

Consultation

Enhancing Public Reporting of Resource Recovery Data and RPRA Compliance Activities

June 22 – August 5, 2022





Background

RPRA public reporting obligations

- Public reporting is a core part of the Authority's mandate.
- The *Resource Recovery and Circular Economy Act, 2016* (RRCEA) identifies a public interest in promoting **public education and awareness of resource recovery and waste reduction**, and specifically requires that RPRA:
 - Provides information relating to resource recovery or waste;
 - Includes a summary of compliance and enforcement activities in its Annual Report; and,
 - Provides public access to information, excluding commercially sensitive information, on its Registry.

Purpose of the consultation

1. Provide an overview of the types of resource recovery data reported to RPRA by producers and producer responsibility organizations (PROs) and other service providers
2. Seek feedback on:
 - Proposed timing and contents of public reporting of resource recovery data; and
 - Proposed annual public reporting of RPRA compliance activities.
3. Ask key questions RPRA is seeking feedback on
4. Review next steps

Written feedback on Enhancing Public Reporting of Resource Recovery Data and RPRA Compliance Activities can be submitted via email to consultations@rpra.ca by **August 5, 2022**.

Key considerations

- The content and timing of resource recovery reporting is limited by the information that producers, PROs and other service providers are required to submit under the relevant regulations, and when they are required to submit it
- RPRA's proposed resource recovery reports contain information that is already required to be collected under the RRCEA; the proposal requires no additional reporting requirements or increased effort on the part of registrants
- All public reports will present aggregated and anonymized data in order to protect registrants' commercially sensitive information
- Stakeholders are encouraged to visit RPRA's [Resource Recovery Reports webpage](#) to review publicly reported resource recovery information currently available for the Tires, Batteries and ITT/AV programs
- All feedback received will be considered as we prepare to publish upcoming reports

Public reporting of resource recovery data



Data included in resource recovery reports

- The content of resource recovery reports is dictated by the information that registrants are required to submit under the relevant regulations
- The timing of reports is dictated by deadlines in the regulation and the time RPRA requires to verify data and prepare for publication
- All RRCEA regulations require producers to submit supply data about the amount of material they supplied into the province, and they require producers, PROs and other service providers to submit performance-related data about the amount of material collected and managed
 - In line with these regulatory requirements, resource recovery reports would contain tonnage data from two kinds of reports in the Registry:
 1. **producer supply reports; and**
 2. **performance reports.**
- Data would be published for each regulated material category or type and aggregated for all producers and service providers
- Published data will not contain commercially sensitive information

Data included in resource recovery reports

Producer supply reports

Below are the three types of data proposed to be included in RPRA's publicly reported supply data:

A. Supplied tonnage

- i. Aggregate tonnage supplied by obligated producers for each program, by each regulated material category or type

B. Target tonnage for collection or management

- i. The collection target or management target for each program, expressed in aggregate tonnage, by each regulated material category or type
 - **Note the following:**
 - only the tires program has a collection target
 - HSP Category B materials do not have a collection or management target

C. Actual tonnage for management reductions for Batteries, ITT/AV and Lighting

- i. The aggregate tonnage of material supplied by obligated producers that qualified for a management reduction under the Batteries Regulation or Electrical and Electronic Equipment Regulation

Data included in resource recovery reports

Performance reports

Below are the two types of data proposed to be included in RPRA's publicly reported performance data:

A. Actual tonnage collected and managed

- i. Aggregate actual tonnage collected for each program by each regulated material category or type
- ii. Aggregate actual tonnage managed for each program, by each regulated material category or type, and broken down into reuse, refurbishment or retreading, and type of processed material, as applicable and available

B. Actual tonnage of collected material that was processed into ineligible recovered resources

- i. Aggregate actual tonnage collected for each program, by each regulated material category or type, that was incinerated, turned into a fuel supplement, or processed into another ineligible recovered resource

Data included in resource recovery reports

Material categories

For both (1) producer supply reports and (2) performance reports, tonnage would be reported for each regulated material category or type, as determined by the regulations' requirements:

- Tires: large and all other tires
- Batteries: primary and rechargeable
- ITT/AV: no further breakdown
- Lighting: no further breakdown
- HSP: each material type in **categories A** (oil filters, non-refillable pressurized containers) **and B** (oil containers, antifreeze, solvents, paints and coatings, pesticides, refillable pressurized containers)
- Blue Box: each Blue Box material category (beverage container, glass, flexible plastic, rigid plastic, metal, paper, compostable products)

Data included in resource recovery reports cont.

Material categories

Note the following:

- HSP **categories C** (mercury-containing barometers, thermometers, thermostats), **D** (fertilizer) **and E** (refillable propane containers) do not require producer supply reporting, and performance reporting follows different requirements than the other materials. No producer supply reports will be published for these categories, and the performance reports for these categories will match the reporting requirements for each.
- A narrative explanation of data and trends will accompany most producer supply and performance reports.

Proposed method for public reporting

As of June 2, 2022, reports have been separated from the annual report and published on RPRA's [Resource Recovery Reports webpage](#) in an effort to allow for more flexible and earlier reporting of data.

RPRA has published the following to its website:

- Tire supply data reported in 2021, which sets the collection and management requirements for 2022
- Tire performance data reported in 2021 for the 2020 performance year
- Battery and ITT/AV supply data reported in 2020 and 2021, which sets the collection and management requirements for 2022

Overview of reporting requirements in regulations

Program	Deadlines for Annual Supply and Performance Reports	Year First Performance Reports are Due	Deadlines for Audit Reports on Performance
Tires	May 31 st	2020 (publicly reported in 2021)	Annually on October 31
Batteries	April 30 th	2022	Every three years starting April 30, 2024
ITT/AV	April 30 th	2022	Every three years starting April 30, 2024
HSP	July 31 st	2023	Every three years starting July 31, 2023
Lighting	April 30 th	2024	Every three years starting April 30, 2024
Blue Box	April 30 th	2024	Every three years starting April 30, 2027

- The timing of reports is dictated by deadlines in the regulation and the time RPRA needs to verify data and prepare for publication. The table above shows the reporting deadlines for each program, as set out in the regulations.
- Supply and performance reports are received once a year in each program
 - More timely data can only be obtained by RPRA's Compliance Team to support a compliance-related need
- Tonnage reports from producers and PROs take time to verify and compile
 - Once programs are fully operational, RPRA is committed to publicly report supply and performance data in the same year it is reported into the Registry

Detailed proposed timing of resource recovery reports

Public report date	Content
June 2022	<ul style="list-style-type: none"> Tires supply and performance data reported to RPRA in 2021 Batteries and ITT/AV supply data reported to RPRA in 2021
Fall 2022	<ul style="list-style-type: none"> Tires, Batteries and ITT/AV supply and performance data reported to RPRA in 2022 Blue Box and HSP supply data reported in 2021
Winter 2023	<ul style="list-style-type: none"> Blue Box, HSP and Lighting supply data reported to RPRA in 2022
Fall 2023	<ul style="list-style-type: none"> Tires, Batteries, ITT/AV, and HSP supply and performance data reported to RPRA in 2023 Blue Box and Lighting supply data reported to RPRA in 2023
Fall 2024 and annually each fall thereafter	<ul style="list-style-type: none"> Tires, Batteries, ITT/AV, HSP, Blue Box and Lighting supply and performance data reported to RPRA in that year
Periodically	<ul style="list-style-type: none"> Significant changes to past years' data that result from compliance, verification, and auditing cycles required by the regulations or initiated by RPRA will be reported on periodically

- In 2022 and 2023, timing of submissions to the Registry is irregular because programs are still being implemented, Registry portals are still being built, and performance reporting is not yet in full force
- Proposed timing may vary from what's indicated above, as the timing of submissions by producers and service providers is still subject to change, to address the needs of the regulated community and allow for the development of detailed registry procedures
- RPRA has published one report in June 2022, on data reported to RPRA in 2021, and will publish another report later in 2022, on data reported to RPRA in 2022
- Proposed timing of Blue Box and HSP supply reports reflect that 2021 supply reporting for those programs has:
 - continued into 2022; and
 - used a manual process that is difficult to compile, and 2022 reporting will occur in the Fall of 2022 when the Registry portals are built.

Public reporting on RPRA compliance activities



Public reporting on RPRA compliance activities

Content and timing of compliance reports

- Under the RRCEA, RPRA must publish on its website all compliance orders and administrative penalty orders when they occur
- RPRA proposes to publish additional information on an annual basis showing the number of compliance cases it opened and closed during the year and other compliance activities
- The types of compliance activities proposed to be reported on annually are:
 1. Total cases opened and closed
 2. Total substantiated non-compliance cases opened and closed
 3. Total free rider cases opened and closed
 4. Total unique emails to regulated entities
 5. Total calls to regulated entities

Feedback questions



Feedback questions

In providing your feedback, RPRA would be interested in hearing your views on these questions:

1. Why is it important to you that RPRA report publicly on resource recovery and compliance information?
2. What resource recovery and compliance information do you view as most useful or most important to report?
3. How do you, or how would you, like to use the resource recovery and compliance information that RPRA publishes?
4. Would you find it useful if RPRA presented some analysis of the reports (e.g., a narrative explanation of the content or discussion of trends)?
5. Did you rely on resource recovery reporting from the IFOs and ISOs under the [Waste Diversion and Transition Act, 2016](#)? What did you use that information for?
6. Do you rely on the annual Datacall Report that is published by RPRA as part of the Blue Box Program?
 - If yes, what information in that report is important or useful to you, and why?
 - Past Datacall Reports can be found here: <https://rpri.ca/programs/about-the-datacall/>

Next steps



Next steps

- To review consultation materials, [visit our consultation webpage](#)
 - Stakeholders are encouraged to visit RPRA's [Resource Recovery Reports webpage](#) to review resource recovery information currently available for the Tires, Batteries and ITT/AV programs
- Written feedback must be submitted by email to consultations@rpra.ca by **August 5, 2022**
- RPRA will consider all feedback received during the consultation
 - Stakeholder feedback will be summarized in a report that will be posted to RPRA's website following the consultation period