

August 14, 2020

To: Ministry of the Environment, Conservation and Parks

From: eTracks Tire Management Systems (PRO – RPRA Registration #00001001)

RE: Feedback Related to “Modernizing Hazardous Waste Reporting in Ontario” (Consultation Discussion Paper)

Overview:

This document consolidates feedback from eTracks regarding the discussion paper provided by the MOECP:

- 1) General Discussion Questions (Part 4 of Discussion Paper)
- 2) Proposed Changes
 1. Registration & Payment
 2. Delegating Authority
 3. Tracking and Reporting
 4. Transition Planning
- 3) Overall Comments for Consideration

Feedback

1) General Discussion Questions (Part 4 of Discussion Paper)

- 1. How will the Hazardous Waste digital reporting service modernization project impact you (or your business)?**
 - a. As a Producer Responsibility Organization (PRO), it is important that we have access to the data required to accurately manage Producer obligation
 - b. As a PRO, we are actively enhancing current IT infrastructure and developing new IT solutions that will manage data easily, across waste streams and jurisdictions
 - c. If Generators of waste materials and subsequently the other stakeholders in the hauling and processing of the waste will be required to enter data (eg. Quantities of waste, shipping information, etc.), as a PRO we will need seamless access to that information on behalf of our Producer customers.
 - d. It is hoped that any IT development would take into consideration the data needs/requirements of the various other parties in the ‘system’, not just the Ministry or RPRA.
- 2. How would you like to be consulted on the future regulatory changes?**
 - a. We would like to have direct notification that changes may be made
 - b. We would welcome the opportunity to have a live conversation about the changes and how they may impact us, rather than resort to providing written responses.
- 3. What additional steps can we take to improve digital tracking of hazardous waste by generators from the point at which it is generated to the point at which it is disposed/treated?**
 - a. It is recommended that generally accepted supply-chain/Logistics methodology is incorporated into the overall build to ensure required information standardization.

2) Proposed Changes

1. Registration & Payment – Discussion Questions

1.1. How can we ensure generators are aware of their regulatory obligations (i.e. registration and reporting on storage, processing and movement of subject waste) even when they have chosen to delegate registration and reporting requirements to another individual or organization?

- a. It will be CRITICAL to have a robust INDUSTRY-WIDE Change Management Plan with a VERY CLEAR ‘what does this mean to ME’ understanding.
- b. Learning from the shift of Tires to IPR, and the impact it had on the various stakeholders (collectors, haulers, processors, producers) showed that it took an exceptionally long time for stakeholders to REALLY understand roles and legal requirements

1.2. Generators must maintain records of all data, analysis, and other information used to register subject waste. a) Now that businesses are moving digital, should we allow supporting records (e.g. data, analysis and other supporting information used in the preparation of the Generator Registration Report) to be kept electronically? Are paper copies needed?

- a. It is highly recommended that electronic records, and any paper records be scanned/photographed and uploaded and be kept in the system (for appropriate ‘chain of custody’)

1.3. Currently spills and emergency reporting is managed through the Spills Action Centre. How should we manage registration for emergency situations going forward?

- a. No Comment, as we do not have insight on this type of activity at this time

GENERAL COMMENTS

- The MOECP and RPRA should be very mindful about how registration of stakeholders occurs, particularly as it applies to those who are not part of the initial “change management” roll-out
- there may be stakeholders ‘registering/coming online’ late, and not understand the expectations/requirements (esp. for past-record keeping).
- Ministry/RPRA should have a robust ‘training’ program for new entrants/registrants

2. Delegating Authority

- a. Producer Responsibility Organizations (PRO’s) are now integrated into the RRCEA legislative framework to provide services for Producers under IPR.
- b. It will be CRITICALLY IMPORTANT to ensure that any information/data that which Producers will be required to maintain records and/or report on be EASILY ACCESSIBLE for PRO’s
- c. A ‘system-to-system bridge’ (ie. API’s, uploads/downloads, etc.) will be CRITICALLY IMPORTANT to ensure data integrity between Producers/PRO’s, PRO’s/Service Providers, PRO’s/RPRA

3. Tracking and Reporting – Discussion Questions

- 3.1. What is an appropriate amount of time to allow businesses to work offline before being required to sync their data, eliminating gaps in time between shipment and time reported?**
- a. Data should be synced/entered in “real time” (ie. a mobile app should be linked directly to the database, rather than have data stored on a device to be uploaded at a later time)
 - b. Data stored on devices can be lost prior to ‘syncing’ and for some transactions
 - c. Real-time data allows service providers, PRO’s and other stakeholders to know immediately when there are issues/concerns.
- 3.2. How long do generators need access to their online registration/reporting data? a. When can we archive it from the reporting service? b. Will the reporting service suffice as the record or will the generator also need to store this? c. How long should we maintain records of active manifests in the reporting service**
- a. Records should be maintained for as long as required and/or will be needed in the event RPRA or MOECP chooses to conduct an investigation/audit.
- 3.3. How would you like to access electronic manifests in the reporting service if there is no longer a paper copy to file? a. pdf or excel option? b. downloaded as a flat file (i.e. as a datafile that stores data in a plain text format)?**
- a. Manifests should be available in multiple formats (.pdf, .xls, .csv, other), and data should be ‘selectable’ and complete (ie. Report-builder option)
 - b. All information required by PRO’s and other stakeholders should be available through an API for seamless integration into other systems (ie. data should not need to be manually uploaded from a file on a daily/periodic basis, which creates opportunity for ‘people-error’).
 - c. Any data should be stored in the appropriate format (ie. dates are stored as dates, numbers are stored as numbers, phone numbers follow phone number format, postal codes follow proper postal code format, etc.)
- 3.4. How will we handle reporting during emergency situations? a. Use offline capability? b. Paper availability?**
- a. Data-sync option and ability to use paper forms will undoubtedly need to be maintained in the event of network disruption and/or inability to generate electronic documents.
- 3.5. How can we improve awareness and compliance with short-term storage and onsite waste management requirements?**
- a. Include this as part of the robust INDUSTRY-WIDE Change Management plan.
 - b. As this is a REGULATORY requirement, MOECP/RPRA will need to champion and effectively drive this communication/education and change management
- 3.6. What is the best way to notify of reporting non-compliance to prevent future non-compliance and ensure timely action is taken?**
- a. No comment as we do not have insight on this type of activity at this time

4. Transition Planning – Discussion Questions

- 4.1. What is a reasonable amount of time to transition to electronic registration/reporting?**
- From our experience with the Tires transition, start now and expect that it will take many years to manage through the transition, especially if there will be a requirement for stakeholders to invest in new IT tools (ie. cellular-based tablets, etc.)
 - Stakeholders in the various industries will be along the entire spectrum of the adoption curve (complete resistor \leftrightarrow early adopter)
- 4.2. Are there any transition issues we should be aware of?**
- From our experience with the Tires transition, there will be free-riders, non-reporters (accidental and active), and those who will remain “willfully ignorant” of any change.
 - There will stakeholders that will refuse to change how to report or create documentation and will rely on others (ie. RPRA, MOECD) to ‘do their work for them’
 - If there are areas where misreporting and/or under-reporting is present, or if there is the risk of exposing bad practices, expect higher anxiety and/or deceptive behaviour by those stakeholders
 - Don’t underestimate the amount of change management and communication (often 1-1) that will need to happen.
- 4.3. How much will it cost your business (i.e. labour, capital, IT, etc.) to switch reporting to a digital reporting service?**
- Unknown. We are actively enhancing our current systems and investing in IT Infrastructure to allow for multiple waste streams and jurisdictions, so **API’s will be CRITICALLY important** as you develop the system
- 4.4. What supports do you need to ensure a seamless transition to a digital reporting service?**
- Specific supports are unknown, however we envision that **access to technical resources (ie. people and documentation) will be critical to ensuring the reporting system ‘talks’ with our systems (ie. API development and integration)**
- 4.5. What best practices do you have in place that you think would benefit other businesses transitioning to digital reporting services?**
- Think to the future state of what would be ideal (ie. real-time data capture, **seamless exporting of information to parties requiring the information**, user experience, etc.)
 - Think about **how the information will be used by others** (ie. **PRO’s on behalf of Producers**, Generators for producing shipping documentation quickly and easily, service providers just doing their job to get waste treated appropriately, authorities who require the documentation/information all along the supply chain)
 - Ensure alignment to generally accepted Supply Chain/Logistics methodology
 - API’s allow information flow (in and out) to the right parties, so getting these right is important.

3) Overall Comments for Consideration

- As a PRO, we rely on accurate information in our systems in order to aggregate, compile, analyze and report on results of activities, both to run our business and to ensure our Producer Customers are in compliance with the legislation

2. It will be CRITICAL that we (and arguably other stakeholders/service providers) have access to the information that may be input into the new system, in REAL TIME (or as close to real time as possible) through the use of an API (or other similar mechanism), without the possibility of human error (ie. download a flat-file/report, manipulate it and upload into our system).
3. Do not underestimate the amount of Change Management that will need to be done in the various industries, especially those industries where there may be bad behaviour that could be exposed through this type of reporting system.
4. By working with stakeholders that will rely on this information and are investing in their own IT infrastructure to manage their own business, there will be a FANTASTIC opportunity to develop a system that will truly meet the needs of Ontarians, the Ministry and Ontario businesses – we look forward to be able to be a part of the process going forward.

Respectfully Submitted

eTracks Tire Management Systems