



Development of the Lighting Supply Data Verification Procedure

Consultation Report

March 4, 2024

Table of Contents

Executive Summary	2
Introduction	2
About RPRA	
Principles for public consultation	
Consultation	3
Process	
What we heard	
Evaluation	
Conclusion	5
Appendix A: Stakeholders that submitted feedback	6
Appendix B: Questions and answers	7
General	
Reporting	
Verifier/Qualified Persons	

Executive Summary

This report details RPRA's consultation process, the feedback received, and how RPRA incorporated the feedback into its decision-making while developing the Lighting Supply Data Verification Procedure. Questions about this report can be emailed to consultations@rpra.ca.

The lighting procedure is based on the existing procedures for batteries and ITT/AV to ensure alignment in processes across programs. Lighting producers will reference the procedure when the Registry opens for supply reporting in the spring of 2024. RPRA's Registrar has decided to delay supply reporting to allow more time for lighting producers to prepare for supply data verification reporting. The deadline for **lighting producers** to submit their supply report and supply data verification report is **July 31, 2024**. The April 30, 2024, deadline in the EEE Regulation will not be enforced.

The consultation period took place from December 7, 2023, to January 8, 2024. RPRA consulted on the draft procedure to gather feedback from stakeholders and held a webinar to answer questions on December 13.

Feedback received during the consultation period is summarized in the [What we heard](#) section. The list of stakeholders that submitted written feedback is in [Appendix A](#). All relevant questions received during the consultation webinar and responses provided by RPRA are detailed in [Appendix B](#) of this report.

The final lighting supply data verification procedure was added to the existing EEE Verification and Audit Procedure as Appendix C and was posted on March 4, 2024. Webinar participants, lighting producers, PROs, and industry associations were notified the same day.

Introduction

About RPRA

RPRA is the regulator created by the Ontario government to enforce the requirements of the *Resource Recovery and Circular Economy Act* (RRCEA) and the *Waste Diversion Transition Act, 2016* (WTDA).

The RRCEA establishes 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 promote 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

From December 7, 2023, to January 8, 2024, RPRA consulted on the draft Lighting Supply Data Verification Procedure.

A dedicated [web page](#) was created on RPRA's website with background information on the consultation, registration links for the webinar, presentation materials, and information on how to provide feedback.

On December 7, 2023, RPRA emailed lighting producers, PROs, and industry associations announcing the consultation period and how to participate. RPRA also included the webinar invite on our social media channels (X and LinkedIn) and in our December 2023 newsletter, which was sent to its general mailing list (approximately 2900 subscribers).

Stakeholders were invited to submit feedback on the proposed principles and methodologies via email or by attending the webinar hosted on December 13, 2023. RPRA specifically sought feedback on the following topics:

- Types of verifier/qualified person(s)
- Combining the procedures for lighting, ITT/AV, and batteries into one
- Submission of a supply data verification report in 2025 and beyond based on producer categories
- Use of a sampling methodology for the verification of supply data

What we heard

RPRA received feedback through the following consultation channels:

- Questions were posed during the webinar held on December 13. The webinar presentation and recording can be found [here](#).
- One written submission was received via email during the consultation period.

Below is a summary of the comments received and RPRA's responses. For the list of stakeholders that submitted written feedback, see [Appendix A](#). For all questions and answers received during the consultation, see [Appendix B](#).

1. One stakeholder suggested that RPRA should require the verifier to provide details of findings and impact on total supply weight reported for Step 5 (i.e. confirm accuracy and completeness of supply data), similar to the other steps.

RPRA's response:

Step 5 was revised to include the requirement to provide descriptions and explanations of identified discrepancies. This will help RPRA draw appropriate conclusions from the verification being performed.

2. One stakeholder suggested that RPRA should require medium producers to submit a verification report every 5 years as it may be valuable.

RPRA's response:

RPRA has determined two producer categories: large and small. The large and small producer cut-offs will be based on the supply data submitted to RPRA by lighting producers in 2024. RPRA will clearly communicate the cut-off thresholds once they have been determined. From 2025 onwards, large lighting producers, as determined by the cut-off thresholds, will be required to provide a verification report prepared in accordance with the final procedure. Inspections will be conducted on a percentage of small lighting producers selected each year. This approach is cost-effective for producers and ensures consistency with the existing ITT/AV and Batteries Supply Data Verification Procedure. RPRA did not consider creating a third "medium" category as it would increase the reporting burden on producers.

3. One stakeholder provided feedback on Step 7 in the draft verification procedure, which proposed, "*Present conclusion with factual findings as to the accuracy and completeness of the reported supply weights and management reductions (if applicable). Descriptions and explanations of identified discrepancies must also be provided.*". The stakeholder suggested either removing this step or modifying it in conjunction with Canada's CSRS4400 standard for agreed upon procedures.

RPRA's response:

RPRA acknowledges that the supply data verification procedures form part of an agreed-upon engagement. As per CSRS4400 standards, an agreed-upon engagement does not involve obtaining evidence for the purpose of the practitioner (qualified verifier) expressing an *opinion or an assurance conclusion* in any form. The intended users consider the procedures and findings reported by the verifier and draw their own conclusions from the work performed by the verifier.

We have removed step 7 from the lighting verification procedure, which required the verifier to provide *assurance conclusion or opinion*, to align with CSRS4400 professional standards. However, the qualified verifier must state the findings after each step has been performed.

Evaluation

To help RPRA improve future consultations and communications, participants were invited to complete a short survey following the consultation webinar.

Of the 12 webinar attendees, 7, or 58%, completed the survey.

Questions and aggregated responses:

1. Overall, how would you rate the consultation? Based on a scale of Excellent, Good, Average, Fair, and Poor:
 - 86% of respondents chose “Excellent” or “Good”
2. How helpful was the information provided by the presenters? Based on a scale of Extremely helpful, Very helpful, Somewhat helpful, Not so helpful and Not at all helpful:
 - 86% of respondents chose “Extremely or Very helpful”
3. How would you rate the presentation slides? Based on a scale of Excellent, Good, Average, Fair, Poor:
 - 43% chose “Excellent”
 - 57% chose “Good”
4. How would you rate the question and answer portion? Based on a scale of Excellent, Good, Average, Fair, Poor:
 - 86% of respondents chose “Excellent” or “Good”

Conclusion

RPRA appreciates the thoughtful feedback provided throughout the consultation process and considered each submission as it finalized the procedure.

Based on the feedback received and information gathered during the consultation period, RPRA made the following decisions:

1. RPRA has decided to create separate supply data verification procedures for lighting in line with the combined ITT/AV and batteries verification procedures. The separate procedures were created to clearly state the requirements of CSRS4400 auditing standards. RPRA may combine the supply verification procedures for all materials in future after consultation with stakeholders.
2. In 2024, all producers are required to submit a one-time supply data verification report in order for RPRA to determine the producer cut-off thresholds for 2025 and beyond.
3. Create two producer categories (i.e. large and small producers) based on the supply data submitted to RPRA by lighting producers in 2024 to be cost-effective and efficient.
4. Require the qualified verifier to explicitly state the procedures performed and related findings under each step within the report.
5. Starting in 2025, only large producers will be required to submit a verification report and small producers will be subject to inspections.

The final lighting supply data verification procedure was added to the existing EEE Verification and Audit Procedure as Appendix C and was posted to RPRA’s website on March 4, 2024. Webinar participants, lighting producers, PROs, and industry associations were notified the same day.

Appendix A: Stakeholders that submitted feedback

Written feedback was submitted by the following stakeholder:

- HDCPA Professional Corporation

Appendix B: Questions and answers

Below are the questions received during the consultation and RPRA’s responses. The questions can be categorized into the following:

- General
- Verifier
- Reporting

General

Question	Response
In regard to step 3 (validate the product units reported) since the quantity can be developed as a percentage of the population, can that calculated quantity be used to calculate the weight?	Yes. The calculated units can be used to calculate the total weight. The per unit weight can be the actual or calculated weight using the weight conversion factors found in the verification procedure. This can be multiplied with the calculated units to arrive at the final reported weight that you will include in your report.
Which month should a producer select for step 5 (confirm accuracy and completeness of obligated supply data), besides the suggestion of selecting a different month in subsequent years?	Any random month can be selected for testing to reduce bias. In the case where a producer does not keep monthly records, the total yearly obligated reported supply can be used. Refer to the verification procedure for the minimum requirements of testing monthly data. Any additional testing can be performed in order to validate the accuracy and completeness of reporting of obligated supply data, but is not required.
Step 1 of the procedure (inquiry about business processes and reporting) appears to include confidential business information. Does the procedure include how this will be identified and protected?	RPRA does not publish or publicize any confidential business information. Refer to our Access and Privacy Code Policy that outlines how RPRA handles confidential business information.

Verifier

Question	Response
Are the verifier designations only Canadian-specific or are U.S. designations also included?	We recognize that many companies are based out of the U.S., hence, RPRA will consider U.S. as well as Canadian designations listed in the procedure as acceptable verifiers.

Reporting

Question	Response
<p>When will RPRA require the 2024 Lighting Supply Data Verification Report to be submitted? Will the deadline for reporting be changed to align with the timeline of the procedures?</p>	<p>The Electrical and Electronic Equipment Regulation states the deadline for supply reporting is April 30 of each year. In the past, RPRA’s Registrar has changed the reporting deadline based on discretion. However, in 2024, the deadline for producers to submit their supply reports will not be changed.</p>
<p>Does RPRA intend to exempt "small lighting producers" from annual verification requirements from 2025 onwards?</p>	<p>Yes. From 2025 and onwards, only large lighting producers are expected to provide a verification report prepared in accordance with the Verification Procedure.</p> <p>In 2024, small and large producers must submit their supply data report and verification report to determine producer cut-off thresholds. Small lighting producers who submitted a Supply Data Report and sufficient Supply Data Verification Report in 2024 will not be required to submit a verification report in 2025. In 2025 and beyond, a percentage of small producers will be subject to inspection.</p>
<p>Will the verification report be submitted at the same time as the supply report? Are these two different reports?</p>	<p>These are two different reports. The supply report provides the weight and units of the obligated products supplied by the producer in Ontario in the year stated in the regulation. The verification report is a signed report from a qualified verifier that verifies the accuracy of the data submitted in the accompanying supply report.</p> <p>The verification report must be uploaded as an attachment when submitting the supply report.</p>