



This is Greenhouse Goodness



April 29 2026

Resource Recovery Policy Branch
12th floor, 40 St. Clair Avenue West
Toronto, ON
M4V 1M2

Re: Proposed amendments to Tires and Other Producer Responsibility Regulations (ERO 026-0218)

Dear Krista Friesen,

Ontario Greenhouse Vegetable Growers (OGVG) appreciates the opportunity to comment on ERO 026-0218, *Proposed amendments to Tires and Other Producer Responsibility Regulations*.

OGVG represents 170 farming families managing over 4,500 acres of tomatoes, peppers, and cucumbers, supporting more than 35,000 high-quality jobs in Ontario's greenhouse vegetable value chain. OGVG members participate in the Blue Box program as producers and therefore have a direct and substantial interest in the direction and effectiveness of Ontario's Extended Producer Responsibility (EPR) framework.

While the greenhouse vegetable sector recognizes the proposed amendments are intended to strengthen Ontario's EPR framework to better support waste diversion, the current framework remains rigid, confusing, and operationally constraining, creating barriers to compliance rather than facilitating it.

Although the proposed amendments focus primarily on the Tires and Hazardous and Special Products regulations, OGVG is responding to the ministry's invitation to provide feedback on broader EPR framework improvements, particularly Items 5 (Administrative Cap Penalty) and 6 (PRO Accountability).

PRO Accountability (Item 6)

OGVG notes the ministry's consideration of a clearinghouse model under Item 6. While this item seeks feedback on extending the model on non-Blue Box EPR regulations, it is important to highlight the ongoing challenges currently faced by Blue Box participants. From the perspective of greenhouse producers, Producer Responsibility Organizations (PROs) operate with insufficient transparency regarding cost structures, service obligations, and how producer fees are translated into program delivery. While producers are responsible for funding compliance, they have limited visibility into:

1. How fees are calculated and used;



2. What services they are entitled to receive; and
3. How disputes or disagreements related to compliance are addressed.

Although contracting with a PRO is technically voluntary under regulation, the operational requirements of the Blue Box program make it effectively mandatory for smaller and mid-sized producers that lack the internal capacity to manage compliance independently. As a result, transparency and accountability within the PRO model are essential.

Regardless of the coordination model adopted or extended to the Blue Box program, the priority for greenhouse producers is clear accountability and visibility into costs, service levels, and compliance responsibilities.

It is equally important that there be a fair and transparent process for determining responsibility for non-compliance. Consideration should be given to how Resource Productivity and Recovery Authority (RPRA) assesses fault, particularly in circumstances where unclear program design, or communication gaps may be contributing factors.

Material Traceability

Once packaging enters the waste stream, producers often lose visibility into where materials are processed, whether they are diverted or landfilled, and how outcomes are reported. This issue is especially pronounced for producers shipping products across provincial boundaries, where materials may be managed under different reporting and regulatory regimes, increasing the reporting burdens placed on the producers.

Accurate reporting depends on reliable data about material outcomes. The current system does not provide this information. Instead, midpoint producers are required to submit detailed reports that yield limited practical value and may even complicate traceability when the objective is to determine the final destination of materials.

While this proposal focuses on Ontario-based tire processing, it highlights a broader EPR principle: materials should be managed and reported where they are generated. Across the EPR framework, traceability would be improved by placing primary reporting obligations on:

1. Material generators; and
2. Endpoint consumers.

Midpoint producers, such as greenhouse operators, should only be required to report material that:

1. Go directly to waste diversion;
2. Are retained by them as endpoint consumers; or
3. Enter an unexpected or atypical endpoint market.



This approach would better identify discrepancies in expected waste flows without requiring midpoint producers to track materials through the entire value chain.

Compliance Support and Producer Readiness

Non-compliance may not always be the result of producer negligence. In many cases, producers are attempting to comply in good faith but lack the information, clarity, and practical support to do so effectively.

Challenges include:

1. Unclear or evolving definitions;
2. Inconsistent guidance;
3. Limited communication from PROs; and
4. High administrative and financial implementation costs.

Any program adjustments should aim to reduce complexity, lower administrative burden, and contain compliance costs. Framework improvements should include accessible guidance materials and regular education sessions delivered jointly by RPRA and PROs, ensuring that producers understand their obligations before enforcement escalates.

While the Blue Box program may reduce costs for municipalities, these savings have not translated into lower costs for producers, who remain responsible for the system's reporting and financial requirements.

Administrative Penalty Cap (Item 5)

The proposed removal of the \$1 million administrative penalty cap could have significant financial implications for greenhouse agriculture and other producers that are still navigating uncertainty within the Blue Box program.

The principle that penalties should reflect the economic benefit of non-compliance may be appropriate in a mature and well functioning system. However, the Blue Box program is not yet at that stage. Province-wide transition was only completed on January 1, 2026, and producers are currently in their first full reporting cycle under the new framework.

Ongoing challenges related to record-keeping, interpretation of requirements and negotiations with PROs are particularly difficult for smaller producers with limited administrative capacity. Removing the penalty ceiling before addressing foundational compliance and clarity gaps shifts financial risk onto producers without resolving the underlying causes of non-compliance.

Rather than increasing penalties at this stage, OGVG encourages the ministry to focus on incentivizing and supporting compliance, particularly during this transitional period.



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Recommendations

OGVG respectfully recommends that the ministry:

1. Simplify traceability requirements for midpoint producers, focusing reporting obligations on material generators and endpoint consumers.
2. Ensure that any PRO coordination model includes transparent cost reporting, standardized service levels, and clear accountability to the producers who fund the system.
3. Establish a formal compliance support program, including accessible guidance and education sessions delivered jointly by RPRA and PROs, prior to escalating enforcement measures.

OGVG values provincial support for Ontario's greenhouse sector and remains committed to responsible waste management. We welcome continued dialogue on improving the EPR framework in ways that support effective compliance while recognizing the operational realities of agricultural producers.

OGVG is available to answer any questions and provide further comment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Lee", enclosed within a blue oval border.

Richard Lee

Executive Director