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November 2, 2020

HWIN Modernization
Program Management Branch - Program Oversight
4th Floor, 40 St Clair Avenue West
Toronto, ON
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RE: Comments by the Ontario Environment Industry Association (ONEIA) on ERO # 019-2332 Hazardous Waste Digital Reporting Service Modernization

I am writing on behalf of the member firms of the Ontario Environment Industry Association (ONEIA) to provide our response to the above-noted Environmental Registry of Ontario (ERO) # 019-2332 Hazardous Waste Digital Reporting Service Modernization.

As you know, Ontario is home to Canada's largest group of environmental and cleantech companies. Collectively, they employ more than 65,000 people across a range of sectors including private waste/resource recovery services, water and wastewater, brownfields remediation and redevelopment, and environmental consulting. These companies contribute more than \$8 billion to the provincial economy, with approximately \$1 billion of this amount coming from export earnings. As private companies that provide significant employment across our province, ONEIA members are committed to working with the government to enact smart regulations that ease unnecessary regulatory burdens while protecting our environment and our fellow citizens.

In this light, a subcommittee of our members has reviewed the ERO and has identified the following areas for discussion and improvement.

ONEIA supports Ontario's Digital Service mandate by eliminating outdated approaches to processes, such as reporting using the existing inefficient online system (i.e. Hazardous Waste Information Network - HWIN) and paper-based submissions (e.g. paper manifests). ONEIA offers the following comments in support of eliminating HWIN and transitioning to a digital hazardous waste manifest and reporting system.

Our comments are provided as outlined in the order of the Proposal.

- 1) ONEIA supports the amendment of Ontario Regulation (O. Reg) 347 to require the regulated community report waste management information to the Resource Productivity and Recovery Authority (RPRA) instead of the Ministry of Environment, Conservation, and Parks (MECP).
- 2) It is our understanding that only 'subject waste' will continue to require a manifest under the regulations. 'Non-subject' waste/recyclable material that is currently not manifested under HWIN will continue to be excluded as we see no additional proposed changes to O. Reg 347 changing the definition of "manifestable waste."
- 3) ONEIA supports the removal of the annual waste registration and renewal process. Generator waste shipment data will be captured in the new system, making the need for pre-registration redundant.
- 4) ONEIA supports the maintaining of the on-site and off-site waste management reporting requirements.

- 5) For the system report to be completed, our members recommend the waste activity be considered complete upon confirmation of waste received by the receiver.
- 6) The new hazardous waste digital reporting service that allows delegates to register, report, and pay fees on behalf of generators can produce definite benefits, but our members would flag possible challenges with respect to data entry and permissions (see note).
- 7) All information currently in the HWIN system needs to be moved over to the new service and ensure companies are not required to re-enter any historical data.
- 8) To accommodate paper-based reporting, the new system must allow the systems used by the waste receiver to accept data transferred from receivers in order to avoid duplicate entry that could corrupt the data. The system should also have off-line capability to accommodate the fact that remote locations may not have system access. This would also ensure continuity during any system disruption.
- 9) We support aligning the regulatory phrases with the Federal TDGR.
- 10) We support the government's efforts to identify and eliminate red tape and redundancy. With respect to the Modernization of Hazardous Waste Reporting, we recommend the system focus on receiver confirmed volumes and remove generator estimated weights and quantities, as this amount is often a field estimate requiring receiver confirmation. This would eliminate unnecessary administrative burden as the confirmed received quantity is the only amount used by the MECP for collecting fees.
- 11) The new system will make the requirement for an annual report redundant. Adopters of the digital system should be rewarded by eliminating this administrative requirement.
- 12) Critical to the success of any digital system is the requirement to accept waste receiver data through a data portal. Waste receivers have developed and invested in comprehensive digital systems where all necessary data is captured, linking to receiver data systems is essential to reduce duplicate data entry and eliminate errors.
- 13) The system needs to store historical manifests and act as 'source of truth' for all inspections, audits, and reports including applicable LDR reports.
- 14) The system needs to accommodate small quantity generator exemptions as required.
- 15) Given the broad industry experience of members and their investment in dedicated manifest tracking systems, ONEIA recommends an industry working group be established to work with the RPRA/MECP during the selection and design of the new system.

Expanding on our concerns regarding possible issues with data entry and permissions: Improving the system will quite probably involve allowing delegates to enter data on behalf of generators and that "subject waste" as referenced in Point Two above must go to approved TDSF. The system must also be able to accommodate data entry through TDSF company data sources or a "portal" in a standardized format that can support the requirements for annual report information. Data entry at the point of generation should be optional and not a requirement since the waste classes and

quantities shipped are only validated upon receipt by the licensed treatment/disposal facility, not at the point of origin / pickup. Timelines for such data transfer need to be defined and remain consistent with the current regulations. This approach is similar to the Federal Transportation of Dangerous Goods Regulations (TDGR) requirements in which no pre-shipment notification or data is required at the point of shipment of the dangerous goods.

While acknowledging that confirming the receipt of the waste stream by licensed TSDFs is a regulatory requirement, our position is that only validated quantities and waste classes are transmitted to the MECP upon closure of the manifest by licensed TSDFs. This will eliminate the potential for redundant reporting by generators and carriers. This removes the current burden of administrative non-compliance notices of unregistered waste being sent to both generators and carriers of having picked up “a non-registered waste.”

Thank you for your consideration of our comments. ONEIA members are available to work with the MECP to improve the measures outlined in the ERO and would welcome the opportunity to discuss this further. Should you have any questions with respect to this letter, feel free to contact me directly at (416) 571-5030 or at agill@oneia.ca.

Yours truly,

A handwritten signature in black ink that reads "Alex Gill". The signature is written in a cursive, flowing style.

Alex Gill
Executive Director