

Date: 2023-May-3	Time: 2:30pm – 4:00pm
IAC Co-Chairs: Carol Hochu, Tom Wright	IAC Secretary: Cameron Parrack
<p>Attendees:</p> <p><u>Industry Council Members:</u> (In Person) Carol Hochu, Tire and Rubber Association of Canada (In Person) Shelagh Kerr, Electronics Product Stewardship Canada (Virtual) Cherith Sinasac, Electro Federation Canada (Virtual) Michelle Saunders, Food, Health & Consumer Products of Canada (Virtual) Andrew Mackinnon, Global Automakers of Canada (Virtual) Simon Kinsman, Canadian Consumer Specialty Products Association (Virtual) Michael Zabaneh, Retail Council of Canada</p> <p><u>RPR Staff:</u> (In Person) Frank Denton, Chief Executive Officer (In Person) Noah Gitterman, Chief of Strategic Initiatives and General Counsel (In Person) Wilson Lee, Chief of Programs and Public Affairs (In Person) Lorella Hayes, Chief Financial and Administrative Officer (In Person) Mary Cummins, Registrar (In Person) Cameron Parrack, Manager of Programs and Stakeholder Relations (In Person) Stacey Bowman, Senior Resource Recovery Analyst (In Person) Barbora Grochalova, Senior Resource Recovery Analyst</p> <p><u>RPR Board:</u> (In Person) Robert Poirier, RPR Board Chair (Virtual) Tom Wright, RPR Board Vice-Chair</p> <p><u>MECP Representative:</u> (Virtual) Charles O’Hara, Director, Resource Recovery Policy Branch (Virtual) John Fox, Resource Recovery Policy Branch</p>	
<p>Regrets:</p> <p>Julie Kwiecinski, Canadian Federation of Independent Business Stephen Gordon, National Electrical Manufacturers Association Gordon Cameron, Ontario Community Newspapers Association Paul Deegan, News Media Canada Shane Buckingham, Canadian Beverage Association</p>	
<p>Recording Secretary: Barbora Grochalova, Senior Resource Recovery Program Analyst</p>	

1. Introductions and Co-Chair’s Remarks

- Welcome and opening remarks by the IAC co-chairs, noting the hybrid nature of the meeting.

2. CEO's Remarks

- RPRA's CEO provided opening remarks. including noting IAC's February 14, 2023 engagement with the board has supported internal RPRA discussions about registrant burden reduction, harmonization and RPRA's performance measures.
- RPRA's CEO also shared that RPRA has successfully launched the digital registry for the hazardous waste program, and are now preparing for our next milestone, the transition of the Blue Box program to the RRCEA.
- RPRA's CEO noted that RPRA proposes no changes to the strategic priorities, assuming that no new regulations or minister's directions will be received during the business planning period.
- RPRA's proposed strategic priorities will continue to emphasize cost-effectiveness and public reporting.

3. Follow up on IAC Engagement with RPRA Board

- RPRA's CEO provided a summary of the IAC's key concerns presented by the IAC delegation during the February 14, 2023 engagement with the RPRA board, confirmed accuracy of what we heard with the council members and shared RPRA's perspective in response to the concerns raised by the IAC.
- An IAC member noted that additional recommendations were made to the minister during a separate engagement on March 20, 2023 with copies provided to the Board Chair and RPRA staff.
 - The CEO responded that those recommendations were made to the minister and not to RPRA and that RPRA would give advice to the Minister if asked.
 - The CEO noted that RPRA and the Board had reviewed the recommendations.
- An IAC member asked if RPRA would take action in response to the IAC's recommendation to the minister that industry representatives with operational experience be appointed or elected to RPRA's board.
 - The CEO advised that, in general, RPRA does not publicly disclose the advice it gives to the Minister when requested to do so. RPRA's board chair indicated that the Board values industry experience and is reviewing the recommendation. He also noted that RPRA has a skills-based board, not a stakeholder board.
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- RPRA's CEO noted that RPRA is considering establishing technical committees to provide a forum for registrants with operational experience (both producers and service providers) to advise RPRA on the implementation of producer responsibility programs.
 - An IAC member expressed concerns that committees composed of both producers and service providers could advantage service providers.
- An IAC member suggested that visible environmental handling fees charged to consumers are higher in Ontario than other provinces, arguing that this is counter to their understanding of one of the intended outcomes of the legislation, to costs down for the consumer.
 - RPRA staff noted that published market data that was included in the presentation shows that visible environmental handling fees for tires, for example, in Ontario are typically aligned with other provincial jurisdictions.
 - RPRA staff requested details of any analysis or market data that would support the contention that environmental handling fees are higher in Ontario than in other provinces. The IAC member agreed to provide this data.

- An IAC member suggested that the 2023 HSP fees proposal is inconsistent with the objectives of transparency and predictability described in RPRA’s General Fee Setting Policy as well as the recommendations of the third-party review of RPRA’s Cost Allocation Methodology and Fee Model (the “Optimus Report”).
 - RPRA staff noted that the 2023 fees consultation process was implemented consistent with the third-party review recommendations and RPRA’s fee setting policy.
 - RPRA staff noted that the 2023 HSP fees proposal was revised based on stakeholder feedback and consultations are continuing to gather further feedback and ensure stakeholders have sufficient time to consider the proposal.
 - RPRA staff noted that the 2023 HSP program fees proposal consultation has lasted for over 100 days, far exceeding the statutory requirement for consultations on RPRA fees.
- An IAC member advocated for the adoption of a flat fee charged to producers, not linked to weight to create more predictability.
 - An IAC member expressed the opinion that RPRA services are not linked to supplied weight or profitability and requested that RPRA’s weight-based fee policy be reviewed.
 - RPRA staff noted that a flat fee structure would substantially shift the fee burden on to smaller producers.
- An IAC member asked whether RPRA will accept the IAC recommendation to the minister that minimum standards be established for all RPRA consultations.
 - RPRA staff explained RPRA’s public consultations are guided by OECD best practices and statutory requirements.
 - RPRA provides at minimum 45 days for public feedback where required by law and typically provides 45 days in all other instances, except when exigent circumstances require a shorter consultation period.
- An IAC member asked whether RPRA will accept the IAC recommendations to the minister regarding the adoption of additional key performance indicators.
 - RPRA staff noted that in 2022, RPRA undertook a review of its performance measures, resulting in the adoption of many new measures, including the adoption of most of the IAC’s KPIs recommended by the IAC.
 - RPRA staff noted that other recommended indicators are under consideration for adoption and that RPRA will consider additional KPIs as operations stabilize.
- An IAC member noted the importance of inter-provincial alignment with respect to definitions of obligated producer and obligated materials which reduces administrative burden and recognized an improvement in collaboration between jurisdictions and thanked RPRA for its role.
 - RPRA’s registrar acknowledged the concern of inter-provincial alignment and is open to reviewing specific examples where alignment in procedures can be achieved within the confines of the regulatory requirements.
- An IAC member requested that the schedule of the Board be shared with the IAC.
 - RPRA’s CEO confirmed that the Board schedule will be shared.
- An IAC member asked whether RPRA will consult stakeholders on the use of funds recovered via administrative penalties.
 - RPRA staff noted that a consultation on the use of Administrative Penalties is anticipated to take place in Q4 2023
- An IAC member noted that the requirement for third-party verification of EPR data is becoming normalized in many jurisdictions and attempts to avoid duplication of effort should be made, where possible.

4. Update in Public Reporting

- RPRA staff reviewed the organization's public reporting mandate; the process and outcomes of the consultation on public reporting conducted in 2022; the deadlines for producers to submit information to the Registry; and RPRA's target dates to publicly report supply and performance information in 2023.
- RPRA staff shared the organization's public reporting action plan.
- An IAC member noted the importance to Ontarians of public reporting on waste diversion progress and value for money.
- An IAC member expressed concern that public reporting may impact the competitive advantage of some of the industry players.
 - RPRA staff noted that RPRA is required to report publicly on the circular economy and that none of its reports will disclose commercially sensitive information.

5. 2024-2026 Business Plan

- RPRA staff reviewed the business planning process including assumptions that inform the development of the proposed strategic priorities.
- RPRA staff encouraged input on the proposed strategic priorities in writing and reminded IAC members that staff are available for individual meetings.

6. Closing and Next Steps

- RPRA staff outlined next steps in the business planning process and noted the IAC would be engaged again in July on RPRA's proposed budget and forecasts for the business planning period.
- Feedback received from council members on the proposed strategic priorities will be reviewed during the next council meeting including sharing how feedback provided was considered and incorporated into the final strategic priorities.
- An IAC member suggested council meetings be longer to facilitate more in-depth discussion.
- The CEO and IAC co-chairs thanked the members for their participation and feedback and closed the meeting.