The City of Barrie appreciates the work of the Ministry of the Environment, Conservation and Parks and Ministry staff for their hard work on this file. The City of Barrie strongly supports the following elements of the draft regulation.

**Areas of Support**

* Establishment of a provincial common collection system: All Ontarians should have the same access to recycling, including where they live work and play. Access to recycling programs in all dwelling types, schools, facilities and municipal public spaces will improve the outcomes of the program
* An enhanced and standardized list of materials: A standardized list will make the system far easier to understand for Ontarians.
* Targets: Progressive and enforceable collections and management targets will foster innovation, investments in Collection and processing, and development of end markets
* Seamless Transition: The three year schedule will enable all stakeholders to plan for transition, making the necessary investments and ensure that the Transition is seamless.
* Removing burden from municipal budgets: Municipalities have little influence over materials that is supplied into the market, and markets, producers do. Shifting responsibility to producers will result in a net savings to property taxpayers and ratepayers.

The City of Barrie strongly supports these core policy elements and advocates that they not be weakened in the final regulation.

There are elements of the draft regulation that the City of Barrie finds problematic and need to be amended. The following areas need to be addressed in the final regulation.

**Areas of Concern**

**Definitions**

* A definition of a depot should be included so that producers have a clear idea of what a depot consists of. Depots can range from a bin in a public area, or a manned waste management facility with scales.
* Public Space definition needs clarification. Currently it reads as though only parks in BIA’s are public spaces. Additionally, many municipalities have extensive public space bin programs that include transit stops. These locations should be included as the material collect is no different than that collected in parks or in a BIA.
* The definition of Facilities needs further clarification especially regarding Multi-residential, and mixed-use buildings. Perhaps defining a dwelling unit would assist in this. The term facilities is confusing as many municipalities refer to their city-owned buildings as facilities.
* The definition of compostables needs to be expanded upon to prevent producers of fibre-based products to define their products/packaging as compostable to avoid collection and management requirements.

**Curbside collection:**

* It should be specified that blue box receptacles are to be provided at no cost.

**Depot Collection:**

* Section 21 It is unclear if producers will be required to collect from existing municipal depots where there is also a curbside collection program in place. Producer should also be required to service any depots that were in the planning stage as of Aug 15, 2019 but not yet built.

**Common Collection System:**

* The 10% threshold to enable producers and/or PROs to participate at the rulemaking stage is a barrier and should be reduced
* The annual allocation table process must work in a manner that protects the public interest.

**Management Targets:**

* Allowing producers to reduce their recycling targets by incorporating recycled content into their products is problematic, as a number of products already include recycled content, and it is difficult to confirm he the source and quantity of recycled content incorporated into a product.

**Annual Performance Audits:**

* Audits should be required annually to reduced risks and promote continuous improvement

**Compostable Materials:**

* Compostable materials should not be exempt from collection and management targets, these products and packaging should have their own separate target.

**Resource Recovery Fees:**

* Producers that charge a “ resource recovery” type fee should be required to report on fees collected, perform audits, and ensure consumers are informed about the purpose of the fees, how they are determined and how the funds are spent.

**Registration:**

* Single family residences and multi-residential complexes built during the transition period should be eligible for collection. There needs to be a mechanism for municipalities to update the information provided to RPRA throughout the Transition period as new development occurs.
* RPRA should provide detail on what format the required information is to be submitted well in advance of April 15, 2021 deadline.

**Reporting:**

* The Authority should provide annual data to municipalities on the amount of recyclables collected in their municipality in order for municipalities to continue calculating their diversion rate. This will give municipalities a better picture of what is going on with all waste, and waste generation rate.

**P&E:**

* There doesn’t seem to be any requirement for the producers to inform residents about the change to Producer Responsibility, and why the change is being made. This should be required. Residents should be informed of what individual producer responsibility is and what the benefits are.
* Customer service expectations are lacking. Producers should be required to respond to residents and resolve complaints in a timely manner. Additionally, producers should be required to refer residents to the municipalities for any inquiries related to other waste materials. And should give municipalities permission to provide the producers website link (and logo) and phone number on the municipality’s promotional materials, and website.

**Transition:**

* Section 62 (h) This should be worded to include any residence or facility that has been built since Aug 15, 2019, but would have been eligible for collection as of Aug 15, 2019 if it had been built at that time.

**Transition Timelines:**

* The Transition schedule should be determine by the dates that were provided through municipal resolutions
* Exact dates of Transition will need to be known. If producers will be collaborating with municipalities on determining exact date, producers need a deadline for when date must be determined. At least 2.5years before transition, to allow for municipalities to include their transition date in any new collection contracts that they might be tendering during the Transition period.

**Enforcement Mechanisms:**

* The Administrative Monetary Penalties regulation must ensure that producers operating alternative collection systems cannot benefit from failing to meet targets and should be moved forward as soon as possible.

**Industrial, Commercial and Institutional (ICI):**

* Many small businesses and institutions receive recycling services currently. There needs to be assurance given that Producers/PROs will be willing to enter into an agreement with municipalities that these entities can continue to receive service, on a fee per service basis**.**

**Regulation 101/94:** Once a municipality transitions the requirement for the municipality to operate and maintain a Blue Box management system must cease to apply, and municipal material recovery facilities should be given an exemption.

**Amendments to the Resource Recovery and Circular Economy Act, 2016:**

* Consultations should occur to develop amendments to the RRCEA need to be considered to ensure municipal governments rights and powers under the Municipal Act and City of Toronto Act cannot be superseded by changes to the RRCEA that would inhibit their ability to ensure the health and safety of their communities ( eg: noise by-laws etc.)

**General Concerns:**

* Municipalities will need to be provided with direction from producers as soon as possible on how to comment on new site plans for multi-residential development. Many municipalities make comments on site plan regarding space required for recycling container storage, and access for collection vehicles. These comments are often made years in advance of when the complex will be built and occupied. Municipalities will need to hear from producers on what comments should be made on their behalf before and during the Transition period. Additionally, producers will need to be prepared to comment on site plans going forward.