

July 2, 2025

To Whom It May Concern:

The Recycling Council of Alberta is presenting the attached response to the consultation on Ontario's proposed EPR regulation changes.

The Recycling Council of Alberta (RCA) is a cross-provincial, cross-sector organization with more than 330 members committed to advancing the circular economy in Alberta. In the past 30 years the Recycling Council of Alberta (RCA) has been an advocate for waste reduction and resource conservation including being one of the key groups to advocate for and help implement extended producer responsibility. In 2024, our vision expanded to include the advancement of a circular economy, and we are now working on the rollout of a five-year strategy to engage industries and individuals working on the circular economy.

We request your consideration of our response and welcome further consultation.

Sincerely,



Jennifer Koole



ITEM 1: Delay Recovery Targets for Select Material Categories

Proposal: Delay recovery targets for paper, metal, glass, rigid plastic, and beverage containers by 5 years to allow producers more time to plan and make investments for collection and recycling to meet their targets.

Comment: Delaying targets such that the status quo is not challenged for another 5-years is counter-productive to achieving the environmental outcomes intended by EPR regulation (i.e. it does not encourage material diversion from landfill beyond current levels).

Commentary: In an outcomes-based system, the government should expect producers will achieve the minimum outcomes regulated at the least cost. This is the nature of business. If the minimum outcomes regulated are the status quo, or if the targets are delayed, then producers will become adept at achieving the status quo at the least cost and for as long as possible. If the aim is to achieve a circular economy, with improved environmental results, then Ontario needs to achieve more than the status quo and sooner.

New targets and standards drive achievement, investment, and innovation. As a result, targets and standards set should be ambitious (i.e., not yet achieved), graduated, and applied as soon as possible to promote change sooner than later. Instead of delaying targets, producers should be encouraged to expand services where none exist and innovate solutions for all materials, including those that are difficult to recycle. Low targets, or ones that maintain the status quo will do little more than shift the management of materials from municipal control to producer control. Waiting an additional 5-years to employ targets reinforces this lower-effort approach.

In Alberta, the Recycling Council of Alberta recommended to our provincial government to harmonize with Ontario's (ON) targets. We encouraged adopting the most ambitious targets in Canada. It is a great disappointment learn that ON is considering delayed enforcement of these same targets.

ITEM 3: Remove requirement to collect beverage containers “away from home”

Proposal: To align beverage containers with other materials in the regulation in terms of the definition of a consumer and ensure that beverage containers supplied for business purposes are not included in a producer's obligation and to allow deductions for beverage containers to reflect that many containers are not managed by the residential blue box system.

Comment: Removing the requirement to collect beverage containers – or other blue box recyclables -- “away from home” or in public places, adds confusion and unnecessary complexity to recycling collection programs. Since the barriers to entry for ‘away from home’ programs are low, (e.g., infrastructure options for public space collection containers exist, the infrastructure is proven to be successful, and processing facilities already exists since they are no different than the systems needed for at home recyclables), and the potential for material recovery high, we do not agree with the reasoning to remove this requirement.



Commentary: Alberta has always treated 'a beverage container as a beverage container' regardless of where the item was purchased or emptied. This approach has been successful in earning the province the top spot for beverage container recycling return rates in Canada and the second highest recovery rate in North America. Short term pain to implement this program in Ontario is not reason enough to remove this requirement in the regulation. Alberta is able to reach 85% recovery rates with our deposit-return systems so 75% in Ontario should be an achievable target without the needs to change the definitions in the regulation or allowing for deductions.

ITEM 4: Remove Expansion of Public Space Collection

See comments for ITEM 3.

ITEM 5: Reduce and Delay Flexible Plastic Recovery Target

Proposal: To reduce the recovery target for flexible plastic to 5% (to reflect the estimated current level of diversion) and delay enforcement of this recovery target from 2026 to 2031.

Comment: By removing or diluting the targets for materials on the basis that they are hard to handle, or that there are technological challenges diminishes the power and intent of the EPR regulation. Efforts put towards finding better solutions for these difficult materials will better serve Ontarians in the long run.

Further, it is recommended to encourage changes to regulation to enable continual improvement beyond the 'ceiling' created by the target for all materials.

Commentary: A key principle of EPR is to set recovery targets for material diversion to encourage and incentivize producers to create products that are more recyclable, or better designed, or best yet, products that can be reused or avoided in the first place.

Furthermore, changing or reducing targets creates confusion for the industry members across the value chain (i.e. recyclers and processors) who are looking to ramp up investments in new processing and technology capabilities. Regulation signals to them what requirements need to be met and changing these now is like changing the rules part way through the game. Trust will be lost, and investment may be slow to return. We have heard from our members that the technology exists to recycle film, though they need the volumes to make the business case work and cannot invest without the targets set in the regulation. Investments have already been made by processors to ramp up to handle EPR materials, and those investments may now lead to stranded assets if the material targets decline, diminishing the return on investment for those organizations.



ITEM 6: Allow energy recovery to count toward diversion targets

Proposal: To allow material collected and sent for energy recovery to comprise of no more than 15% of the management target and to define energy recovery as the use of a non-recyclable material as a direct fuel source in an incineration activity (for example, energy-from-waste facility, cement kiln) or as a feedstock to produce fuel (for example, pyrolysis or gasification to generate diesel).

Comment: Allowing collected materials under an EPR system to be sent for energy recovery is at odds with the outlined provincial interests in Ontario's' Resource Recovery and Circular Economy Act, 2016 (the Act) and circular economy principles in general.

Commentary: At the Recycling Council of Alberta, we have adopted the [R-Ladder](#) tool as means to prioritize activities on our way to advancing a circular economy. It replaces the waste management hierarchy. It highlights the key point that in an ideal circular economy there is no such thing as waste and activities that reduce the need for product creation or material extraction in the first place, are preferred. Recovery activities rank the lowest of all activities on the R-Ladder; it is a 'last resort'.

As stated in the Act, it is in the provincial interest that Ontario have a system of resource recovery and waste reduction that aims to,

- (b) foster the continued growth and development of the circular economy;
- (d) minimize the generation of waste, including waste from products and packaging;
- (e) increase the durability, reusability and recyclability of products and packaging;
- (f) minimize the need for waste disposal;
- (k) increase the reuse and recycling of waste across all sectors of the economy; and
- (l) increase opportunities and markets for recovered resources.

Enabling energy recovery in the proposed regulatory changes goes against the province's best interests as listed above.

ITEM 7: Consider the best ways to ensure collected materials are sent for processing

Proposal: Given the proposed delay in Item 1, the ministry is considering whether "best efforts" requirements are sufficient to drive diversion until 2031, or whether to amend the regulation to clarify that all collected materials must sent to a registered processor and not directly to a landfill.

Comment: Providing clarity that all collected materials must be sent to a registered processor, and not directly to a landfill, will support the implementation of the EPR regulation and its intended outcomes.

Commentary: This added clarity, along with NOT delaying the targets by 5 years, supports the intended outcomes of diverting materials from landfill even further.



FUTURE:

The government is interested in hearing about ways the regulation could help producers and PROs achieve those goals.

The ministry would welcome any feedback on this issue, or other targeted changes that could improve recycling and the efficiency of the blue box in Ontario.

Some of the country's top EPR experts are in Alberta. We would welcome the opportunity to meet with the ministry to discuss these comments, recommendations, and ideas for changes to improve recycling and the efficiency of the blue box system in Ontario.

SUPPORT OR No Comment

ITEM 2: Remove Planned Expansion for Multi Residential Buildings, Schools, and Specified Long-Term Care Homes and Retirement Homes

ITEM 8: Clarify definition of a facility

ITEM 9: Clarify collection requirements for schools

ITEM 10: Maintain depot access for residents in unorganized territories

ITEM 11: Update Timelines for Providing Blue Box Services

ITEM 12: Provide More Flexibility on Printed Promotion and Education Materials

ITEM 13: Provide Flexibility on French Language Requirements

