



Ministry for the
Environment
Manatū Mō Te Taiao

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Assessors' Specification Guidelines for Accreditation of a Product Stewardship Scheme

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While every effort has been made to ensure that this guide is as clear and accurate as possible, the information it contains is general guidance only.

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- *A Guide to Product Stewardship for Non-priority Products in the Waste Minimisation Act 2008*
- *Application Form for Accreditation of a Product Stewardship Scheme*

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About this document

Purpose of this document

The purpose of this document is to provide:

- information to aid independent assessors in assessing an application to accredit a product stewardship scheme
- an understanding of the Waste Minimisation Act 2008 in relation to product stewardship schemes.

This guide does not

This guide does not:

- explain the application process for accreditation
- introduce product stewardship to a beginner.

Intended audience

The primary intended audiences for this document are:

- independent assessors appointed by the Ministry for the Environment
- scheme managers.

How to use this guide

You should use this guide in conjunction with the *Product Stewardship Scheme Accreditation Assessment Report* template.

Further information

psaccreditation@mfe.govt.nz

Free phone: 0800 499 700

Phone: +64 4 439 7400

Fax: +64 4 437 7700

Ministry for the Environment

Environment House

23 Kate Sheppard Place

PO Box 10362

WELLINGTON 6143

Specific documents

Guidance to Completing the Application Form for Accreditation of a Product Stewardship Scheme (see www.mfe.govt.nz/issues/waste/product-stewardship/accredited-schemes.html)

Product stewardship frequently asked questions (see www.mfe.govt.nz/issues/waste/product-stewardship/faqs.html)

Introduction

The intention of Part 2 of the Waste Minimisation Act 2008 (the Act) is to encourage industry to establish product stewardship schemes to reduce waste or reduce the environmental harm resulting from the disposal of any waste product, or both. This reduction can be evaluated and/or measured using a set of accreditation criteria focused on waste reduction and on measuring environmental effects.

The requirement of the Act is that a product stewardship scheme achieves measurable waste minimisation, treatment or disposal objectives.

When assessing schemes the assessor will be:

- looking for the scheme to demonstrate that it is an example of good practice
- checking that the information requirements as stated in sections 13 and 14 of the Act have been met
- preparing a summary report giving their opinion on the life cycle environmental impact of the scheme and the likelihood of the scheme meeting its stated objectives (as required in section 14 of the Act).

The Act does not require schemes for non-priority products to divert or minimise specific quantities of waste but it does require schemes to show that some reduction in environmental harm (with an emphasis on waste minimisation) is achieved through the operation of the scheme.

Accreditation of a product stewardship scheme is a form of endorsement by the government and means that the conformity of a scheme to the Act has been assessed and that specific requirements relating to the life cycle of a product and a reduction in environmental harm (within the identified scope of the scheme) have been met.

To accredit a product stewardship scheme, the Minister must be satisfied that the scheme:

- is likely to promote waste minimisation, or
 - will reduce the environmental harm from disposing of the product
- and
- does not cause greater environmental harm throughout the product life cycle.

Notes:

- Accreditation endorses the scope of a product stewardship scheme as defined by the scheme manager in the application form. It does not endorse any activity outside the declared scope of the scheme.
- This specification is designed to be used in conjunction with the *Application Form for Accreditation of a Product Stewardship Scheme*.
- The assessor will also use the following supporting documentation when assessing the application:
 - the Waste Minimisation Act 2008
 - the *Guidance to Completing the Application Form for Accreditation of Product Stewardship scheme*
 - a statement of work provided for each assessment
 - *A Guide to Product Stewardship for Non-priority Products in the Waste Minimisation Act 2008*.
- The scheme manager is responsible for meeting the costs of preparing the application and for the costs of administering and operating the scheme.
- Examples of how a reduction in environmental harm may be demonstrated are listed in the Appendix.

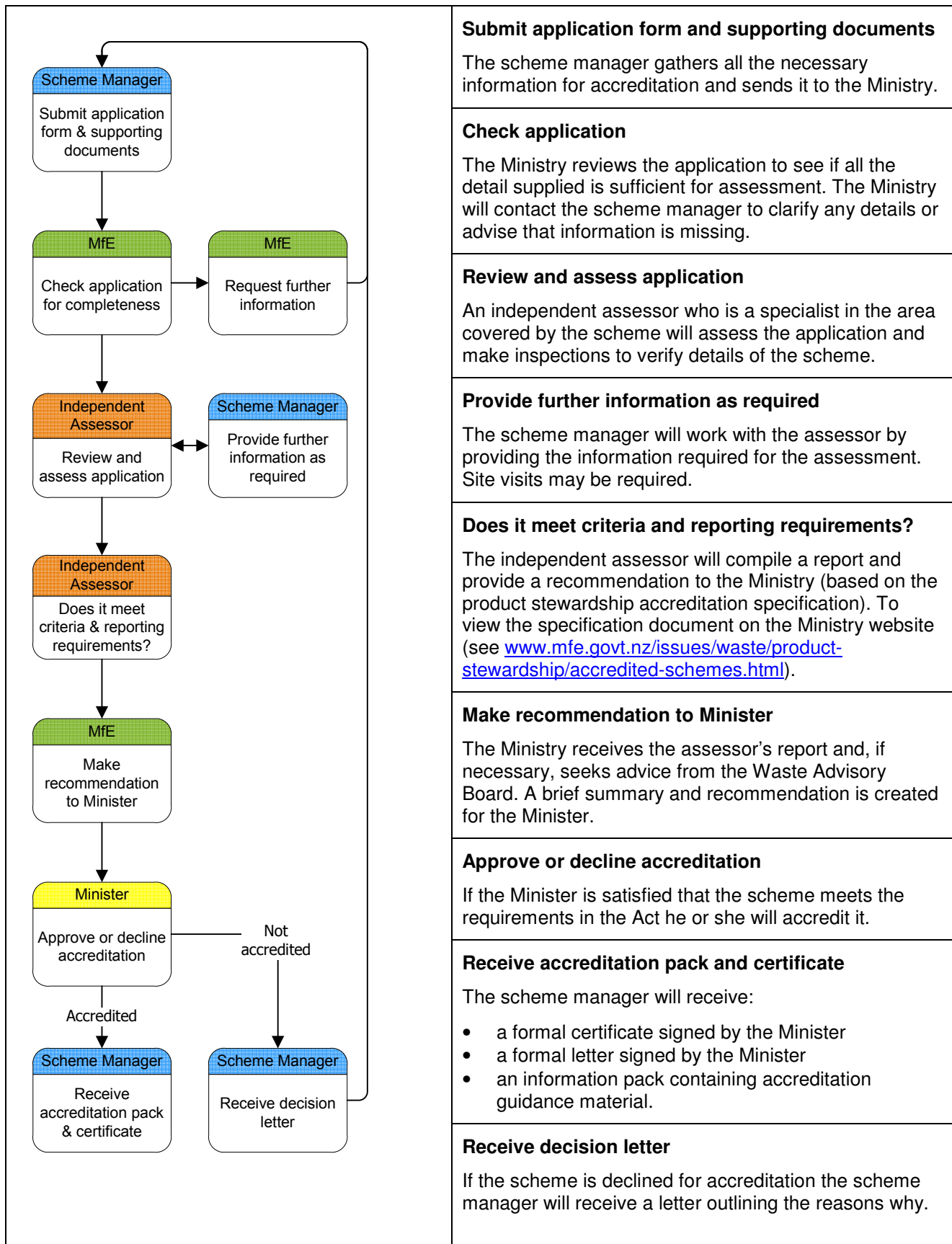
Official information

Important note: Information presented to the Minister is subject to disclosure under the Official Information Act, 1982 (OIA). Certain information may be withheld in accordance with the requirements of the OIA. Further information on the OIA is available at www.ombudsmen.parliament.nz

Information held by the Minister and Ministry could be released under the OIA in response to a request from a member of the public for that information. If scheme participants wish to provide sensitive information to the Minister which they do not want released, it is recommended the scheme manager consult with the Ministry as to whether the information is necessary for the application and whether there may be grounds in the OIA for withholding the information. For instance, if release of the information would disclose a trade secret, or be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information, then the information may be able to be withheld. The grounds for withholding must always be balanced against public interest considerations that may justify release. Although the Ministry could not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to know in advance if information provided with an application is commercially sensitive to scheme participants.

The accreditation application process

The figure below illustrates the product stewardship accreditation process.



Application form questions

This section provides question-by-question information on what is required in the application as completed by the scheme manager.

SECTION 1: Company name and scheme manager

1. Details of the scheme manager
(section 14(a))

The information provided by the scheme manager should be sufficient to unequivocally identify both the organisation and contact individuals responsible for the scheme.

The application is expected to show the following details for the scheme manager:

- contact individual or organisation representative (scheme manager)
- company or organisation name
- company or organisation registration number
- registered company/organisation address
- postal address
- contact telephone: office and mobile numbers
- contact fax (if available)
- contact email (if available).

SECTION 2: The scheme

2. Description of scheme
(section 14(b))

The information provided by the scheme manager needs to describe the scheme (for example collection of end-of-life computers, tyres, or unwanted paint) and how the scheme either promotes waste minimisation or achieves a reduction in environmental harm from disposal of the product or both.

The scheme manager needs to demonstrate that the scheme will achieve:

- measurable waste minimisation for the product through reduction, recycling, reuse or recovery and/or
- a reduction in environmental harm from disposal.

See the Appendix for examples of environmental harm.

3. Will the scheme require regulations
(section 13(1)(e))

The information provided by the scheme manager needs to clearly indicate whether or not the scheme will require passing of regulations in order to be implemented.

All options should be carefully considered before deciding that the scheme must have regulations in order to be implemented.

Note: Regulations are made by Cabinet and there is no guarantee of timely or successful resolution. It may be that the Minister is unable to accredit a scheme if a request for regulations is not supported. The Minister is not required to enact regulations to support the scheme.

4. Scope of scheme
(section 14(b))

The information provided by the scheme manager needs to describe what product, and/or brand and/or group of products is covered by the scheme and the geographical coverage of the scheme. It is also helpful if the scheme manager clearly shows what is out of scope (for example a scheme may only be able to accept a specific kind of product).

The scheme manager needs to identify:

- the product covered, either a specific brand or a more generic description (glass bottles, scrap metal etc)
- if there is any possibility that 'like products' (if any) will be presented for reduction, collection, recovery, reuse, recycling, treatment and/or disposal, and how they will be managed
- what part of the product life cycle the scheme covers.

Examples of 'like products' include:

- for a scheme for one manufacturer's widget, unwanted widgets from another manufacturer
- non-refillable glass bottles in a scheme designed to recover refillable glass bottles.

SECTION 3: Background

5. Current waste generation
(section 14(c))

The information provided by the scheme manager needs to provide enough information to assess the effectiveness of the scheme.

The scheme manager will need to:

- provide information on waste currently generated that the scheme is seeking to reduce
- state whether the figures provided are based on measured data or estimates
- state specifically which part(s) of the life cycle the scheme covers.

Note: Waste measurements may be based upon weight, litres or number of units. The scheme manager must clearly show which applies to the scheme.

6. Current waste generation measurement methodology
(section 14(c))

The information provided by the scheme manager needs to clearly show how current waste volumes were measured so that the Ministry is able to accurately compare measurements for the duration of the scheme.

Wherever possible, the scheme manager should provide data on the waste generated by the scheme. Estimates are acceptable, provided that the assumptions and methodology on how the estimates were calculated are included and that they are reasonable and realistic.

SECTION 4: Objectives and targets

7. Measurable objectives, targets and time frame (section 14(c))

The information provided by the scheme manager needs to include a list of specific and measurable objectives and targets to be achieved under the proposed product stewardship scheme. For each objective or target the anticipated time frame to achieve it should also be provided.

Objectives and targets should be set as either:

- a reduction in the amount of waste being disposed of, or
- recycling and/or other waste minimisation objectives (or both).

Measured targets should be:

- able to be related to the current waste baseline volumes provided
- expressed as a percentage of the baseline volumes provided, or such a percentage should be readily calculable from the figures provided
- able to demonstrate a commitment to minimising waste beyond business as usual.
- SMART: Specific, Measurable, Achievable, Realistic and Timely.

Note: When determining objectives and targets the scheme manager should have considered the implications of section 16 of the Act which relates to variation of an accredited scheme. If a change adversely affects the scheme's ability to meet its objectives within the time frames set re-accreditation will need to be considered.

8. Scenario if the scheme did not continue/exist

The information provided by the scheme manager needs to describe what would occur if the scheme did not continue/exist (from an environmental perspective).

This could, for example, include details of the volumes of waste that would otherwise go to landfill or contribute to environmental harm.

See the Appendix for examples of environmental harm.

9. Monitoring of objectives and targets (section 14(c))

The information provided by the scheme manager needs to show a method for monitoring progress towards the stated objectives and targets. This is to be specific to the scheme product(s) and match the methodology of how current volumes of waste generated were measured for the waste minimisation programme.

If:

- the proposed methodology for monitoring targets is different from the methodology used in the waste minimisation programme, an explanation should be provided setting out why the proposed method is necessary or better
- estimates were used to measure current waste volumes, the proposal should describe how future data collection and monitoring will be improved to provide more accurate data for waste generated.

The proposed monitoring should provide sufficient results to demonstrate progress towards targets, and should be undertaken with reasonable frequency.

Monitoring should take place at least annually.

SECTION 5: Groups and participants

10. Details of people or groups involved in the scheme

(section 14(d))

The information provided by the scheme manager needs to show the classes of persons, groups or organisations affected in the implementation of the scheme. People or groups can include those involved in design, manufacture, sale, use, servicing, collection, recovery, recycling, treatment and/or disposal.

These people or groups have not 'signed up' to the scheme, but their involvement is a key contributor in the scheme's success.

If the scheme's operation:

- requires involvement by the general public the scheme manager should list "general public"
- targets a generic type of business or activity (eg, tyre dealers for car tyres, IT businesses for electronic waste), these should be listed.

The scheme manager should include an expectation of what consumers will do as a result of the scheme.

11. Details of participants in the scheme

(section 14(e))

The information provided by the scheme manager must provide sufficient detail of all individuals or organisations who have agreed to be party to the scheme to enable them to be clearly identified. This could include those involved in the design, manufacture, sale, use, servicing, collection, recovery, recycling, treatment, and/or disposal of the product as needed for the scheme to operate. Evidence must also be provided of agreements with all partners or contractors that must be involved in the scheme.

The description must be detailed enough to enable the scheme's assessor and the Minister to make a judgement whether the scheme is likely to meet its objectives within the time frames stated. Agreements between participants may be legally binding contracts or may take the form of voluntary accords.

Examples of agreements could be a:

- declaration signed by the person or company officer
- contract or service level agreement
- voluntary accord
- memorandum of understanding.

Note: If the participants change then it is likely that the objectives will be affected. It may be necessary for agreements or contracts to have a minimum notice period.

SECTION 6: Governance

12. Organisation structure and governance of the scheme

(section 14(f))

The information provided by the scheme manager must show that a suitable organisational structure is in place to support the scheme in meeting its objectives and targets.

The scheme manager must specifically identify:

- what kind of legal structure is in place (eg, company, trust, partnership)
- who is responsible for making decisions under the scheme
- who is responsible for the control and overall operation of the scheme
- who is responsible for keeping records and making reports under the scheme
- who is responsible for monitoring and reviewing the scheme
- how information will be stored.

This identification must clearly describe the role of each person or entity described.

The identification of persons and entities should generally follow the detail set out under question 11. Where specific individuals are named, any changes must be notified in writing to the Minister. An organisational chart can be included if this is useful.

SECTION 7: Compliance and performance

13. The scheme's expiry date

(section 14(g))

The date selected by the scheme manager must ensure that a reasonable time frame has been allowed to meet the objectives and targets.

The scheme manager must provide the date on which the scheme will end.

This date cannot be later than the requirements of section 17(1)(b) of the Act (ie, no longer than seven years from the date the Minister for the Environment accredits the scheme).

14. Compliance and enforcement of participant agreements

(section 14(h))

The information supplied by the scheme manager must identify the processes for compliance and the processes for enforcement of any agreements between participants to the scheme as identified in question 11.

The scheme manager may provide:

- details of the mechanisms in place to audit and ensure participant compliance
- written evidence from those who are party to the scheme (eg, this evidence may be a letter confirming agreement to participate in the scheme or in the form of protocols, terms of reference, memorandums of understanding, contracts)
- details of any enforcement procedures that can be used in the event of non-compliance by a participant.

15. Reporting on scheme performance
(section 14(i))

The information supplied by the scheme manager must include a description of how the performance of the scheme will be assessed and reported on.

Note: Frequency of reporting must be at least annual.

The scheme manager may:

- report on the ongoing financial status of the scheme including expenditure that relates to meeting scheme objectives
- identify and report on the number of collection outlets provided
- advise the amount and type of media coverage of the scheme
- summarise public surveys on knowledge or scheme satisfaction
- identify and comment on design improvements made
- identify each specific target set for the scheme whether in terms of reduction of environmental harm from disposal or promotion of waste minimisation or both
- explain how the achievement of targets will be assessed and monitored
- explain how the results of monitoring against these targets will be reported
- identify any other factor which may affect the scheme's environmental or financial performance and explain how this will be reported on
- describe how changes to the scheme's organisational structure over the life of the scheme will be reported on
- describe the frequency and timing at which reports will be made to the Minister (This frequency must not be less than annually.)
- provide a summary of all of the above matters suitable for the Minister to make publicly available on an annual basis
- comment on cross stakeholder workshops or other events held
- comment on examples of publication material, including new web content
- summarise feedback from scheme participants
- comment on material produced or recovered
- provide detail of what types of summary information is able to be made public.

SECTION 8: Communication

16. & Publication and
17. communication
strategy
(section 14(j) and (k))

The information supplied by the scheme manager must provide a description of how the scheme will be communicated to the identified participants, any other stakeholders and interested parties as well as those detailed in questions 10 and 11. This should identify and include any group or person who the scheme manager considers may have an interest or a role in the scheme.

The scheme manager must identify the:

- information each group requires in order to understand the scheme and (where appropriate) be a participant in it
- manner in which that information is to be made available to each group.

The scheme manager could provide a communications plan showing:

- which groups require information (eg, stakeholders, participants, interested parties)
- what information each group requires in order to understand the scheme and their part in it
- how they will receive the information (eg, media releases, seminars)
- when and how often they will receive it.

SECTION 9: Funding

18. Scheme funding (sections 14(l) and 15(1))

The information supplied by the scheme manager must provide sufficient detail and supporting evidence of how the scheme will be funded. The scheme manager must show that the scheme is likely to meet its objectives within the declared time frames.

The assessor will evaluate whether or not the scheme is financially viable for the scheme duration.

The scheme manager should provide:

- a summary of the costs incurred in undertaking the activities required to operate the scheme for the products identified
- a summary of the income to the scheme which will be used to meet those costs (income will include contributions in kind (eg, staff time or use of premises) in place of monetary payment where these form an integral part of the scheme)
- a summarised statement of any capital investment required to initiate the scheme and a description of the means by which that capital will be obtained
- any other information useful in explaining the scheme's financial viability.

Assessment of the financial viability of the scheme will be based on a simple 'balancing of the books' test. It will not include any judgements about the business viability of the source of funding, but should simply check if the costs (capital and operating) of the scheme are being met.

Government funding

Information provided on funding of the scheme must not presume that the Minister, the Crown or any other arm of government will provide any funding for the scheme. If government funding has already been obtained and confirmed (eg, as a grant from funds acquired through the waste levy under the Act) this should be shown as income to the scheme.

Confidentiality

The scheme manager may provide all or part of the scheme funding information in confidence. Any such information must be clearly marked as "commercial in confidence" (see *Official information* on page 6).

The scheme manager does not have to provide answers to the questions in sections 10 and 11 but this information may be required by the Minister before a scheme is accredited (section 15(1)).

SECTION 10: International obligations

19. Scheme's consistency with New Zealand's international obligations *(section 15(1)(d))*

Any information supplied by the scheme manager on consistency with international obligations should provide details and supporting evidence, of how the scheme meets any relevant international obligations relating to the environment, trade and human rights. For example, the Stockholm Convention on Persistent Organic Pollutants (POPs) 2001, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989.

The scheme manager should provide evidence that there are systems in place to show that the following information will be available as appropriate:

- service level agreements
- evidence of destruction certificates
- ISO certificates and most recent audit report
- transfrontier movement of waste notification forms
- shipping documents (bill of lading)
- traceability of consignments once they have left New Zealand
- breakdown reports (details of recovered materials).

For more information on New Zealand's international environmental obligations, please refer to these websites:

www.mfe.govt.nz/laws/meas/meas-in-force.html

www.med.govt.nz/templates/StandardSummary_19.aspx

www.mfat.govt.nz/Treaties-and-International-Law/index.php

SECTION 11: Environmental impacts

20. Life cycle environmental impact of the scheme *(section 15(1)(c))*

The scheme manager may provide information in order for the Minister to be satisfied that the scheme is likely to promote waste minimisation or reduce the environmental harm from disposing of the product to which the scheme relates without, in either case, causing greater environmental harm over the life cycle of the product.

The scheme manager may state the Environmental Choice product licence number(s), if the product has one. The licence and scope will be verified by the assessor through the Environmental Choice website (www.enviro-choice.org.nz/licensed_products.html). Evidence of the product holding an Environmental Choice licence will support the application.

If the product or some of the products in the scheme do not have an Environmental Choice licence the scheme manager may:

- briefly describe the environmental effects of the product life cycle with the scheme in place, as compared to the product without the scheme
- describe the environmental effects of any process which forms part of the scheme itself
- include a life cycle summary with all of the major process steps that are required for either the recovery of the product or the materials and/or

the steps required to achieve disposal.

Typically, a product life cycle will include:

- manufacture of the product
- transportation and handling of the product up to the point of purchase of the product by its end-user
- operation or normal use of the product over its normally expected lifetime
- quantities of materials used by the manufacturer.

For simplicity, the extraction of raw materials or the manufacture of intermediate substances/components which go into the manufacture of the product need not be included in the life cycle.

Note: The Minister's assessment under section 15(1)(c) is likely to focus only on life cycle environmental impacts that are relevant to the scheme. The scheme manager will assist this assessment by identifying relevant environmental impacts such as:

- greenhouse gas emissions from the point of manufacture to the point of disposal within the scheme
- ozone depleting substances emitted from the point of manufacture to the point of disposal within the scheme
- hazardous waste (as defined in Annexes I and II of the Basel Convention and the New Zealand Waste List for the Convention) discharged into the environment from the point of manufacture to the point of disposal within the scheme
- fresh water consumed from the point of manufacture to the point of disposal within the scheme
- energy (electricity and other fuels) consumed from the manufacture to the point of disposal within the scheme, including information on whether the energy consumed is renewable or non-renewable
- air emissions of any kind which would be subject to the requirement to obtain a specific consent under the Resource Management Act (RMA) from the point of manufacture to the point of disposal within the scheme
- discharges to water which would be subject to a requirement to obtain a specific consent under the RMA from the point of manufacture to the point of disposal within the scheme
- the release into the environment of a hazardous substance with ecotoxic properties (as defined under the Hazardous Substances and New Organisms Act 1996)
- any reduction of biodiversity as a result of the scheme
- any other environmental effect that would occur without the scheme.

The information provided by the scheme manager may be used by the Minister and his or her advisors to decide if the scheme is likely to promote waste minimisation or reduce the environmental harm from disposing of the product to which the scheme relates without, in either case, causing greater environmental harm over the life cycle of the product.

The assessor can use this information (where it is provided) to give their opinion on whether the requirement in Section 15(1)(c) is satisfied.

Note: The scheme manager is responsible for ensuring the scheme is compliant with any other enactments, regulations or bylaws (section 19).

21. Potential risks that may affect the performance of the scheme and what actions are intended to manage those risks	<p>Although this is not a requirement of the Act, the scheme manager has the opportunity to advise the Minister of risks that are foreseen with the operation of the scheme and how these risks are being managed.</p> <p>The scheme manager may provide a risk assessment or risk management plan to the application in support of this section.</p>
22. Codes of practice or duty of care processes	<p>Although this is not a requirement of the Act, the scheme manager has the opportunity to advise the Minister of any codes of practice or duty of care processes that are applicable to the scheme.</p> <p>This information may be helpful to the Minister in his or her decision.</p>
23. Additional information	<p>The scheme manager has the opportunity to supply any relevant additional information to support the application for accreditation.</p> <p>The scheme manager should clearly reference any supporting documentation and specify how the documentation supports the application. This should include a reference to the section/answer that is being supported by the additional information.</p> <p>Note: If relevant information is contained within, eg, a multi-page company prospectus, the relevant parts of the prospectus should be extracted or clearly marked by the scheme manager.</p>

Confidentiality of information

If a scheme manager for product stewardship accreditation considers that any other matter as set out in the above sections should be kept confidential, the scheme manager must clearly identify that information and include an explanation of why this information should be kept confidential.

The scheme manager must also provide a non-confidential summary of the information identified as confidential which the Minister or the Ministry may include in any public statement about the scheme.

Important note: Except as required by the Official Information Act, or other legislation, parliamentary, Crown or Governmental obligations, the Ministry will use all reasonable endeavours to ensure that information is not to be used for any purpose other than assessing the application for accreditation or made available to persons (other than the scheme assessor) who are not employees of the Ministry.

Appendix - Examples

The appendix contains examples of how schemes could respond to Section 11 of the application form in order to help the Minister consider section 15 of the Act.

The examples provide suggestions of how compliance and reduction in environmental harm may be shown.

Example 1 – Evidence of reduction in environmental harm: This example describes how a scheme could demonstrate evidence of a reduction in environmental harm.

1. **Waste reduction** – Preventing or reducing the amount of waste generated by:
 - reducing the amount of hazardous waste (eg, reduction of mercury in a light bulb and removal of lead in electronic products)
 - changing or substituting the material used (eg, replacement of toxic agrichemicals with non-toxic alternative)
 - redesigning the product (eg, to increase product durability, repairability)
 - changing the plastic type used in a container to recycled content plastic to decrease harm from mining or harvesting raw materials
 - adapting cleaner technology in the manufacturing process such as instigating emissions controls and reductions, increasing energy efficiency and waste efficiency
 - changing product ingredients from non-biodegradable to biodegradable
 - redesigning the product so the process no longer results in a harmful by-product
 - changing logistics processes to decrease the amount of transportation required in the distribution of goods.
2. **Waste reuse** – Reusing waste by:
 - coordinating waste to be redistributed (eg, phone redistribution schemes or unwanted paint schemes)
 - harvesting components from use in new products (eg, electronic components reused in new equipment)
3. **Waste recycling** – Increasing the amount of waste recycled by:
 - treating waste that is no longer usable in its present form and using it to make new products (eg, plastic products made with recycled content)
 - designing for disassembly and recyclability to recover materials easily (eg, using homogeneous material, not applying paints, lacquers or glues that cannot be removed)
4. **Waste recovery** – Recovering waste products by:
 - using the energy from waste in other processes (eg, burning used oil)
5. **Waste treatment and disposal** – Treating and disposing of waste before disposal by:
 - bio-treatment or physio-chemical treatment to degrade a material into a compound or mixture
 - blending or mixing the waste to obtain a compound or mixture
 - storing or repackaging waste
 - processing the hazardous waste to convert it into a non-hazardous or less hazardous material.

Example 2 – Compliance with enactments, regulations and bylaws: This example describes how a scheme could demonstrate compliance with enactments, regulations and bylaws. In this example all conditions mentioned must be met.

Note: Accreditation of a product stewardship scheme **does not** mean the scheme is compliant with other acts or bylaws. It is the responsibility of the scheme manager and participants to seek independent legal advice as to the legality of an accredited scheme proposal. Responsibilities may include:

1. identifying and demonstrating compliance with any conditions imposed on the disposal of the product or on any process within the scheme itself under the Resource Management Act 1991 and its associated instruments (eg, district or regional plans, national standards)
2. if applicable (ie, the product is, or contains, a hazardous substance), demonstrating compliance with all requirements for disposal under the Hazardous Substances and New Organisms Act 1996, regulations made under that Act, and any specific controls on the substance imposed by the Environmental Risk Management Authority
3. if applicable (ie, the product is or contains an ozone depleting substance), demonstrating compliance with all requirements for disposal under the Ozone Layer Protection Act 1996 and any applicable regulations under that Act
4. if the disposal involves the emission of greenhouse gases, including production of greenhouse gases over the consented life of any landfill used for disposal of the product or any part of the product, demonstrating compliance with the obligations imposed on operation under the Climate Change Response Act 2002 and amendments, and any regulations made under that Act
5. showing to be compliant to the extent appropriate for the particular scheme with the following guidelines developed or endorsed by the Ministry for the Environment:
 - *Guidelines for the Management and Handling of Used Oil*. Ministry for the Environment, 2000, ISBN-0-478-09095-1
 - *Landfill Guidelines*. Centre for Advanced Engineering, 2000, ISBN, 0-908993-23-4
 - *Guide to Landfill Consent Conditions*, Ministry for the Environment, 2001, ISBN 0-478-24020-1
 - *Hazardous Waste Guidelines: Landfill Waste Acceptance Criteria and Landfill Classification*, Ministry for the Environment, 2004, ISBN 0-478-18931-1
 - for any containment discharges, or for any of the situations described in 2, 3 and 4 above which are a result of a process forming part of the scheme.
6. providing a baseline amount of the discharge or other substance emitted to the environment
7. specifying a reduction in the discharge or emission during the life of the scheme.

Example 3 – Compliance with international obligations: This example describes how a scheme could show that it is compliant with New Zealand’s international obligations.

If disposal by export is proposed, the export as waste of any product defined as within the scheme, or part of that product, must be shown to comply with the requirements of:

1. the Basel Convention on the Transboundary Movement of Hazardous Wastes, the Waigani Convention and/or equivalent schemes approved under those agreements (eg, the specific procedures provided for OECD member countries which are accepted under the Basel Convention)
Note: In meeting this requirement, the definition of waste used in the above agreements must be complied with.
2. if the product is or contains hazardous chemicals listed under the convention, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
3. if the product is, or contains, hazardous chemicals listed under the convention, the Stockholm Convention on Persistent Organic Pollutants including those for transboundary movement of the substances named under the convention for environmentally sound disposal.

Showing evidence of compliance with both domestic and international law may in some cases be required (eg, if within the scheme some proportion of the product is disposed of in New Zealand then the relevant legislative standards will need to be complied with).

Duty of care

Information should also be provided to show how the scheme is managing its duty of care during the life cycle process. Evidence should be provided to show the scheme’s audit or check of suppliers and service providers to show that they are meeting their international and environmental obligations.

Further information

If you require further information about assessing an application for product stewardship contact:

psaccreditation@mfe.govt.nz

Free phone: 0800 499 700

Phone: +64 4 439 7400

Fax: +64 4 437 7700

Ministry for the Environment

Environment House

23 Kate Sheppard Place

PO Box 10362

WELLINGTON 6143