

Date: May 27, 2022	Time: 9:30-11:00 a.m.
SPAC Co-Chairs: Dave Gordon (Acting), Tom Wright	Council Secretary: Cameron Parrack
<p>Attendees:</p> <p><u>Service Providers Advisory Council Members:</u> Mike Chopowick, Ontario Waste Management Association (OWMA) Annette Synowiec, City of Toronto Dave Gordon, Association of Municipalities of Ontario (AMO) Josh Wiwcharyk, Loop Recycled Products Adam McCue, Northumberland County Norm Lee, Region of Peel Clayton Miller, Quantum Lifecycle Partners Izzie Abrams, Waste Connections of Canada Adam Moffatt, Ontario Tire Dealers Association (OTDA)</p> <p><u>RPRA:</u> Frank Denton, Chief Executive Officer Noah Gitterman, General Counsel and Chief of Strategic Initiatives Wilson Lee, Chief of Programs and Public Affairs Lorella Hayes, Chief Financial and Administrative Officer Mary Cummins, Registrar Cameron Parrack, Manager of Programs and Stakeholder Relations Stacey Bowman, Senior Resource Recovery Program Analyst</p> <p><u>RPRA Board:</u> Robert Poirier, Chair Tom Wright, Vice-Chair</p> <p><u>MECP Representative:</u> Charles O'Hara, Resource Recovery Policy Branch Jon Fox, Resource Recovery Policy Branch</p>	
Guests: None	
Regrets: Paulina Leung, Emterra, James Ewles, Raw Materials Company (RMC)	
Recording Secretary: Susan Selby, Scheduling and Administrative Coordinator	

1. Introductions and Co-Chair's Remarks

- Welcome and opening remarks by the SPAC Co-Chairs, Tom Wright and Dave Gordon (acting co-chair for Pauline Leung)

2. CEO's Remarks

- RPRA's CEO provided a brief history of the creation of RPRA's Advisory Groups leading to the formalization of the Service Provider Advisory Council in March 2022

- RPRA's CEO reviewed the roles played by the RPRA Board, RPRA's Registrar and the ministry in developing and implementing Ontario's circular economy laws

3. Council function and processes

- RPRA staff reviewed the process undertaken to consult on and finalize the Council's ToR and membership, the expected timeline of engagement with SPAC during the business planning period, expected SPAC engagements with RPRA Board and Minister and the expected timing of the finalization and publication of the 2023-2025 Business Plan
- RPRA staff also reviewed other opportunities for engagement with RPRA, in addition to Council meetings
- SPAC member requested to review a draft of the business plan and provide feedback prior to Board approval
 - RPRA staff noted that this is not currently envisioned as part of the business planning process. Council members will have an opportunity to provide feedback on the proposed strategic priorities in May and then provide feedback on RPRA's resourcing strategy when the Council meets again in July

4. 2023-25 Business Plan

- RPRA staff reviewed current assumptions based on RPRA's statutory mandate, regulations and Minister's directions, which inform the proposed strategic priorities
- RPRA staff provided an overview of the RPRA's proposed strategic priorities for the business planning period, noting this is the first year since 2017 that substantial changes are proposed. The changes reflect RPRA's evolution as Ontario progresses through multiple transitions and the organization shifts from a focus on wind ups and transitions to the RRCEA towards an increasing focus on developing the compliance function under the RRCEA, operational effectiveness and efficiency, and a strategy for registry enhancement
- Feedback was provided by SPAC members on the proposed strategic priorities, which will be considered during the 2023-2025 business planning process, including:
 - Reliable information is critical and what service providers and municipalities want (*Strategic Priority #1*)
 - Currently, service providers believe there is too much lag time between registrant submission of supply and performance data to RPRA and when the information is publicly reported by RPRA (*Strategic Priority #1*)
 - The language of the strategic priorities should be clear that a core function of RPRA is compliance and that regulatory and compliance objectives are met (*Strategic Priority #3*)
 - Suggestion that language of the strategic priorities should not be limited to businesses, but also include municipalities due to their involvement in the excess soil and hazardous waste programs, but also many are obligated producers under the RRCEA (*Strategic Priority #3*)
 - There should be more of a focus on ensuring that there are sufficient outreach and engagement activities, especially for businesses and stakeholders that aren't aware of the new programs (*Strategic Priority #4*)

5. Public Reporting

- RPRA staff reviewed the organization's public reporting mandate, the types of information submitted to the authority as required by each regulation and the timing of receipt of the information
- RPRA staff clarified that publicly reported performance data will always be based on past year registrant reporting
- SPAC member supported the decoupling of the performance reporting from the annual report, but would also like available performance reporting information to be included in the annual report
- RPRA staff reviewed the information proposed to be reported publicly on RPRA compliance activities
- RPRA staff reviewed the requests for improvement in performance reporting made by SPAC in their May 4, 2022 letter and how RPRA was addressing each request, including providing a rationale for why some requests are not able to be actioned
- Feedback was provided by SPAC members on the proposed public reporting activities, including:
 - Council members requested that RPRA publish list of registered PROs with market share information as well as producers that aren't using PROs. Given concerns about disclosing commercially sensitive information, it was suggested that aggregate information could provide visibility on market structure. For example, if there are 10 PROs but 9 of them share say 15% of market, this is still useful for market participants to know
 - There was a request that supply reports for Batteries, ITT-AV, and Lighting that show the management reduction tonnage display the information by type of reduction
 - There was a request that information about any gaps in collection systems be provided as early as possible in a performance year
 - There was a request that performance reports on managed tonnes be broken down by type of end use to match up to the types of end use information the regulations require to be reported
 - Council members requested quarterly reports of managed tonnes by each PRO:
 - RPRA staff noted that RPRA does not receive this information on a quarterly basis under our mandate, and is unable to direct that it be provided unless it is for a compliance purpose
 - SPAC member noted that annual reporting frequency is not helpful and that reporting at quarterly intervals is essential. It was suggested that, if RPRA cannot use its compliance powers to direct, perhaps it could seek information on a voluntary basis to provide some sense of market structure.
 - Suggested that service providers, RPRA and the ministry consider the importance of in year performance data and determine path forward to allow for more frequent reporting
- RPRA staff undertook to consider this advice during the upcoming consultation with stakeholders on Enhancing Public Reporting of Resource Recovery Data and RPRA Compliance Activities expected to launch in late June.

6. Registrar's Update – Compliance Approach

- RPRA Registrar provided an overview of RPRA's compliance program and its evolution
- SPAC members noted a positive response to RPRA's recent communication related to the Batteries program
- SPAC member raised that a number of municipalities could assist in validating PRO/producer satisfaction of regulatory requirements, such as collection and accessibility requirements and accuracy of published information on collection sites etc., which can also help to ensure that residents are able to dispose of obligated products as needed
 - RPRA staff have reached out to municipal representatives to determine how RPRA can work with municipalities on this
- SPAC member requested guidance on how municipalities can communicate to residents the promotion and education resources required to be delivered by the PROs/producers?
 - RPRA staff noted P&E was in our draft strategic priorities for next year
- SPAC member commented that producers need to better understand that meeting the collection and management target is not the end of the line – there are additional regulatory responsibilities for producers
 - RPRA staff noted that the registry currently prompts registrants of their responsibilities once they have registered
 - RPRA welcomes feedback/suggestions on other ways that RPRA can reinforce registrant responsibilities

7. Closing and Next Steps

- RPRA staff outlined next steps in the Business Planning process and noted the SPAC would be engaged again in July, when RPRA staff will provide board-approved strategic priorities, responses to proposals made by SPAC, as well as present for feedback RPRA's 2023 budget and 2024 and 2025 forecasts before the Business Plan is finalized in September
- The CEO and SPAC Co-Chairs thanked the members for their participation and feedback and committed to giving additional thought to the questions that were presented