Ontario Tire Stewardship Processor Standards

Version 1.0

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1.0 Overview

This document outlines the minimum standards that Processors must meet in order to operate as a Registered Processor under the Ontario Used Tires Program Plan. These standards apply to all types of Registered Processors.

The Standards outlined in this manual do not override any federal, provincial and/or municipal legislative requirements that would otherwise govern the Processors operation(s). In accordance with the Processor Agreement, the Processor agrees to abide by all applicable laws and regulations that may pertain to their operation(s).

Ontario Tire Stewardship may review and revise the Processor Standards at any time.

Disclaimer: Notwithstanding the inclusion in these standards of requirements respecting regulatory compliance with such matters as OSHA, WSIB and WHIMIS, OTS does not assume any responsibility for Processor compliance with any applicable regulatory requirements by virtue of OTS's requirements hereunder or any audit hereunder.

1.1 What Types of Processors do the Standards Apply To?

The Standards apply to all Processors registered as such with Ontario Tire Stewardship. Some of the standards may not be applicable to a given Processor location due to the nature of the variations in Processor businesses.

1.2 When are the Standards Effective?

This manual has been split into sections; Core Standards and Supplemental Standards. Core Standards have been in place and enforced since the program's inception and as such have been requirements of Processors since September 1st 2009, or upon the Processor's registration date, which ever date is the latter. Supplemental Standards have been developed and will be/are effective as of May 1st 2012.

2.0 Core Standards

The Core Standards have been laid out in the Approved Program plan and further detailed in the Registration process. Compliance with the Core Standards is a requirement at the time of Processor Registration and must be maintained as long as the Processor is registered as such in the Program. This section outlines the Core Standards.

2.1 Ontario Business Number

Processors who are in commercial operation must hold a valid Ontario business number which corresponds to the Business Name and Business Start date which is provided to OTS during initial Processor registration.

2.2 Harmonized Sales Tax Number

Processors are required to provide OTS with their valid HST number which must be associated with the Ontario Business number provided to OTS during registration. Processors that are not required to hold a valid HST number (eg. First Nations Community or business with a gross earnings under the legislative threshold etc.) must provide supporting documents to OTS stating that they are exempt from HST and in the event that their HST status changes, they are required to notify OTS in writing immediately.

2.3 Certificate of Approval

Processors storing/processing large quantities of used tires must be familiar with the applicable Certificate of Approvals requirements that may govern their operations. In the event that a Processor is storing (on a yard or otherwise) or processing quantities of tires that require the Processor to hold a Certificate of Approval as issued by the Ontario Ministry of the Environment, OTS must be made aware of the Certificate Approval number, the maximum number of used tires (or equivalent weight) permitted on the site and any other applicable information relating to the approval. The Processor must ensure that they are storing tires in a secure manner and in quantities as permitted by their Certificate of Approval. Some Processors may not hold a Certificate of Approval for the storage of used tires, they must ensure that they remain in compliance with all applicable legislative requirements pertaining to the storage of used tires at all times (in accordance with all Federal, Provincial and Municipal legislation or the requirements of any regulatory body having authority).

2.4 Appropriate Commercial Liability Insurance

Processors must hold valid comprehensive general commercial liability insurance and ensure that it remains valid for the time that they are a registered Processor with Ontario Tire Stewardship. Commercial liability should include comprehensive coverage for bodily injury and property damage. The Processors insurance must also cover contractual liability. Insurance policy certificates must be provided annually to OTS and at other times as requested by OTS. Processors are also required to name OTS as an additional insured on their policy as requested and provide updates to OTS at least annually. The minimum amount of insurance required is $5 million dollars per occurrence as per the Processors Agreement.

2.5 Worker Health & Safety Certification

Firms operating in Ontario and employing more then one individual are required to hold a valid Worker Health and Safety Certification number and be registered in good standing with the Ontario Workplace

Safety and Insurance Board (WSIB). OTS must be updated, via written communication, if the status of the WSIB certification changes in any way immediately.

2.6 Document Retention

Registered Processors are required to maintain records in accordance with the OTS process outlined for picking up tires (refer to Processor Guidebook for details). All documentation (Processor Tire Receipt Forms, Invoices, etc.) must be retained for a minimum of seven years from issuance and be made available to OTS upon request anytime within the seven year period.

2.7 Proof of Tire Derived Product Sales

Registered Processors are required to provide proof of TDP sales (or intent to purchase in the event of a new Processor) to OTS at the time of registration. This proof can be in the form of an invoice for product sold, or in the form of a letter issued from a potential business customer stating their intent to purchase the specified class of TDP from the Processor. Proof must be forwarded to OTS as part of the initial registration.

3.0 Supplemental Standards

The Supplemental Standards outlined in the section below are those standards that were not requirements at the time of program inception but have been created over time and are being or have already been phased in. All Processors have always been required to comply with all legislative requirements as per the Processors Agreement. In some cases the Supplemental Standards are to provide OTS with supporting documentation to confirm that the legislative requirements are being met. All actively registered Processors must meet or exceed the standards in this section on or before the phase in implementation date. Any Processor who registered on or after a phase in implementation date as outlined below will need to meet the applicable Supplemental Standard(s) as well as all applicable Core Standards.

3.1 Expanded Health & Safety: WHMIS

Registered Processors are required to comply with all applicable Health and Safety requirements. All Processors must be compliant with applicable Workplace Hazardous Materials Information System (WHMIS) requirements and provide training to their Employees. Training must include detailed instructions on the use of personal protective equipment (PPE) as applicable.

Processors must document all training activities related to WHMIS, maintain the documents and be able to present evidence of the training to OTS from time to time, as requested by OTS.

> The requirement to provide evidence of WHMIS training being delivered to all Employees is to be phased in on May 1st 2012 after this date Processors must be able to provide proof of WHMIS training to Employees as requested by OTS.

3.2 Expanded Health & Safety: Machinery Safety

Any Processors that uses motorized or mechanical equipment (i.e. Forklifts etc.) must ensure that all Employees using the equipment are properly trained on the use of such equipment including how to properly lock out damaged equipment or equipment that requires maintenance (scheduled maintenance included) and how to store the equipment properly when it is not in use (refer to Ontario's Occupational Health and Safety Act and Regulations and all other applicable materials).

> The requirement to provide evidence of Machinery Safety training being delivered to Employees (as applicable) is to be phased in on May 1st 2012 after this date Processors must be able to provide proof of training being delivered to Employee as requested by OTS.

3.3 Emergency Response Number

Registered Processors must ensure that all Emergency Numbers (Emergency, Spills Action Centre etc.) are posted at the Registered Processors Site as applicable. Employees must be aware of the numbers to call in the event of an emergency.

> The requirement to post Emergency Response Numbers and train Employees is to be phased in on May 1st 2012, after this date Processor sites visited must have Emergency Numbers posted and ensure that employees are aware of the appropriate contacts.

3.4 Additional Certificates of Approval

Registered Processors are required to provide OTS with a listing of all applicable Certificates of Approval that they require for their operation as well as all corresponding Certificate Numbers and any additional clauses associated with the issuance of the Certificate. These may include, but are not limited to Air and/or Noise Emissions approvals specific storage requirements, waste disposal etc.).

> The requirement to provide supporting documents outlining additional Certificate of Approval and the applicable Certificate numbers and conditions will be phased in on May 1st 2012, after this time documents must be provided to OTS upon request.

3.5 On Site Visit

All Processors must undergo an OTS onsite visit to demonstrate compliance with the Standards and receive a "Pass" on the audit to remain as an active Processor.

> The requirement to undergo an OTS onsite audit will be phased in on May 1st 2012, after this date Processors must undergo an OTS onsite visit (and pass) prior to becoming registered as a Processor in the OTS Program.

4.0 Monitoring & Enforcement

Standards will be monitored and enforced in a number of ways including annual updates provided to OTS by the Registered Processor on certain items coupled with period reviews and audits conducted by OTS that may include onsite visits and/or review of supporting documents.

OTS reserves the right to audit participants regularly or at specific dates during day time business hours. OTS may conduct a desk review of a registered participant or an audit at the participant's location. OTS may conduct both types of audits in situations where it deems necessary.

OTS may notify the appropriate governing body of any violations of Tire Storage requirements (i.e. used tires in excess of their Certificate of Approval limits, used tires in excess of 5000 tire equivalents where the Processor has no Certificate of Approval etc.).

4.1 Updates to OTS Regarding Insurance

Registered Processors are required to notify OTS (either via phone or in writing) with in 5 days of their insurance policy expiry date with the following information: new policy number (if applicable), insurance company name, new expiration date and coverage limit. Registered Processors must have their insurance company forward valid certificates of insurance to OTS prior to the expiration date of the prior certificate.

In any case, Registered Processors must notify OTS immediately of any changes to their policy (number, provider, coverage etc.) that may take place any time in writing.

4.2 Updates to OTS Regarding WSIB Status

Registered Processors must notify OTS of changes in their WSIB account status/number either by phone or in writing immediately.

4.3 Updates to Certificate of Approvals

Registered Processors must notify OTS of any changes to their Certificate of Approval(s) in writing immediately. Processors who obtain a Certificate of Approval (for the storage of used tires, air emissions noise etc.) after their registration are advised to contact OTS to ensure that the most current storage capacity information is kept on file at OTS.

4.4 Participant Cooperation During Audits

During a desk review or an audit, OTS may request access to key personnel and supporting documents that it deems necessary to verify that the Standards are being met. The participant must facilitate the review/audit requirements in an effective and efficient manner. Failure to meet any of the review/audit requirements by the participant may result in escalation of the issue to the OTS Executive which in turn will determine the necessary course of action.

The participant must make reasonable arrangements to accommodate the audit team during audits.

4.5 Audit Frequency

Registered participants have agreed to review/audits conducted by OTS or its approved agents upon signing registration agreements with OTS. The frequency of the reviews/audits will be at the discretion of OTS.

4.6 Audit Compliance Checklist

Onsite Audits will be completed by an OTS representative and a summary of the findings will be documented on the "OTS Processor Standards Checklist" presented in Appendix A of this guidebook. Sections of the checklist that do not apply to a particular Processor location will be noted as N/A and will not affect the overall Audit Result.

4.6 Audit Results

Once an audit or review has been completed by OTS, the Registered Processor will be advised of their Audit results and will be assigned one of three potential statuses: Pass, Conditional Pass or Fail. Audits resulting in a Conditional Pass will require additional follow up and action to be taken by the Processor in a specified time frame to ensure that they meet all Standards, otherwise the Audit result will become a Fail. Audits resulting in a status of Fail indicate that a Processor has not met the Standards as applicable to their business and may result in their de-registration as a Processor from the OTS Program.

4.8 Dispute Resolution

If any dispute arises between a Processor and OTS, the parties will attempt to resolve the dispute through designated representatives from either party within 30 days after written notice of the dispute was first given, or as otherwise agreed to. If the dispute is not resolved within the specified time frame, the dispute resolution process as agreed to by each party upon entering into the contract shall be followed.

OTS Processor Standards Checklist

Processor Name:_____

Review:_____or Visit:_____

Processor Number:_____
Processor Contact Name:_____
Processor Visit (Initial or Periodic) _____
Date of Processor Review/Visit_____
OTS Contact Name: _____

1.0 Ontario Business Number

Valid Ontario Business Number	Notes	Status (Valid = Pass, Invalid = Fail)	Follow Up Required (Y/N)

2.0 Harmonized Sales Tax Number

Applicable (Y/N)	Valid HST Number	Notes	Status (Valid/N/A = Pass, Invalid = Fail)	Follow Up Required (Y/N)

3.0 Certificate of Approval (enter separate line per sort yard/facility)

Applicable (Y/N)	Valid Certificate of Approval Number	Notes (including tire quantities)	Status (Valid/N/A = Pass, Invalid = Fail)	Follow Up Required (Y/N)

4.0 Commercial Liability Insurance

Name of Insurer	Policy Date	Coverage Limit	Status (Valid & Adequate = Pass, Invalid or Inadequate = Fail)	Follow Up Required (Y/N)
Notes (confirm Certificate of Insurance to OTS):				

5.0 Workers Health & Safety WSIB Information

Applicable (Y/N)	Valid WSIB Account Number	Notes	Status (Valid/N/A = Pass, Invalid = Fail)	Follow Up Required (Y/N)

OTS Processor Standards Checklist

6.0 Document Retention

Storage Onsite (Y/N)	Notes	Status (Y = Pass, N = Fail)	Follow Up Required (Y/N)

7.0 Proof of TDP Sales

Proof of TDP Sales on File (Y/N)	Name of Purchaser	History of Selling to Purchaser (for operating Processors)	Status (Y = Pass, N = Fail)	Follow Up Required (Y/N)
Notes:				

8.0 WHMIS (Workers Health and Safety)

WHMIS Training Program (Y/N)	Employee Training Records Available (Y/N)	PPE Present (if applicable)	Status (Y = Pass, N = Fail)	Follow Up Required (Y/N)
Notes:				

9.0 Machinery Safety

Machinery Used (Y/N)	If Yes Employee Training Records Available (Y/N)	Do Employees Know Lock Out Procedures (Y/N)	Status (Y = Pass, N = Fail)	Follow Up Required (Y/N)
Notes (if not applicable indicate N/A)				

10.0 Emergency Response Numbers

Emergency Response Numbers Posted (Y/N)?	Do Employees Know ER Contacts?	Status (Y = Pass, N = Fail)	Follow Up Required (Y/N)
Notes:			

OTS Processor Standards Checklist

11.0 Additional Certificates of Approval (one per line)

Certificate Type	Certificate Number	Certificate Requirements/Notes	Status	Follow Up Required (Y/N)
Notes				

12.0 Onsite Inspection

Previous Inspection Type (Initial/Ongoing)	Previous Inspection Status

Action Items/Plan:

OTS To Complete:

Overall Inspection Status: