



Minister of Environment and Climate Change

Minister responsible for Efficiency Manitoba

Legislative Building, Winnipeg, Manitoba R3C 0V8 CANADA

MAY 15 2024

Kathleen O'Malley
Manager Environmental Services
Heating Refrigeration and
Air Conditioning Institute of Canada
2680 Matheson Blvd. East Suite 100
Mississauga ON L4W 0A5
komalley@hrai.ca

Dear Kathleen O'Malley:

I approve your revised Manitoba Stewardship Plan for Mercury-Containing Thermostats effective August 30, 2023. This Approval marks twelve successful years of the program's operations in Manitoba and recognizes the Heating, Refrigeration and Air Conditioning Institute of Canada's continued dedication to protecting the environment. This Approval will expire June 30, 2028, pursuant to Section 7(4) of the Household Hazardous Material and Prescribed Material Stewardship Regulation, 2010 (Regulation) under the Waste Reduction and Prevention Act unless otherwise noted.

This Approval is issued to the Heating, Refrigeration and Air Conditioning Institute of Canada under Section 7(2) of the Regulation and is subject to the Heating, Refrigeration and Air Conditioning Institute of Canada meeting the conditions as set forth in **Attachment A** of this letter, which forms part of this Approval.

I appreciate your program's commitment to recycling materials and safely processing household hazardous materials. I approve of your new collection targets in your program plan. As we work to modernize Manitoba's waste diversion and recycling framework, I expect you to continue to explore opportunities to promote a circular economy in the province.

Your program has an important role in providing waste diversion services to Manitobans. I approve of your program plan's targets increasing the number of collection locations. Thank you for participating in the Winter Roads backhaul program providing program coverage to several First Nations communities.

Manitobans suggested opportunities for increasing awareness of waste diversion and recycling programs through more engagement. I expect you to continue exploring engagement strategies to reach all Manitobans, including Indigenous peoples and youth.

Going forward, my department will meet with you or your designated representative on an annual basis as an opportunity for you to share your program's progress and to discuss continuous improvement.

The Heating, Refrigeration and Air Conditioning Institute of Canada should submit its next application for renewal of this Approval by October 31, 2027 to allow adequate time for review and public consultations. However, you may apply for approval of an amendment to your stewardship program plan at any time, under Section 13(1) of the Regulation.

I look forward to our continued collaboration on this program. If you have any additional questions or would like to discuss this matter further, please contact Kelly Kuryk, Senior Manager, Environmental Policy and Delivery Unit, at Kelly.Kuryk@gov.mb.ca or 431-374-9424.

Sincerely,



Honourable Tracy Schmidt
Minister of Environment
and Climate Change

Attachment

c. Kelly Kuryk

ATTACHMENT A Conditions of Approval

Heating, Refrigeration and Air Conditioning Institute of Canada

The conditions set forth below form part of the Ministerial approval for the Manitoba Stewardship Plan for Mercury-Containing Thermostats (Program) pursuant to the Household Hazardous Material and Prescribed Material Stewardship Regulation, 2010 (Regulation).

Under Section 11(1) of the Regulation, the Minister has the authority to suspend or cancel the Approval of the Program at any time if there is a breach or contravention by the Heating, Refrigeration and Air Conditioning Institute of Canada as the operator of the Program, of either The Waste Reduction and Prevention Act or the Regulation or the conditions set forth in this Approval and, if applicable, subsequent amendments of this Approval.

If the Minister is not assured that the Heating, Refrigeration and Air Conditioning Institute of Canada is implementing or operating the Program substantially in accordance with its intent, or where the Minister or department or my officials have concluded, based on relevant circumstances, that the Program or terms of this Approval, including "Attachment A: Conditions of Approval" should be reviewed, then pursuant to Section 8 of the Regulation new or additional conditions may be imposed as deemed appropriate so as to ensure that the environmental outcomes and regulatory requirements are fulfilled.

Any notices to be provided to the department pursuant to this approval are to be submitted in writing to: Senior Manager, Environmental Policy and Delivery Unit, Manitoba Environment and Climate Change, Box 37 - 14 Fultz Boulevard, Winnipeg, Manitoba, R3Y 0L6.

The conditions of this approval are:

THAT the Heating, Refrigeration and Air Conditioning Institute of Canada:

1. Implement and operate the program substantially in accordance with the submitted program plan's intent, consistent with the requirements of The Waste Reduction and Prevention Act, the Household Hazardous Material and Prescribed Material Stewardship Regulation, the Guideline for Household Hazardous Material and Prescribed Material Stewardship, and these Conditions of Approval, as approved and amended from time to time.

2. Identify a senior official with the Heating, Refrigeration and Air Conditioning Institute of Canada as a contact person to work with my officials to provide such assistance or any information (including both financial and non-financial information) that may be deemed necessary in a timely manner to enable them to provide me with information to assess whether the Heating, Refrigeration and Air Conditioning Institute of Canada has implemented the Program and it is operating substantially in accordance with its intent and the Conditions of Approval and, if applicable, subsequent amendments to this Approval.
3. Retained earnings shown on the Heating, Refrigeration and Air Conditioning Institute of Canada's financial statement for the Manitoba program (total revenues less total expenditures), as determined by an external auditor, shall not at any time during the term of this approval, exceed an amount equal to one year's program revenue.
4. Submit annual reports to the department's senior manager who administers The Waste Reduction and Prevention Act, per the applicable regulation and guidelines.
5. Provide meaningful opportunity for input at strategic points (amendment of program plan, annual reporting, continuous review of operations) from government, service delivery agencies, relevant external agencies, and the public, per the applicable regulation and guidelines.
6. Maintain its status as a body corporate and registration under The Corporations Act, C.C.S.M. c. C225 (Manitoba) while operating the program.
7. Over the next year, work with the department to identify key performance indicators that will contribute to an evaluation framework measuring the performance of stewardship programs in Manitoba. You will be required to report on these key performance indicators in your annual reports to show that the program is working towards incremental, improved outcomes.
8. Achieve a total collection of at least 618 units by 2028.
9. Increase the number of collection locations to 140 by 2028.
10. Maintain current level awareness through communication outreach.