



27 November 2019

Jamie Haldenby
Program Management Branch - Program Oversight
Ministry of Environment, Conservation, and Parks
40 St Clair Ave. W., 4th Floor
Toronto, ON M4V 1M2

RE: ERO number: 019-0671

Changing Mandate of the Resource Productivity and Recovery Authority

Michael Helfinger
Senior Policy Advisor | Corporate Policy Unit
Ministry of Economic Development, Job Creation, and Trade
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Toronto, ON M5S 2S3

RE: ERO number: 019-0774

Bill 132, Better for People, Smarter for Business

This submission from Recycling Council of Ontario (RCO) is in respect to proposals posted on the Environmental Registry of Ontario.

RCO is a multi-stakeholder, not-for-profit organization committed to minimizing society's impact on the environment by eliminating waste. Members include municipalities, retailers, manufacturers, material management companies, brand owners, retailers, industry associations, schools, academics, and individuals. We are an independent and neutral organization that develops policy positions based on research, experience, and unfettered discussion with stakeholders.

Policy positions are taken with a focus on environmental outcomes based on a hierarchy that prioritizes waste prevention, resource reutilization, and conservation. Our mission is to inform and educate all members of society about the generation of waste, the avoidance of waste, the more efficient use of resources, and the benefits and/or consequences of these activities.

RCO is pleased to provide comment on ERO number: 019-0671 Changing Mandate of the Resource Productivity and Recovery Authority, and ERO number: 019-0774 Bill 132, Better for People, Smarter for Business.



The Role of the Ministry of Environment, Conservation, and Parks and the Resource Productivity and Recovery Authority

The *Waste-Free Ontario Act* (WFOA) established the Resource Productivity and Resource Authority (RPRA) with two key functions:

- data collection; and
- management through the establishment of a registrar, and oversight and enforcement of the requirements of WFOA.

The Minister also has the ability to assign RPRA responsibilities under the WFOA or any other act.

There is a strong rationale for transferring data collection, oversight, and enforcement functions to support effective producer responsibility activities from government to a delegated authority as the WFOA has done. Ensuring sufficient and dedicated resources are protected for the purpose of compliance is important for the objectives of the legislation to be achieved, and to ensure level playing field for all those obligated under the WFOA.

Transparency and Accountability

ERO number: 019-0774 and ERO number: 019-0671 both intend to revise and expand RPRA's role to additional activities beyond those related to producer responsibility related to resource recovery or waste as directed by government.

In doing so, it is essential that clear and distinct roles between RPRA and the government is established and maintained. Ensuring transparency and accountability of each organization's activities further strengthens the effectiveness of the systems created under the WFOA. This is particularly true as it relates to the data and other information collected through the registry that could be used to inform compliance, performance, and future policy.

In that regard, we recommend all activities undertaken by government and that are not defined as proprietary in nature be subject to the Environmental Bill of Rights (EBR) and *Freedom of Information and Privacy Act*.

Furthermore, while the Ministry may post directives and order for RPRA on the EBR, there are no requirements for RPRA to share information on the EBR or to the public. It is our view that affected stakeholders and the public at large should have immediate access to information gathered through activities implemented under the WFOA or any other act that may inform or affect improved future resource management.



Thank you for your consideration, and we are pleased to discuss the contents of this submission at your convenience.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Jo-Anne St. Godard". The signature is fluid and cursive, with a large initial "J" and "S".

Jo-Anne St. Godard
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