

Friday, November 19, 2021

Dale Gable
Manager - Waste
Resource Recovery Policy Branch
40 St. Clair Avenue West
8th floor
Toronto, ON M4V 1M2

Dear Mr. Gable,

RE: ERO 019-0045 Administrative Penalties Regulation made under the Resource Recovery and Circular Economy Act, 2016

The City of Guelph (The City) appreciates the opportunity to provide comments to the Ministry of Environment, Conservation and Parks (MECP) on the Administrative Penalties Regulation made under the Resource Recovery and Circular Economy Act (RRCEA), 2016. The City appreciates that the government is taking this important step in compliance and enforcement under the RRCEA to drive waste diversion through the producer responsibility framework.

The City strongly supports the implementation of an administrative penalties regulation that will provide clear consequences for non-compliance for all entities including individuals, producers, manufacturers, and importers. The City is in alignment with comments drafted by the Association of Municipalities Ontario (AMO) and have included their comments within the City's response below.

The regulation must ensure that:

- The total penalty amount, which is the sum of the base penalty and economic benefit, should be set at an amount that accurately reflects the cost recovery for any damages due to non-compliance.
- The maximum penalty amounts set for contraventions of the act should reflect an amount that will have the desired impact (compliance), change behaviour, and drive innovation and economic activity.
- Payment for a penalty is made in a timely manner to accurately reflect the potential damage and remediation required because of non-compliance.
- For the administrative penalties to be utilized effectively, the performance targets including collection and management requirements and resource recovery, must be strong, measurable, and enforceable.



- The Authority and Registrar or Deputy Registrar has the resources, expertise and will to ensure those that are regulated are compliant; and
- There are compliance and enforcement tools in place and a stepped approach be taken to ensure there are meaningful consequences for non-compliance.

The City supports the development of the Administrative Penalties Regulation which provides the Authority the tools to do their job effectively. Thank you for the opportunity to provide feedback.

Sincerely,

Jennifer Rose, General Manager

Environmental Services, **Infrastructure, Development and Enterprise**

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