

Toronto Water
Lou Di Gironimo, General Manager

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November 10, 2022

Mr. Jamie Haldenby, Program Management Branch – Program Oversight (MECP)

RE: Toronto Water's comments on the MECP's Proposal "Updates to the Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste" (ERO# 019-5813)

I appreciate the opportunity to review and provide comments on the above-noted proposal. Toronto Water is committed to achieving full compliance with all applicable legislation and regulations.

I have reviewed the draft guidance document and have three questions for clarification purposes specifically related to delegation of registration and reporting, followed by two recommendations:

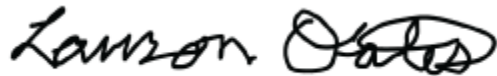
1. The written authorization document is a requirement for any generator looking to delegate reporting and manifesting activities. What role will this document have in settling a dispute between the generator and the contractor?
2. The proposed Guidance Manual indicates that the generator is solely responsible for meeting the requirements for registration and reporting; yet the written authorization must include activities for which the contractor is responsible for. In the event of a dispute, where the contractor may not deliver fully on its responsibilities, will the generator still be held accountable? Will the verbiage in the written authorization supersede the verbiage in the guidance manual?
3. With respect to the written authorization, will the Ministry develop a template to ensure standardization and consistency across the Province? Although the proposed Generators Guidance Manual provides information about what the written authorization must contain, an MECP recommended template would be beneficial and also allow municipalities add a few items to address their local specific needs.

I recommend that the verbiage in the Guidance Manual acknowledge, at least, some form of responsibility of the delegated contractor for the activities they are responsible for as identified in the Written Authorization. I maintain that payment for delegated manifesting and reporting activities while absolving the contractor of any responsibility is counterproductive and that responsibilities be consistent with the agreement described in the written authorization.

As the comment period for this guidance document ends before the new RPRA registry opens, additional questions or requests for clarification will likely arise, however, they will not be captured during the comment period. I recommend the extension of the review period by an additional 30 days to allow a trial period of the new RPRA registry with further potential questions or comments to be addressed in the updated Guidance Manual.

Thank you for your review and consideration of the preceding questions and recommendations. Further opportunities to clarify the compliance aspects of the delegation mechanism prior to the January 1, 2023 deadline when the exclusive use of the new registry comes into effect would be appreciated.

Sincerely,

A handwritten signature in black ink that reads "Lawson Oates". The signature is written in a cursive, slightly slanted style.

Lawson Oates
Director, Environment & Administration
Toronto Water

Copy:

Lou Di Gironimo, General Manager, Toronto Water
William Shea, Director, Distribution & Collection, Toronto Water
William Fernandes, Director, Water Treatment & Supply, Toronto Water
Frank Quarisa, Director, Waste Water Treatment, Toronto Water
Ying Zheng, Senior Specialist Compliance, EH&S Compliance, Toronto Water
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