



Enhancing Public Reporting of Resource Recovery Data and RPRA Compliance Activities

Consultation Report

February 23, 2023

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Executive Summary

Producers obligated under the [Resource Recovery and Circular Economy Act, 2016](#) (RRCEA) regulations are required to annually report to RPRA the amount of materials they supply into the Ontario market and the amount of materials collected and reused, refurbished or processed.

RPRA is responsible for providing information to the public about Ontario's progress in advancing a circular economy, including reporting publicly on how producers are meeting the resource recovery requirements set out in the regulations.

The RRCEA requires that RPRA:

- provide information relating to resource recovery or waste;
- include a summary of compliance and enforcement activities in its Annual Report; and,
- provide public access to information, excluding commercially sensitive information, on its Registry.

RPRA is committed to being a key source of information on resource recovery and waste management in order to fulfill our mandate. Between June 22 and August 5, 2022, RPRA consulted with stakeholders on enhancing the public reporting of resource recovery data and compliance activities beyond what has been included in RPRA's [Annual Report](#) and [Resource Recovery Reports webpage](#). RPRA sought feedback from stakeholders, either through written submissions or verbally during one-on-one meetings, about what resource recovery and compliance information is most valuable to stakeholders, why it is useful, and how they would like it presented.

This report explains RPRA's consultation process and summarizes the feedback received. The conclusion to this report provides RPRA's response to the feedback and outlines RPRA's next steps towards implementing changes and enhancements to its public reporting.

Questions about this report can be emailed to consultations@rpra.ca.

Introduction

About RPRA

RPRA is the regulator created by the Ontario government to enforce the requirements of the RRCEA and the [Waste Diversion Transition Act, 2016](#) (WTDA).

The RRCEA established a resource management regime where producers are individually responsible and accountable for their products and packaging, recovering resources, and reducing waste. The WTDA allows for the continuation of waste diversion programs and sets out provisions to wind up those programs as directed by the Minister of the Environment, Conservation, and Parks.

Principles for public consultation

RPRA's consultations are guided by the following best practice principles developed by the Organization for Economic Cooperation and Development:

Inclusiveness and openness: Engage broadly with a wide variety of stakeholders, provide clear and understandable information, and make the consultation process accessible, comprehensible, and responsive.

Timeliness: Engage stakeholders early before decisions are made and provide regular

opportunities for engagement on key program and policy matters.

Accessible and cost-effective: Consider a variety of tools and methods to gather feedback that promotes efficient and cost-effective consultations.

Balance: Provide opportunities for diverse perspectives and opinions to be heard and considered.

Transparent: Record feedback, report back a summary to stakeholders, and synthesize feedback into programs and policies as appropriate.

Evaluation: Demonstrate the impact of public consultations on program delivery and policy development.

Consultation

Process

RPRA's consultation on Enhancing Public Reporting of Resource Recovery Data and RPRA Compliance Activities began on June 22, 2022 and ended on August 5, 2022.

On June 22, 2022, a [dedicated webpage](#) was created on RPRA's website with background information on the consultation, the proposal deck and instructions on how to submit feedback. RPRA also posted a latest news item announcing the start of the consultation period and a link to the consultation webpage.

In addition, RPRA gathered feedback on the consultation proposal from direct engagement with RPRA's Advisory Councils and various stakeholder groups during the consultation period. See [Appendix B](#) for the list of stakeholders that participated in a direct engagement session.

What we heard

RPRA received 16 written submissions during the consultation period and engaged directly with RPRA's two Advisory Councils as well as six stakeholder groups to gather feedback on the proposal.

Feedback was received by producers and industry organizations that represent them, along with service providers (e.g., haulers, processors, processing facilities), municipalities, producer responsibility organizations (PROs), and environmental non-governmental organizations (ENGOS).

For a list of all stakeholders who engaged with RPRA through written submission or verbally, see [Appendices A](#) and [B](#).

Before the consultation began, RPRA created a new [Resource Recovery Reports webpage](#) and committed to publishing resource recovery information earlier than it had in previous years. This was done in response to requests from registrants that RPRA had received through various channels before the consultation started. During 2022, RPRA updated this page to provide more detailed information consistent with some of the feedback heard during the consultation. RPRA's responses to all of the consultation feedback, including areas where additional improvements will be made to the public reporting process, are set out below and in [Appendix C](#).

Stakeholder comments addressed one or more of the following five themes:

1. What resource recovery data RPRA should publish
2. What analysis RPRA should undertake and share publicly

3. When and how often RPRA should publish data/reports
4. Implications of the end of the Datacall Report for the WDTA Blue Box Program
5. How RPRA should report on compliance activities

All feedback received is summarized below and categorized under the five themes.

1. What resource recovery data RPRA should publish

- Some stakeholders, including service providers, municipalities and producers, requested RPRA reports on:
 - o The number of producers registered in each program by material supplied, and differentiated by size as specified in the applicable regulations.
 - o The aggregated regulated material supply by reporting category for each regulated material.
 - o The total material supply managed, reported by type of end-use.
- Some stakeholders, including service providers, municipalities, and PROs, requested that RPRA reports on:
 - o The management target for each regulated material both before and after supply reduction for reuse or recycled content is applied.
 - o The definitions of key terms.
 - o The performance target next to the achieved metric for ease of interpretation.
- A few producers requested RPRA:
 - o Keep reports simple and tied to goals.
 - o Report information along with analysis showing progress towards achieving performance targets.
 - o Avoid duplicating reports and information already available from PROs.
 - o Report annual aggregate tonnage and show year-to-year comparison for programs with no management requirements.
- Several PROs requested RPRA:
 - o Report the total material supply as well as the year to which the supply data pertains.
 - o Report collection targets where applicable and specify what targets are based on (weight).
 - o Report the number of tires sent for reuse and tires retreaded for “all Tires” and “Large Tires”.
 - o Avoid reporting any metric not already collected (or derived) from information required to be submitted to the registry.
 - o Ensure no commercially sensitive data is published.
 - o Explain why the tires collection target was missed in 2021.
- Some stakeholder requested RPRA report collective PRO/producer compliance with accessibility targets in each of the programs (i.e., whether collection system requirements been met)

2. What analysis RPRA should undertake and share publicly

- Some producers requested RPRA:
 - o Compare performance data with past years’, including prior to the RRCEA regulations being passed, where possible.
 - o Identification of trends and inclusion of relevant context.
 - o Analyze reporting data in order to report:

- Management cost per kg per program.
 - Management cost per capita.
 - Kg collected per capita.
 - Kg recovered per capita.
- Publish reporting data on a “data dashboard” that also includes compliance metrics and RPRA’s financial metrics.
- A few service providers, including municipalities, requested that RPRA list registered PROs for each program and give an indication of the proportional market share held by each PRO; and report on the Kg per program self-reported by producers acting without a PRO, representing the metric as a percentage of market share.
- Some PROs commented that narrative interpretation of data and graphics and charts to show trends would be helpful.
- Stakeholders requested some measurements of progress related to Excess Soil Registry and Hazardous Waste System

3. **When and how often RPRA should publish data/reports**

- Many stakeholders expressed the view that viewing data annually is not frequent enough to support their market activities and recommended that steps be taken towards requiring more frequent reporting from regulated entities.
- PROs, an ENGO, service providers and municipalities, requested that RPRA report unverified supply data more frequently than on the proposed annual basis; some indicated that quarterly reports of PRO market share would be preferable, and some asked for supply data to be published within 30 days of being reported to the Registry to allow a timely view of the market to facilitate planning.

4. **Implications of the end of the Datacall Report for the WDTA Blue Box Program**

- Several stakeholders expressed concern that the more granular data (e.g., metrics for several categories of paper and plastic) reported for the Datacall Report will no longer be available, depriving purchasers of recovered materials of the information needed for planning circular business models.
- Producers commented that they support ongoing reporting of metrics currently collected for the Datacall, including:
 - Tonnage collected.
 - Tonnage marketed to recycling end markets, and to incineration (energy-from-waste).
 - Tonnage disposed.
- Producers also requested that RPRA report on Blue Box depot locations.

5. **How RPRA should report on compliance activities**

- Several stakeholders, including some service providers, municipalities, producers and PROs, requested the following metrics be reported, preferably more frequently than once per year:
 - Number of compliance cases opened and closed in the reporting period, by type and regulation, reported as a percentage of cases completed in the reporting period (an indicator of efficiency).
 - Percentage of compliance cases closed in the reporting period (an indicator of effectiveness year-over-year).
 - Breakdown of compliance case numbers by regulation and regulation section.
 - Number of compliance cases in dispute or in an appeals process, by regulation.

- Average time to resolve compliance cases during the reporting period.
- Average cost to close non-compliance cases.
- Percentage of producers who comply with requirements without outreach or compliance action beyond email blast and information available on RPRA's website (an indicator of the effectiveness of RPRA's Communicating for Compliance approach).
- A few service providers requested that, where compliance concerns may exist within a program, RPRA publishes quarterly reports from processors on Kgs processed.
- One PRO suggested that the following metrics be reported once the Administrative Penalties Regulation is passed:
 - Annual revenue generated through penalties;
 - How RPRA used the generated revenue; and
 - Analysis to show how effective penalties are at deterring non-compliance.
- Some stakeholders expressed concern about identifying businesses or persons that are currently under investigation; and that a published compliance order might include commercially sensitive information. These stakeholders requested clarity on the information planned to be publicly published.

RPRA also posed six questions to guide stakeholder feedback:

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?

Answers are summarized below by question:

1. Why is it important to you that RPRA report publicly on resource recovery and compliance information?

Municipalities:

- Public reporting allows for a clear picture of how supply and performance data from producers is reconciled.
- Annual reporting enables identification of trends (both positive and negative) and gaps in reporting so that corrective actions can be taken to mitigate shortfalls.
- Vested interest in performance because materials not collected and/or diverted from their disposal/processing or wastewater facilities generate potential environmental impacts they in turn could have to manage and mitigate/remediate.
- Ontario residents are interested in understanding how their participation in diversion programs translates into waste reduction outcomes.

Service providers:

- Investment decisions rely on accurate industry data (including, and especially, compliance information) based on transparent reporting and proper oversight.
- Published metrics and oversight are critical to achieving outcomes. If targets are not met, an effective monitoring program can provide early detection of any deficiencies that can then be remedied.
- Public reporting ensures regulated entities are held accountable for reaching legislated targets; without public accountability, cost avoidance becomes the key objective and a race to the bottom results.
- Transparency of performance data provides market certainty to the waste sector, which drives investment, job creation and competition.

Producers:

- Sharing resource recovery information with the public demonstrates transparency and enables a window into progress toward achieving environmental outcomes.
- Public reports provide all stakeholders involved (i.e., producers, PROs, service providers) with a measure of the programs' success, and highlight areas that require attention.
- Provides consumers with confidence that the diversion programs that they participate in are worth their efforts and encourages them to continue those efforts.

PROs:

- Public reporting increases public awareness of the existence and effectiveness of waste diversion programs.
- RPRA is the only entity with access to information on program performance and can provide objective reporting.
- Having access to timely resource recovery and compliance information lets producers and the public know if their efforts are working, and if and where attention should be paid (e.g., to programs with free riders, low levels of competition, etc.).
- Regular and consistent public reporting by RPRA is a provincial interest and provides value to all registrants and the public.
- Consolidated resource recovery information allows PROs to better understand their market shares and highlights opportunities to make business decisions that will be in the best interest of our producer clients and industry overall.
- Public reporting on compliance enables PROs to better understand RPRA's priorities, the types of activities it undertakes, and general knowledge of how decisions are made (i.e., how the risk framework is incorporated into RPRA's decision-making).

ENGO:

- Noted that ENGO groups advocated for public reporting to be part of RPRA's mandate when the Authority was being developed by the Ministry and have been waiting for RPRA to execute this part of its mandate.
- Publicly reporting compliance information will cement RPRA's role and purpose for stakeholders.

2. What resource recovery and compliance information do you view as most useful or most important to report?**Municipalities and Service Providers:**

- Results pertaining to how producers performed against collection requirements, accessibility and management targets, and recycling efficiency rates.

- Supply and performance data currently being publicly reported by RPRA is important, but contextualizing the data is needed (i.e., publishing both targets and actual tonnage managed) for consumers to draw useful conclusions from the information.
- All performance data, market dynamics and detailed supply data are indicators of healthy competition.
- Compliance data is critical to meeting environmental objectives, in addition to supporting business and investment decisions.
- Regular and consistent public reporting by RPRA is a provincial interest and will provide value to all registrants and the public.

Producers:

- Supplied tonnage.
- Recovery rate.
- Tonnage recovered by recovery and management activity (reuse, refurbishment or processed).
- Management targets.
- Tonnage of collected material that was processed into ineligible recovered resources.
- Proposed public reporting of resource recovery data for Blue Box should not be limited to the five regulated categories (paper, rigid plastic, flexible plastic, glass, metal, beverage containers), but should also include the level of reporting currently available through RPRA's Datacall (printed paper, OCC/OBB, mixed paper, polycoat, PET, HDPE, plastic film, tubs and lids, polystyrene, mixed plastic, steel, aluminum and glass).

PROs:

- Supply data by material type under each regulation.
- Total amount of designated material managed by type of end-use for each program.
- Management target prior to and after reduction due to reuse/recycled content (where applicable).
- For the Tires Program, there is a good balance between the type of information and the administrative burden that is imposed with tracking, validating and auditing this information.
- Free rider information.
- Compliance action open and closed by type.
- The number of non-compliance cases that are in dispute or in the appeals process by producers or PROs.
- The nature of the non-compliance cases and the resolutions, on an aggregated basis (e.g., 10 non-compliance cases filed related to collectors not registering with RPRA, of which 8 were resolved through registration activities and 2 are still outstanding, etc.).
- Time to close "customer service" requests/inquiries.
- Number of open and closed "customer service" requests/inquiries.
- Number of administrative penalties levied year-over-year.
- Number of producers registered by program year-over-year.
- Number of supplementary and alternative collection systems, and:
 - Who is responsible for each collection system; and
 - Tonnage supplied and managed by producers associated with each system.

3. How do you, or how would you, like to use the resource recovery and compliance information that RPRC publishes?

Municipalities:

- To ensure that there is sufficient accessibility to programs that manage the materials.
- Where a municipality operates a program or provides services on behalf of producers, the information is used to identify opportunities for improvements to its waste management services operation, its stewardship responsibilities, and contractual and customer service obligations.

Producers:

- Reported resource recovery data is used for benchmarking with other jurisdictions.

PROs:

- It is in the best interest of all stakeholders to be aware of the existence and success rate of various stewardship programs for all products.
- To determine each PRO's market share.
- To identify if there are free riders that can be supported to come into compliance.
- Determine PRO performance versus provincial performance.
- Determine the level and type of competition.
- Use the resource recovery data to better understand how effectively PRO business is leveraging service providers and whether there are opportunities for them to enhance operations and/or efficiencies.
- To inform understanding of market dynamics that are used for supply chain planning and management.
- To better understand the priorities of RPRC.

4. Would you find it useful if RPRC presented some analysis of the reports (e.g., a narrative explanation of the content or discussion of trends)?

Municipalities and Service Providers:

- Inclusion of a plain language analysis of each report ensures clear and full accountability and transparency.
- Qualitative analysis would provide insights into the dense quantitative supply and performance data in order to identify issues and trends.
- If comment is included on performance shortcomings and gaps, then RPRC should also include a detailed explanation of the associated challenges and the solutions that are being proposed to address any gaps.
- Data should be provided in a manner that enables stakeholders to complete their own analysis.
- Insights can help the entire sector learn from real world examples in order to develop new practices for reporting of supply and performance data and to fine tune the processes associated with waste management requirements.
- Caveats should be provided that further verification of published data may be forthcoming if it is not yet verified.

Producers:

- Support analysis of reported data, including comparisons of RRCEA program performance, and recovery rates and diversion from landfill achieved under the WDA/WDTA.

- Recommend a more in-depth analysis than what is currently presented for the Tires Program; would welcome a level of detail similar to what RPRA offered within the Datacall Report.

PROs:

- One PRO indicated that they do not believe that the regulator should be providing an analysis or narrative on the data presented.
- Others indicated analysis and narrative would be helpful.

ENGO

- RPRA should provide analysis of the resource recovery data and commentary to contextualize the information and should provide data more frequently than annually. The preference is for monthly unverified resource recovery data from producers.

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?

Municipalities and Service Providers:

- Municipalities used/use this information to determine the effectiveness of WDTA diversion programs.
- For WDTA programs that municipalities participate in, the information is/was used to identify opportunities for improvements.
- Although limited, market supply data from IFOs (e.g., Stewardship Ontario's (SO) PIM) was helpful to understand the generation rates/available materials in the marketplace to enable calculation of performance.
- IFO data was used to characterize the composition of the particular waste stream being targeted by material types.

Producers:

- Information was relied on to ensure compliance and assess value for money.

PROs:

- One PRO indicated that they did not have any significant reliance on reporting from IFOs and ISOs under the WDTA.
- Another PRO indicated that where data is available, they can use that to determine the amount of material expected to be available for collection, but that for the most part the reported IFO/ISO data was not granular enough to be useful.
- One PRO indicated that they used the information during the early transition period to help establish customer rates, overall business model, financial reporting, service provider contracts, etc.

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?

Municipalities:

- Yes. Results are used frequently to assess performance, look at costs, regional trends and comparisons with other municipalities, and for planning purposes.
- Yes. Results provide transparent, detailed information on program performance and are critical to decision making.

- Used to benchmark performance relative to other municipalities.
- Used to determine what components of each municipal Blue Box Program are effective and what aspects require intervention to ensure that the intended outcomes are realized.
- Used to compare municipal program results year-over-year and to identify trends.
- Used to inform financial discussions with PROs as part of the transition of the Blue Box Program to the RRCEA framework.

Producers:

- The current level of granularity enables informed decision-making and supports a circular economy for Blue Box materials.
 - Provincial performance data is used by industry groups to calculate the national resource recovery performance by material and/or container type.
- Information allows industry to identify where opportunities to improve Blue Box program sorting, processing and increased resource recovery are present, and therefore target outreach and support.
- Producers use aggregate material recovery information currently reported in the Datacall to inform corporate social responsibility reporting.

PROs:

- Rely on the annual Datacall Report for planning the common Blue Box collection system and its post-collection value chain activities, including procurement, reporting and information technology infrastructure.

ENGOS:

- As the Blue Box program transitions from the WDTA to the RRCEA, the material categories required to be reported by producer/PRO reporting are much less granular than what is reported by municipalities into the Datacall under the WDTA.
- Critical information which helps RPRA, stakeholders and the public understand the non-performing assets of the program will be lost.
- Suggest municipalities could voluntarily report more granular data to RPRA.

Conclusion and summary of RPRA responses

RPRA considered all feedback received during this consultation. Feedback showed that stakeholders would like to see public reporting on both resource recovery performance and compliance activities in ways that break the information out into useful categories, are easy to understand, identify trends, and reveal whether the outcomes sought by the regulations are being achieved. Overall, feedback from stakeholders indicated that public reporting is an important function for RPRA to prioritize.

In recognition of the importance that RPRA’s registrants were already placing on public reporting, substantial improvements were made to RPRA’s approach to resource recovery reporting shortly before this consultation began in summer 2022. Instead of reporting resource recovery information each June in RPRA’s Annual Report, RPRA began publishing reports on a newly developed public reporting webpage so the information could be released in a timelier and more accessible format.

RPRA made additional improvements in fall 2022 to the resource recovery information currently available on RPRA’s website for tires, information technology, telecommunications, audio-visual (ITT/AV) equipment and batteries to fulfill the following requests from stakeholders:

- Request to publish total tonnage reported before and after management reductions; and

- Request to indicate the year to which reported material supply volumes pertain.

The priority RPRA places on public reporting was also reflected in RPRA's new strategic priorities for 2023, set out in our [2023 Business Plan](#) published last fall. One of RPRA's four key strategic priorities is "providing Ontario with reliable and useful resource recovery and waste information," with an accompanying commitment to implement the results of the 2022 consultation and engagement on public reporting.

This consultation report is another step towards improving how RPRA reports out publicly on resource recovery performance and compliance activities, building on the improvements made in 2022.

RPRA has also conducted a detailed review of all suggestions received for improvements to public reporting. Tables identifying which feedback RPRA has accepted and will implement in 2023, which it will not implement and why, and which will be subject to further consideration are set out in [Appendix C](#) to this report.

To fulfill RPRA's commitments, implement the responses identified in [Appendix C](#), and continue to improve how RPRA reports, in 2023 RPRA will create a permanent Public Reporting Working Group ("PRWG") within the organization, consisting of a cross-functional team from the Compliance, Programs and Planning, and IT Teams within RPRA, with a mandate to develop and implement a Public Reporting Action Plan, including additional improvements to what, how, and when resource recovery performance and compliance activity information gets published. As part of its mandate, the PRWG will engage directly with stakeholders on an ongoing basis to further understand and respond to their and the public's needs. Additional information about the PRWG and its 2023 activities will be communicated to the participants in this consultation and the broader RPRA community throughout the year.

For 2023, RPRA will publish reports on the following schedule:

- Resource recovery reports on the [dedicated webpage](#):
 - Winter 2023: Blue Box, HSP and Lighting supply data reported to RPRA in fall 2022; and
 - Fall 2023: Supply and performance data reported to RPRA in spring and summer 2023 for Tires, Batteries, ITT/AV and HSP; and Blue Box and Lighting supply data reported to RPRA in 2023.
- Compliance activity reports in the 2023 Annual Report:
 - 2022 compliance activity report published in Q2 2023.

Suggestions for changes to the timing of reporting in 2024 and later will be further considered by the PRWG.

Details on what information will be added to the reports can be found in the responses in [Appendix C](#).

Appendix A: Stakeholders that submitted written feedback

RPRA received 16 written submissions by the following stakeholders, including joint submissions:

- Association of Municipalities of Ontario
- BrettYoung
- Call2Recycle
- Canadian Federation of Independent Businesses
- Canadian Beverage Association
- Carton Council of Canada
- City of Toronto
- Domtar Corporation
- Electronic Products Recycling Association
- Electronics Product Stewardship Canada
- eTracks
- Municipal Waste Association
- Ontario Waste Management Association
- Regional Public Works Commissioners of Ontario
- Retail Council of Canada
- RPRA's Service Provider Advisory Council
- Ryse
- Scotts Canada
- Tire and Rubber Association of Canada
- YESS Environmental Services and Solutions

Appendix B: Stakeholders that participated in a direct engagement session

RPRA engaged directly with the following stakeholders to gather feedback on the consultation proposal:

- Canadian Beverage Association
- Carton Council of Canada
- Circular Innovation Council
- City of Toronto
- Municipal Waste Association
- Ontario Waste Management Association
- Regional Public Works Commissioners of Ontario
- Retail Council of Canada
- RPRA's Industry Advisory Council
- RPRA's Service Provider Advisory Council

Appendix C: Stakeholder requests and RPRA responses

How RPRA should report on compliance activities

| Stakeholder request | RPRA's response |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Feedback RPRA will implement | |
| <p>Report number of compliance cases opened and closed in the reporting period, by type and regulation, reported as a percentage of cases completed in the reporting period (an indicator of efficiency).</p> | <p>RPRA will report on the number of substantiated non-compliance cases opened and closed in the reporting period. RPRA's public reporting working group will explore how we can further classify non-compliance cases by type and by program, where possible. Types will include (at minimum):</p> <ul style="list-style-type: none"> • Total substantiated cases of non-compliance opened and closed; and • Total free-rider cases opened and closed (a sub-set of total substantiated non-compliance cases). <p>Other case types will be considered. Many cases relate to multiple programs. Accordingly, a breakdown of cases by program may not be achievable.</p> |
| <p>Report on administrative penalty amounts collected annually.</p> | <p>Beginning in 2023, RPRA will report on administrative penalty amounts collected.</p> |
| <p>Report number of compliance cases in dispute or in an appeals process, by regulation.</p> | <p>RPRA will report the number of compliance orders issued that are under review and/or appeal. Under the RRCEA, RPRA is obligated to publicly post all orders, including a notation if the order is under appeal.</p> |
| <p>Report on how RPRA used revenue from administrative penalties levied.</p> | <p>RPRA will report on how we used administrative penalties levied in 2023 and will consider where to publish the information and in what format, as well as when to release it.</p> |
| <p>More frequent reports on RPRA's compliance activity metrics.</p> | <p>Yes, in part. RPRA will consider potential system enhancements to automate reporting on compliance activities in 2023 as a way to report more frequently than annually without undue effort and cost. RPRA will report back to stakeholders on the status and priority of these potential enhancements, considering other 2023 improvement activities.</p> |

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| Report percentage of producers who comply with requirements without outreach or compliance action beyond email blast and information available on RPRA's website. | Yes, in part. RPRA will report the number of producers who submit their supply and performance reports required by the regulations. RPRA's PRWG will further consider when, how and how frequently this information can be reported. RPRA's working group will also consider reporting on the total number of producers who submit supply and performance reports without any interaction with our Registry Support Team. |
| Feedback RPRA will consider further | |
| Clear communication about what types of information will be published about businesses or persons currently under investigation, and what types of information might be included in a public compliance order. | Communication about persons subject to compliance action is typically a case-specific compliance decision that the Compliance and Enforcement Team determines as needed, subject to the RRCEA and RPRA's Access and Privacy Policy. Questions about what will be communicated by the Compliance and Enforcement Team can be directed to registry@rpra.ca . |
| Report breakdown of compliance case numbers by regulation and regulation section. | RPRA's PRWG will consider how substantiated non-compliance cases can be further classified by type and by program. Many cases relate to multiple programs. Accordingly, a breakdown by program may not be achievable. Additionally, RPRA does not currently track all cases by regulation section. |
| Report average time to resolve compliance cases during the reporting period. | RPRA's PRWG will consider how and for what kinds of non-compliance cases we can report the average time taken to resolve. |
| Feedback RPRA will not implement and why | |
| Report results of analysis of how effective administrative penalties are at deterring non-compliance. | RPRA is unaware of any data point or group of data points that would identify how effective administrative penalties are. RPRA will report publicly on any penalties issued and their amounts. RPRA's PRWG will continue to engage stakeholders on options for addressing this request. |
| Where compliance concerns may exist within a program, RPRA should publish quarterly reports from processors on Kgs processed. | An RPRA Inspector may require quarterly information for the purposes of determining compliance, but the information is only used for compliance purposes. |

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| Average cost to close non-compliance cases. | RPRA does not track costs on a per-case basis. Budgeted cost recoveries for each program and details about RPRA’s budgeted line items are already provided to stakeholders in the Business Plan, Annual Report , and through the fee consultation process . Also, this metric would not be a consistently useful measure of efficiency or value because the effort required to resolve any particular compliance case depends on factors outside of RPRA’s control, including the nature of the non-compliance. |
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What resource recovery data RPRA should publish

| Stakeholder requests/suggestions | RPRA’s response |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Feedback RPRA will implement | |
| Report the number of producers registered in each program by material supplied, and differentiated by size as specified in the applicable regulations. | RPRA will report publicly on the number of producers registered in each program, by material supplied. RPRA’s PRWG will consider the request to report on the aggregate number of producers in each size classification as specified in the regulations, and will report back to stakeholders |
| Report the aggregated regulated material supply by reporting category for each regulated material. | In 2023, RPRA will report publicly on the annual supply by reporting category for each RRCEA resource recovery program, where supply is required to be reported by regulation. |
| Report the total quantity of material managed by type of end-use. | RPRA will continue to report publicly on the annual quantity of material managed by process type (e.g., for tires – crumb rubber, reuse, mulch, etc.) where this data is available. |
| Report the management target for each regulated material both before and after supply reduction for reuse or recycled content is applied. | In 2023, RPRA will continue to report publicly the management target for regulated materials before and after supply reductions are applied. |
| Define key terms. | RPRA will clarify key terms in its resource recovery reports . RPRA’s PRWG will consider which terms to define and how to display them alongside reporting metrics for 2023. |
| Display the performance target next to the achieved metric for ease of interpretation. | In 2023, RPRA will implement more accessible and useful ways to display whether performance has been achieved. |
| Keep reports simple and tied to goals. | In 2023, RPRA’s PRWG will continue to refine and improve public reporting according to our legislated requirements, stakeholder needs, and the aims of the legislation. |

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| Report information along with analysis showing progress towards achieving performance targets. | In 2023, RPRA will continue to refine and improve public reporting to better show resource recovery performance trends year-over-year. |
| Report annual aggregate tonnage and show year-to-year comparison for programs with no management requirements. | RPRA will continue to report publicly on the annual supply by reporting category for each RRCEA program, where supply is required to be reported by regulation, regardless of whether the program has management requirements. In 2023, RPRA's PRWG will consider refinements to how this information is displayed to make it easier to see year-over-year comparisons. |
| Report the total material supply as well as the year to which the supply data pertains. | RPRA will continue to report publicly on the annual supply by reporting category including the calendar year to which the supply data pertains. |
| Report collection targets where applicable and specify what targets are based on (weight). | RPRA will continue to report collection targets and what they are based on. In 2023, RPRA's PRWG will consider how this information is displayed so that it clearly communicates how targets are set by the regulation and how performance is assessed. |
| Report collective PRO/producer compliance with accessibility targets in each of the programs (i.e., whether collection system requirements been met) | In 2023, RPRA's public reporting working group will further consider how collection system accessibility performance can be published, and in what format. |
| Report the number of tires sent for reuse and tires retreaded for "all tires" and "large tires." | In 2023, RPRA will report on the number of tires sent for reuse and retreading in both the "all tires" and "large tires" categories. |
| Avoid reporting any metric not already collected (or derived) from information required to be submitted to the Registry. | RPRA's public reporting is based on information received through the Registry. RPRA will not require registrants to submit any information that is not already required by regulation for purposes of public reporting; RPRA may request information not required by regulation for compliance purposes, however. In 2023, RPRA's PRWG may consider whether any additional analysis and context for RPRA's public reporting should be provided. This additional analysis and context could rely on other public information. |
| Ensure no commercially sensitive data is published. | All public reporting will protect registrants' commercially sensitive information, as obligated by the RRCEA. |
| Feedback RPRA will consider further | |
| Explain why the tires collection target was missed in 2021. | In 2023, RPRA's public reporting working group will consider whether and how it can include additional context in cases where collective performance requirements are not met. |

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| Number of supplementary/alternative collection systems and tonnage supplied into and managed by each. | In 2023, RPRA's public reporting working group will consider whether and how RPRA can make this information publicly available. |
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| Feedback RPRA will not implement and why | |
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| Avoid duplicating reports and information already available from PROs. | RPRA has an independent legislative mandate to publish resource recovery information from the Registry. As part of this mandate, RPRA receives different information from producers and service providers than the PROs may choose to collect. Additionally, as a regulator, and unlike the PROs, information is submitted to and verified by RPRA through a robust compliance and enforcement framework that includes penalties for misreporting and helps ensure the information collected is accurate and reliable for producers, service providers, and for the public at large. |

What analysis RPRA should undertake and share publicly

| Stakeholder requests/suggestions | RPRA's response |
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| Feedback RPRA will implement | |
| Compare performance data with past years', including prior to the RRCEA regulations being passed, where possible. | Yes, in part. In 2023, RPRA will report on comparisons between 2022 performance data with past years where past years' data was collected under the RRCEA. RPRA's public reporting working group will consider whether comparing RRCEA performance data with data submitted under the WDTA's legacy programs would be useful. |
| Feedback RPRA will consider further | |
| Include analysis that identifies trends, and give relevant context for metrics. | In 2023, RPRA's public reporting working group will consider adding accessible and useful analysis and additional context to make its resource recovery reports clearer and easier to understand. |
| Analyze reporting data in order to report: <ul style="list-style-type: none"> • Management cost per kg per program • Management cost per capita • Kg collected per capita • Kg recovered per capita | In 2023, RPRA's public reporting working group will consider publishing Kg collected and recovered per capita by program and material. However, management costs for producers are not reported to the registry and so will not be reported on. |

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| Publish reporting data on a “data dashboard” that also includes compliance metrics and RPRA’s financial metrics. | In 2023, RPRA’s public reporting working group will further consider how to display public reporting data on our website in an accessible and useful format. Financial metrics are published in RPRA’s Annual Report, which is posted on our website by June 1 each year. |
| List registered PROs for each program and give an indication of the proportional market share held by each PRO; and report on the Kg per program self-reported by producers acting without a PRO, representing the metric as a percentage of market share. | RPRA cannot report commercially sensitive information. RPRA’s public reporting working group will further consider whether any market information can be reported by RPRA without revealing commercially sensitive information. |
| For each program, indicate how many PROs have market share over or under certain thresholds. | In 2023, RPRA’s public reporting working group will consider potential options for reporting aggregated market share data that would not reveal registrants’ commercially sensitive information. |
| Publish some measurements of progress related to Excess Soil Registry and Hazardous Waste System | RPRA’s public reporting working group, in collaboration with the ministry, will consider how to measure progress related to the Excess Soil and Hazardous Waste registry programs, including what indicators could be used, when information can be published, and in what format. |

When and how often RPRA should publish data/reports

| Stakeholder requests/suggestions | RPRA’s response |
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| Feedback RPRA will not implement and why | |
| Recommend more frequent reporting from regulated entities, for example indicators of PRO market share on a quarterly basis. | <p>Regulations under the RRCEA require only annual reporting. RPRA does not have the authority to require more frequent reporting except for compliance purposes, not public reporting purposes. Accordingly, RPRA cannot publicly report on a more frequent basis than annually. A change to the reporting frequency under the regulations is a regulatory change that would need to be made by the Ontario government, not by RPRA.</p> <p>Some stakeholders have asked whether RPRA would publish data that is voluntarily reported by registrants on a more frequent basis. RPRA’s PRWG may consider requests to publish voluntarily reported data not required by regulation, in consultation with stakeholders.</p> |

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| Report unverified producer supply data within 30 days of being reported to the registry. | In 2023, RPRA will follow the schedule proposed during the consultation: additional supply reports published in winter 2023, and performance reports in fall 2023. In 2023, RPRA's public reporting working group will consider and explore options for different timing in 2024 and later. |
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Implications of the end of the WDTA Blue Box Program Datacall Report

| Stakeholder requests/suggestions | RPRA's response |
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| Feedback RPRA will implement | |
| Support ongoing reporting of Blue Box tonnage collected, marketed, and sent to incineration, as well as tonnage disposed. | RPRA will report on these metrics as the data becomes available through the registry. |
| Feedback RPRA will consider further | |
| Publish locations where consumers can deposit obligated Blue Box material. | In the 2023 Business Plan , one of RPRA's major activities is to update our Find a Collection Site Map to include additional programs in addition to tires. RPRA's PRWG will consider whether and how the locations of Blue Box material depots can be included in this activity. |
| Feedback RPRA will not implement and why | |
| Explore how more granular data formerly collected through the Datacall, like quantities of sub-categories of paper and plastic, could still be collected and reported on by RPRA. | <p>RPRA is currently mandated to collect information under the RRCEA as specified by the regulations. Public reporting is limited to the data RPRA collected by regulation through the Registry. Changes in regulatory obligations regarding what information gets reported are made by the government, not RPRA.</p> <p>In 2023, RPRA's PRWG will consider requests to allow voluntary reporting of data not required by regulation in consultation with stakeholders.</p> |