be offered,**
- ii. **if designated materials generated by sources other than the sources listed in paragraph 12(a) will be managed by the operator of the program, a description of how the materials from other sources will be managed to facilitate efficient material handling, and**

iii. **a description of the criteria that will be applied at the point of collection for identifying small businesses;**

This section applies to the products in the Packaging and Paper Product category in Schedule 2.

As described in section 12(a) of the Regulation, the operator of the Packaging and Paper Product program should provide free and reasonable collection services to the following premises: residential (single-unit and multi-unit residential buildings), institutional (student residences long-term care homes, and schools), and small businesses.

This section should describe the scope and design of collection services for each category of designated material, each of residential, institutional and small business recipients in each community in the Yukon. The proposed services and serviced communities should take into account the existing collection infrastructure and aim to increase accessibility and service levels over the lifespan of the stewardship plan and to operate cost-effectively.

This section of the plan should describe how small businesses will be identified at the point of collection.

As the Regulation does not require collection from the entire Industrial, Commercial, and Institutional sector, the plan should also address whether and how non-extended producer responsibility packaging and paper product material will be collected, transported, and/or processed alongside designated packaging and paper products to build economies of scale. This section should include a methodology to accurately track the quantity of packaging and paper product from designated residential, institutional, and small business recipients. If applicable, it should also cover packaging and paper product collected from non-obligated sources, as well as the costs associated.

10. Free and Reasonable Collection – Hazardous and Special Products

s. 13(2)(k) if the plan includes the collection and recovery of designated materials in the hazardous and special products category, a description of how the program will meet the collection requirements in paragraph 12(b), including

- i. a description of the collection facilities or collection services to be provided under the program, including details about which communities or areas of Yukon will be served by the facilities or services, and**
- ii. the level of access to the facilities or services described under subparagraph (i), such as the hours of operation of the facilities and the frequency with which the services will be offered;**

This section applies to the products and materials in the hazardous and special products category in Schedule 1.

As described in section 12(b) of the Regulation, the operator of the hazardous and special products program should provide free and reasonable collection services to all generators of the obligated products and materials. Those hazardous and special products that are considered special waste should be managed under [Special Waste Regulation](#).

This section should describe the scope and design of collection services for each subcategory of designated material in each serviced community in the Yukon. The proposed services and serviced communities should take into account the existing collection infrastructure, outline hours of operation and frequency of collection services and aim to increase accessibility and service levels over the lifespan of the stewardship plan and to operate cost-effectively.

The plan should address services for tourists who generate special and hazardous products, such as used compressed fuel cylinders and bear spray canisters, while in the Yukon.

The plan should address hazardous waste, including waste oil, from small and large mining operations in the Yukon taking into account that some waste oil is incinerated for heat as permitted under Special Waste Regulation.

11. Cost recovery

s. 13(2)(l) the methodology to be used by the operator of the program to determine and recover the costs of collection and recovery of the designated materials from the stewards participating in the program;

This section should describe the methodology used to determine and recover the costs associated with the collection and recovery of designated materials from stewards participating in the plan.

12. Fair compensation

s. 13(2)(m) the methodology to be used by the operator of the program to determine the compensation to be paid to persons or entities that provide collection and waste management services under the program;

This section should describe the methodology to fairly compensate service providers for operating costs and capital costs and, where the service providers are for-profit, a reasonable profit margin.

13. Collaboration to improve efficiency and effectiveness

s. 13(2)(n) a strategy for collaborating with operators of other stewardship programs and persons operating similar programs outside of Yukon;

This section should describe how the packaging and paper products, or hazardous and special products program operator will collaborate closely with other Yukon extended producer responsibility program operators, stewardship programs, voluntary programs, and other non-Yukon programs to seek logistics efficiencies and overall cost reductions. Examples of collaboration include integrated collection, transportation, processing, communications, data tracking and auditing, contract oversight, etc. Another example of collaboration is the integrated collection of packaging and paper products from non-obligated sources as discussed in s.13(2)(j)(ii).

14. Public Awareness

s. 13(2)(o) a strategy for raising public awareness about:

- i. the program, including the designated materials accepted for collection under the program,**
- ii. the location of collection facilities or how collection services can be accessed,**
- iii. how the operator of the program can be contacted to submit questions or concerns relating to the program, and**
- iv. the proper end-of-life handling of designated materials collected and recovered under the program;**

This section should describe the plan's strategy for public education and awareness about the designated materials accepted in collection systems, how those materials should be prepared for collection, form of collection services, how users can access those services, and how the materials are managed at the end-of-life.

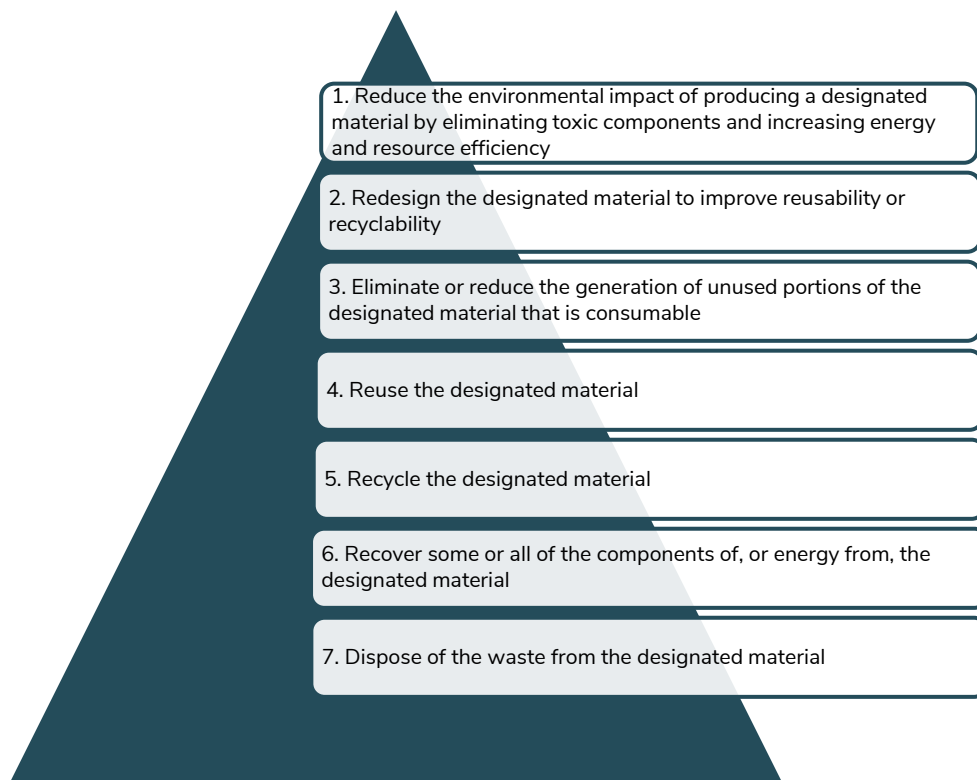
This section should also describe customer service protocol to facilitate those receiving collection services asking questions about or raising concerns about the collection services.

15. End-of-Life Material Management

s. 13(2)(p) a strategy for the management of the designated materials to be collected and recovered under the program that complies with the waste management hierarchy;

The materials and products collected by extended producer responsibility programs are to be managed in accordance with the waste management hierarchy listed in section 13(3) of the Regulation.

There are seven levels in the Yukon's waste hierarchy. Efforts should be made to use higher levels of waste hierarchy prior to using a lower-level option.



The end-of-life management selected for each specific material or product should be the highest level in the waste management hierarchy as is commercially reasonable.

This section should describe how collected materials and products will be managed, the barriers to management at a higher level of the hierarchy and the steps to be taken to move material management up the waste management hierarchy.

s. 13(2)(q) a description of how the adverse environmental impacts of the designated materials to be collected and recovered under the program will be reduced or eliminated;

This section should describe how adverse environmental impacts associated with the extended producer responsibility program operation will be reduced or eliminated. Examples include certain types of collaboration described in section 13 above (s.13(2)(n) of the Regulation), reducing toxicity of hazardous chemicals, reduction of greenhouse gas emissions, etc.

16. Dispute resolution

s. 13(2)(r) a procedure for the fair and efficient resolution of disputes between the operator of the program and persons or entities that provide collection and waste management services under the program;

Disputes may arise between a producer responsibility organization and its service providers or between a producer responsibility organization and its subscribing producers during the implementation and operation of an approved plan.

An effective dispute resolution system is one that is designed to prevent, manage, and resolve disputes cost-effectively and efficiently, including minimizing the need for escalation in the dispute resolution process, wherever possible.

Effective dispute prevention means establishing transparent and unfettered communication channels that builds collaboration and trust between the parties and enables the identification and management of issues before disputes arise. Effective dispute management means establishing an engagement process that demonstrates to the disputant and other stakeholders (as appropriate to the dispute) that the producer responsibility organization clearly understands the disputant's complaint and is committed to resolving the dispute.

An effective dispute resolution process is one where the parties have taken reasonable and meaningful steps to resolve the dispute in a manner that:

- achieves a mutually agreeable outcome as cost-effectively as possible for all parties involved; and
- accounts for, minimizes, and mitigates the effects of any significant power imbalances between the parties in the dispute resolution process, including power imbalances that might make the process moot by discouraging service providers or producers from raising legitimate disputes.

For added clarity, the dispute resolution process should not deter parties from raising legitimate disputes over concerns about:

- the cost of drawn-out processes (e.g., time required by human resources, legal costs),
- the effect of raising a dispute on a producer responsibility organization's reputation or brand,
- fear of retaliation, or
- by restricting who may represent the disputant in the dispute resolution process (e.g., staff, contractor, association, legal advisor).

The dispute resolution process should be designed to be collaborative and efficient and in doing so be productive in improving the extended producer responsibility system in the Yukon and building trust amongst extended producer responsibility stakeholders.

To achieve these outcomes, this section of the stewardship plan should identify:

- the entities that may have disputes with the producer responsibility organization during the plan's implementation;
- the rights of each with respect to engaging in the dispute resolution process, including the right of the disputant to be represented in the dispute resolution process by representatives of their choosing;
- the steps of the dispute resolution process;
- the persons involved at each step of the process and their role in preventing, mitigating the escalation of, and ultimately resolving the dispute in the most cost-effective manner possible;
- the roles of external parties such as mediators, arbitrators, and the courts; and,
- how the producer responsibility organization will use its communication and engagement processes to enable the airing of issues and resolve disputes as early in the dispute resolution process as possible.

17. Other Requirements

s. 13(2)(s) any other information required by the Minister.

At this point in time the Minister is not requiring additional information. The Minister may request additional information through an update to this document or through direct information requested during the stewardship plan preparation and review process.

18. Records Submission

s. 19(4) On or before May 31st of each year, a steward must submit the records described in paragraphs (1)(d) to (f) respecting the proceeding calendar year to the Minister.

This section of the stewardship plan should describe the process to be utilized under the plan for retaining, safeguarding, and submitting the records identified in s. 19(1) of the Regulation.