



Stewardship Ontario
Municipal Hazardous or Special Waste
Wind Up Plan:
Program Extension Addendum
Consultation Report

June 23, 2021

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Introduction and context

On April 12, 2018, the Minister of the Environment, Conservation and Parks (“the Minister”) directed SO to wind up the MHSW Program to enable the transition of hazardous or special materials to the individual producer responsibility (IPR) regulatory framework outlined in the *Resource Recovery and Circular Economy Act, 2016* (RRCEA).

On December 27, 2019, the Authority approved SO’s MHSW Wind-up Plan with conditions. The Authority also approved two addendums to SO’s MHSW Wind Up Plan related to the distribution of residual funds (approved February 2020) and the transfer of surplus funds to the ISOs (approved June 2020), both required as directed by the Minister.

On April 29, 2021, the Minister directed SO to extend the deadline to wind up the MHSW Program from June 30, 2021, to September 30, 2021. The 3-month extension follows from feedback the Minister received from stakeholders and applies to all designated materials except for single-use batteries, which already transitioned to the individual producer responsibility (“IPR”) framework regulated by the Authority in June 2020. To accommodate this extension, the Minister directed SO to develop an amendment to the wind-up plan and submit it to the Authority for approval no later than May 31, 2021.

SO consulted on the proposed Addendum between May 18, 2021, and May 25, 2021. SO opened the consultation period with a webinar hosted on May 18, 2021. SO received few questions during their consultation webinar, primarily from stakeholders seeking clarification on the newly proposed timelines necessary to implement a program extension. SO did not receive any written submissions during the consultation period.

On May 28, 2021, the Authority received SO’s proposed **MHSW Wind Up Plan: Program Extension Addendum**, which was then assessed to ensure the proposed Plan Addendum was sufficiently consistent with the Minister’s direction and the Authority’s Wind Up Guide to be released for the purpose of consultation by the Authority.

The Authority approved the Addendum by June 30, 2021, as directed by the Minister. In approving the Addendum, the Authority considered all stakeholder feedback received during the Authority’s consultation period.

This report details the Authority’s consultation process and the feedback received. Questions about this report can be emailed to consultations@rpra.ca.

About the Authority

The Authority is the regulator created by the Ontario Government to enforce the requirements of the RRCEA and the WDTA.

The RRCEA establishes a new resource management regime where producers are individually accountable and financially responsible for their products and packaging, recovering resources and reducing waste. The WDTA allows for the continuation of Ontario's legacy waste diversion programs and sets out provisions to wind up those programs and the industry funding organizations responsible for operating them as directed by the Minister of the Environment, Conservation and Parks.

Principles for public consultation

The Authority's consultations are guided by the following best practice principles developed by the Organization for Economic Cooperation and Development (OECD):

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

The Authority's consultation on SO's proposed MHSW Wind Up Plan: Program Extension Addendum began on May 31, 2021 and ended on June 11, 2021. On May 31, 2021, a [dedicated web page](#) was created on the Authority's website with background information on the consultation, instructions on how to register for RPRA's consultation webinar and the proposed Addendum. The Authority also posted a latest news item announcing the start of the consultation period.

On May 31, 2021, the Authority emailed MHSW stakeholders that had participated in previous wind up plan consultations announcing the consultation period and how to participate. The Authority also notified its general mailing list via its June newsletter. Stakeholders were invited to submit feedback on the plan via email or by attending the consultation webinar hosted on June 7, 2021.

The Authority's presentation was led by Cameron Parrack, Manager of Programs and Planning. Representatives from SO attended the webinar session to answer any technical questions related to the Addendum.

What we heard

The Authority received no written submissions and eleven questions and/or comments during the consultation webinar. There were 70 participants in the Authority's webinar on June 7, 2021. The webinar recording and presentation slides can be found on the [Authority's website](#).

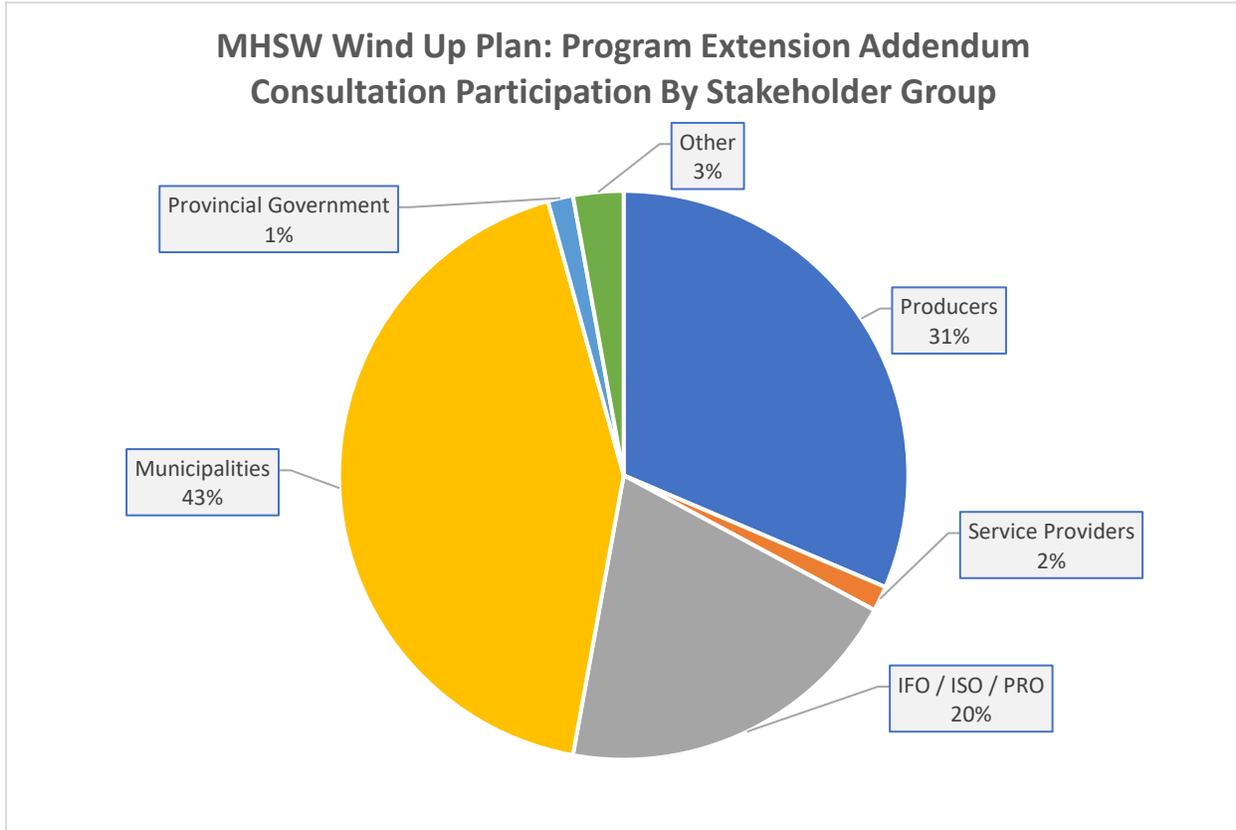
The feedback received is summarized below.

For a list of all questions received during the consultation and the Authority's responses, see [Appendix A](#).

The few questions received during the consultation webinar all related to clarifications of how program and wind up costs would be funded during the three month extension. No stakeholder feedback was received indicating opposition to SO's proposed Plan Addendum.

Stakeholder makeup

A breakdown of stakeholder participants in the Authority’s consultation on the Addendum is presented in the following figure:



Stakeholder Type	Number of Participants
Producers	22
Service Providers	1
IFO / ISO / PRO	14
Municipalities	30
Provincial Government	1
Other	2
Total	70

Consultation evaluation

To help the Authority improve future consultations and communications, participants were invited to complete a short feedback survey during the consultation webinar. Of the 70 webinar attendees, 29, or 41%, completed the survey.

In response to the question, “Overall, how would you rate today’s session?”, 69% of respondents ranked the session “Good” or “Excellent” (based on a scale of Excellent, Good, Average, Fair, Poor).

52% of respondents said the information provided by the presenter was “Extremely or Very helpful”, and 38% said it was “Somewhat helpful”. The remaining 10% said it was “Not so helpful”.

Majority of respondents ranked both the slides and question and answer portion of the session “Good” or “Excellent”.

Conclusion

The Authority considered all stakeholder feedback as it reviewed and approved the proposed Addendum. The Authority approved the Addendum by June 30, 2021, as expected by the Minister, and announced the approval on June 23, 2021.

Appendix A: Questions and answers

Below are the questions received during the webinar and the Authority's responses. The questions were edited for clarity.

Question	Response
What was the underlying reason for the three-month extension?	The three-month extension was directed by the Minister of the Environment, Conservation and Parks. We recommend speaking to the Ministry directly about this decision.
Will this slide deck be available as reference after the webinar?	Yes, the presentation slides and recording will be available on the RPRA consultation page following the webinar.
Can you go over the \$1.4M figure again?	The \$1,400,000 is the forecasted amount of material management and administrative costs for operating the SO's MHSW program for an additional three-months in 2021. This cost will be shared by all the SO stewards in relation to their supplied amounts.
I understand the extension. How can an ISO better understand the RRCEA going forward?	<p>To better understand the RRCEA, we recommend visiting the Authority's website to learn more about the Hazardous and Special Products Regulation. We also encourage stakeholders to watch our Individual Producer Responsibility Learning Series to better understand the new IPR framework.</p> <p>If stakeholders would like to receive updates from the Authority, they are encouraged to sign up for our newsletter.</p>
I'm trying to reconcile the \$1.4M versus the forecasted \$490,000 for the three-month extension of program operations.	<p>The \$1,400,000 and \$490,000 are two different expense items.</p> <p>The \$1,400,000 noted in the Addendum is the forecasted increase to the Steward Shared Assessment (SSA) in 2021 related to an additional three-months of program operations (July 1, 2021 to September 30, 2021). The SSA includes the cost of each SO steward's share of material management and administration for SO's MHSW program. This cost will be billed out to stewards as the final steward invoice.</p> <p>The noted \$490,000 is the estimated amount to be drawn down from the general reserve established to cover wind up related expenses, which includes the cost of the wind up plan development implementation and the Authority's oversight fees. Sufficient funds</p>

	<p>remain in the general reserve to fund wind up costs during the three-month extension without needing to draw upon the restricted reserves established by SO and the ISOs.</p>
<p>To confirm, does the \$1.4M include the \$490k?</p>	<p>The \$1,400,000 does not include the \$490,000.</p> <p>The \$1,400,000 is the forecasted SSA amount for the three-month program extension. This amount will be billed to SO stewards as the final steward invoice and relates to program operation, material management and administration for the July 1, 2021 to September 30, 2021 period.</p> <p>The \$490,000 is the estimated amount to be drawn down from SO's general reserve established to fund wind up expenses.</p>