

Defining large and small Hazardous and Special Products producer categories for supply data verification

Consultation period:
March 7 to April 5, 2024

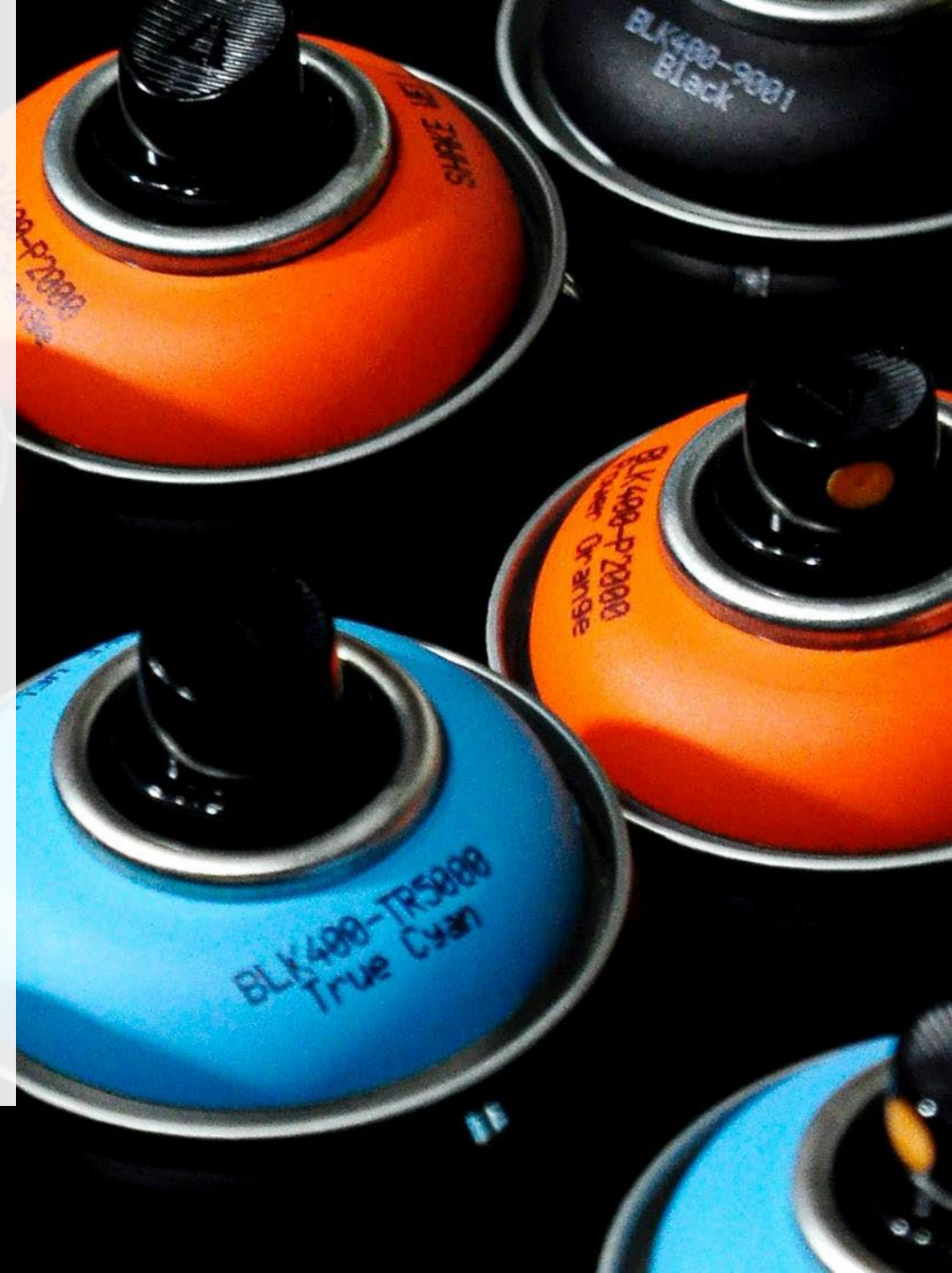


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Consultation overview



Purpose of the consultation

Beginning in 2024, only large Hazardous and Special Products (HSP) producers of **categories A** (oil filters, non-refillable pressurized containers) **and B** (oil containers, antifreeze, solvents, paints and coatings, pesticides, refillable pressurized containers) are required to submit a supply data verification report to RPRA. Small producers will no longer be required to submit a verification report but will be subject to inspections.

RPRA is revising the existing [HSP Supply Data Verification Procedure](#) to include the cut-off thresholds that determine if a producer is considered large or small in terms of supply data verification reporting. Starting in 2024, producers will use the cut-offs every year to determine if they are required to submit a supply data verification report.

Note: For the 2024 reporting period and onwards, **cut-off thresholds are only applicable to producers who submitted both their supply data report and supply data verification report in 2023**. Producers who failed to submit their supply report and/or supply data verification report in 2023 are still required to submit a verification report, regardless of if they are considered small.

Objectives and principles of this consultation

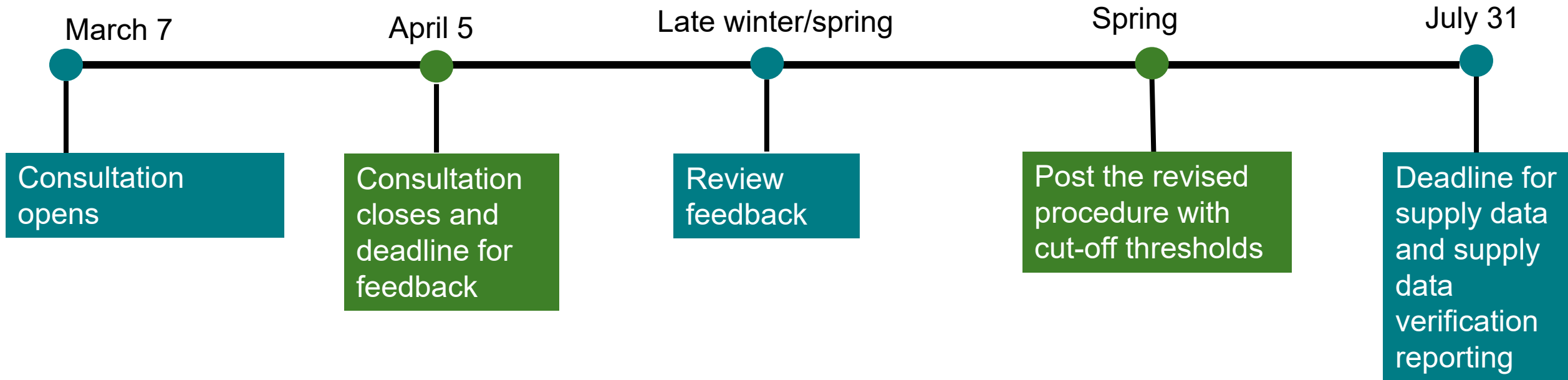
Objectives

- To provide RPRA with different producer size categories (i.e., large and small) for supply data verification reporting in 2024 and onwards
- Supporting producers to meet their supply data and supply data verification reporting requirements with reduced administrative burden on producers

Principles

- Producers meet their regulatory requirements
- Ensure that the HSP Supply Data Verification Procedure is clear and straightforward to maximize compliance
- Ensure a level playing field in terms of accuracy and completeness of reporting

Consultation timeline



Reporting requirements and decisions made prior to this consultation

Under the [Hazardous and Special Products Regulation](#), producers of category A and B are required to report supply data to RPRA each year. Supply data must be reported in accordance with the HSP Verification and Audit Procedure.

In 2022, [RPRA consulted on the principles and methodologies](#) outlined in the HSP Verification and Audit Procedure. In addition to determining that only large producers will be required to submit a verification report beginning in 2024, RPRA made the following decisions based on feedback received:

- All category A and B producers were required to submit a one-time supply data verification report to RPRA in 2023 (the first verification reporting year), and
- To consult on two producer categories (i.e., large and small) after receiving 2023 verified supply data from HSP producers.

Method to define cut-off thresholds



RPRA's proposed methodology for defining producer cut-off thresholds

RPRA's proposed method to define the cut-off thresholds for HSP producers (i.e. large or small) is to use the average weight of supply, as [outlined in the HSP Regulation](#).

The HSP Regulation uses the following average weight of supply to define if a producer is large or small. A producer can determine their size for each type of HSP by looking at their average weight of supply from the previous calendar year.

Type of HSP	Large producer's average weight of supply (tonnes)	Small producer's average weight of supply (tonnes)
Antifreeze	300 or more	Greater than 20 and less than 300
Non-refillable pressurized containers	100 or more	Greater than 3 and less than 100
Oil Containers	55 or more	Greater than 2 and less than 55
Oil filters	100 or more	Greater than 3.5 and less than 100
Paints and coatings	1,000 or more	Greater than 10 and less than 1,000
Pesticides	9 or more	Greater than 1 and less than 9
Refillable pressurized containers	100 or more	Greater than 8 and less than 100
Solvents	70 or more	Greater than 3 and less than 70

RPRA's rationale for using the proposed methodology

Advantage	Disadvantage
<ul style="list-style-type: none">• Consistency with the regulation should:<ul style="list-style-type: none">○ reduce administrative burden, and○ minimize confusion of who is defined as a large and small producer and who is required to submit a supply data verification report.	<ul style="list-style-type: none">• The average weight of supply used in the HSP Regulation is based on the data available at the time the regulation was introduced in 2021. The supply data from 2021 may not be an accurate representation of the current market.

Note: Once producer categories for supply data verification reporting are finalized, RPRA will review the average weight of supply for each type of HSP to ensure that large and small producer categorization accurately reflects the HSP supply in Ontario.

Consultation questions



Consultation questions

RPRA encourages category A and B producers to provide written feedback on the following questions:

- 1) Are there additional methods that RPRA should consider? If so, what are the advantages and disadvantages?
- 2) As seen on slide 9, the proposed cutoff thresholds for some types of HSP capture a lower percentage of aggregate market supply weights. Is this acceptable or do we need to establish cutoffs that encompass a greater and similar percentage for each type of HSP?

Next steps



Next steps

- Answers to the questions on slide 12 and additional feedback can be submitted to consultations@rpra.ca
- For more information on the consultation, visit the [consultation webpage](#)
- The deadline to submit your feedback to RPRA is **April 5, 2024**

Note: A communication will be sent to all HSP category A and B producers once the producer categories for supply data verification reporting are finalized and the revised Hazardous and Special Products Supply Data Verification Procedure is posted. RPRA will also notify producers ahead of supply reporting opening.