

# **Ontario Tire Stewardship Hauler Standards**

**Version 1.0**

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

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## 1.0 Overview

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

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

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

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### 1.1 What Types of Haulers do the Standards Apply To?

The Standards apply to all Hauler registered as such with Ontario Tire Stewardship. Some of the standards may not be applicable to a given Hauler location due to the nature of the variations in Haulers 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 Haulers since September 1<sup>st</sup> 2009, or upon the Hauler's registration date, whichever date is the latter. Supplemental Standards have been developed and will be/are effective as of May 1<sup>st</sup> 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 Hauler Registration and must be maintained as long as the Hauler is registered as such in the Program. This section outlines the Core Standards.

### **2.1 Ontario Business Number**

Haulers who are in commercial operation must hold a valid Ontario business number which corresponds to the Business name and start date which is provided to OTS during initial Hauler registration.

### **2.2 Harmonized Sales Tax Number**

Haulers are required to provide OTS with their valid HST number which must be associated with the Ontario Business number provide to OTS during registration. Haulers that are not required to hold a valid HST number (eg. First Nations Community or business with gross earnings under the legislative threshold) must provided 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**

Haulers storing large quantities of used tires must be familiar with the applicable Certificate of Approval(s) requirements that may govern their operations. In the event that a Hauler is storing (on a sort yard or otherwise) quantities of tires that require the Hauler to hold a Certificate of Approval as issued by the Ontario Ministry of the Environment, OTS must be made aware of the Certificate of Approval number, the maximum number of tires permitted on the site and any other applicable information relating to the approval. The Hauler must ensure that they are storing tires in a secure manner and in quantities as permitted by their Certificate of Approval. If the Hauler does not hold a Certificate of Approval they must ensure that they are in compliance with all applicable legislative requirements surrounding the storage of used tires (i.e. under applicable storage limits in accordance with all Federal, Provincial and Municipal legislation or the requirements of any regulatory body having authority) at all times.

### **2.4 Appropriate Commercial Liability Insurance**

Haulers must hold valid comprehensive general commercial liability insurance and ensure that it remains valid for the time that they are a registered Hauler with OTS. Commercial liability must include comprehensive coverage for bodily injury and property damage. The Haulers insurance must also cover contractual liability. Insurance policy certificates must be provided annually to OTS and at other times as requested by OTS. Haulers are also required to name OTS as an additional insured on their policy as requested by OTS and provide updates to OTS at least annually. The minimum amount of insurance required is \$2 million dollars per occurrence as outlined in the Hauler 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).

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Firms operating in Ontario with only one employee must notify OTS in writing at the time of application that they do not require a WSIB account and state the reason that they do not require an account (note that note all companies employing one person are exempt from WSIB requirements). In the event that the Hauler hires additional employees or otherwise becomes subject to the WSIB requirement, they must notify OTS immediately and ensure that they meet the requirements above immediately.

## **2.6 Document Retention**

Registered Haulers are required to maintain records in accordance with the OTS process outlined for picking up tires (refer to Hauler Guidebook for details). All documentation (Tire Collector Receipt Forms, Dedicated Off the Road Tire Pickup Forms, 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 Relationship with a Processor**

Registered Haulers are required to provide proof that they have a working relationship with a Registered Processor noting that the Processor agrees to take tires from the Hauler. The proof of relationship must be issued to the Hauler by the Processor in the form of a letter which must be forwarded to OTS.

## **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 Haulers have always been required to comply with all legislative requirements as per the Hauler 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 Haulers must meet or exceed the standards in this section on or before the phase in implementation date. Any Hauler 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 at the time of their registration.

### **3.1 Expanded Health & Safety: WHMIS**

Registered Haulers are required to comply with all applicable Health and Safety requirements. All Haulers 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 to their business.

Haulers 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 1<sup>st</sup> 2012 after this date Haulers must be able to provide proof of WHMIS training to Employees as requested by OTS.

### **3.2 Expanded Health & Safety: Machinery Safety**

Any Hauler 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 1<sup>st</sup> 2012 after this date Haulers must be able to provide proof of training being delivered to Employee as requested by OTS.

### **3.3 Emergency Response Numbers**

Registered Haulers must ensure that all Emergency Numbers (Emergency, Spills Action Centre etc.) are posted at their Registered Hauler Sites, Sort Yards and available to drivers 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 1<sup>st</sup> 2012 after this date Hauler sites visited must have Emergency Numbers posted and ensure that employees are aware of the appropriate contacts.

### **3.4 Commercial Vehicle Operator's Registration & Carrier Safety Rating Program**

Registered Haulers operating commercial motor vehicles (including rented and leased fleets/vehicles etc.) must hold a valid Commercial Vehicle Operator's Registration (CVOR) in good standing with the Ministry of Transportation and hold a Carrier Safety Rating (CSR) of at least "Satisfactory". If the Hauler holds a Conditional CSR, OTS must be provided with an action plan detailing the actions they are undertaking in order to move to a "Satisfactory" rating and be updated of the progress at least monthly and/or when the rating changes in any way. Satisfactory ratings may be audited or unaudited as per the Ministry of Transportation. The CVOR must be issued to the Haulers owners/principals directly.

Haulers must provide OTS with a CVOR Abstract (Level II) at least annually and may be required to produce the Abstract on a more frequent basis as requested by OTS. The Hauler must notify OTS of any CSR ratings changes immediately.

Haulers who currently are owners/directors (or principals) of a company (other than their registered Hauler business) which holds a CVOR must declare the additional CVOR numbers. Unsatisfactory standings of additional CVORs may affect the eligibility of the Hauler to become/remain registered in the program.

Haulers must declare if they have been principals of a company which has had its authorities revoked in either the US or Canada within the past 10 years. If the Hauler has had its authorities revoked in the past, it may affect the Haulers eligibility to become/remain registered in the program.

The requirement to provide OTS with a valid CVOR will be phased in on May 1 <sup>st</sup> 2012 after this time documents must be provided to OTS upon request and at the time of registration.
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## **4.0 Monitoring & Enforcement**

Standards will be monitored and enforced in a number of ways including annual updates provided to OTS by the Registered Hauler on certain items, coupled with periodic 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 Hauler has no Certificate of Approval etc.).

### **4.1 Updates to OTS Regarding Insurance**

Registered Haulers are required to notify OTS (in writing) within 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 Haulers 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 Haulers must notify OTS immediately of any changes to their policy (number, provider, coverage etc.) that may take place at any time in writing.

### **4.2 Updates to OTS Regarding WSIB Status**

Registered Haulers 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 Haulers must notify OTS of any changes to their Certificate of Approval (with respect to tire storage) in writing immediately. Haulers who obtain a Certificate of Approval (for the storage of used tires) 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 Updates to CVORs**

Registered Haulers must notify OTS of any changes in their overall CVOR rating, applicable contact information or other changes to the CVOR immediately in writing.

### **4.5 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.



#### **4.6 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.

#### **4.7 Audit Compliance Checklist**

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

#### **4.8 Audit Results**

Once an audit or review has been completed by OTS, the Registered Hauler 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 Hauler 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 Hauler has not met the Standards as applicable to their business and may result in their de-registration as a Hauler from the OTS Program.

#### **4.9 Dispute Resolution**

If any dispute arises between a Hauler 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 Hauler Standards Checklist

Hauler Name: \_\_\_\_\_  
Hauler Number: \_\_\_\_\_  
Hauler Contact Name: \_\_\_\_\_  
  
Date of Hauler Review/Visit: \_\_\_\_\_  
OTS Contact Name: \_\_\_\_\_

Review: \_\_\_\_\_ or Visit: \_\_\_\_\_

OTS INTERNAL USE ONLY:  
Status:  
Pass/Conditional Pass/Fail  
  
Follow Up Required: Y/N

## 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)

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## OTS Hauler 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 Relationship with a Registered Processor**

Proof of Relationship on File (y/N)	Processor Name	History of Delivering Tires to Processor (Y/N)	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, Invalid = 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 Available(Y/N)	Do Employees Know ER Contacts?	Status (Y = Pass, N = Fail)	Follow Up Required (Y/N)
Notes:			

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## OTS Hauler Standards Checklist

### 11.0 Commercial Vehicle Operator Registration & Carrier Safety Rating

CVOR Applicable (Y/N)	CVOR Number & Certificate Expiry Date	CSR	Status	Follow Up Required (Y/N)
Notes (if not applicable indicate N/A; include any warning letters)				

Action Items/Plans:

OTS To Complete:

Overall Inspection Status:

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