

April 28, 2026

Submitted online and via email to Krista.Friesen@ontario.ca

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Ministry of the Environment, Conservation and Parks
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RE: ERO 026-0218 - Proposed Amendments to Tires and Other Producer Responsibility Regulations

The City of Guelph (the “City” or “Guelph”) appreciates the opportunity to provide input on the proposed amendments to various producer responsibility regulations under the *Resource Recovery and Circular Economy Act, 2016*. Below, you will find the City’s comments and recommendations with regard to the proposed changes.

Proposed changes to the Tires Regulation:

Expanding call-in requirements to all sites – adding a provision to require PROs to collect tires from any site that requests pickup and has 50 or more tires, and add a guaranteed response time during peak tire change times.

The City supports the intent of this amendment, particularly efforts to improve service reliability and responsiveness. However, the City has concerns regarding the feasibility of implementing and overseeing this approach at scale.

Expanding the call-in requirement to all sites could result in a significantly higher volume of pickup requests, creating substantial administrative pressure and oversight demands for both the Resource Productivity and Recovery Authority (RPRA) and Producer Responsibility Organizations (PROs)

Improving collection performance may be more effectively achieved by complementing call-in requirements with systemic measures that increase overall collection capacity and accountability. These could include:

- Increasing producer management targets to drive higher overall tire collection and processing;
- Reintroducing a collection target, in addition to management targets, to ensure broader and more consistent service coverage;
- Adjusting the extent to which retreaded tires count toward management targets, recognizing that these tires re-enter the market without additional collection obligations; and

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- Requiring producers to establish enough collection sites to meet service expectations across the province.

Adding a new management requirement that collected tires must be managed within 3 months of pick-up from any site.

The City supports this proposed requirement and requests that the regulation clearly specify that, consistent with other producer responsibility frameworks, all tires must be managed by registered processors, with transparent reporting on recycling efficiency.

Ontario has established successful tire recycling and retreading markets that deliver both environmental and economic benefits. Allowing energy-from-waste as an eligible management option would undermine these existing markets and reduce material recovery. For this reason, the City does not support its inclusion.

Proposed changes to the HSP Regulation:

Revising recycling efficiency rate (RER) requirements by delaying the RER requirements for antifreeze and oil containers to 2028 and considering potential revisions to RER for mercury containing products.

The City does not support the proposed revisions to RER requirements.

Established recycling markets already exist for materials such as antifreeze and oil containers and have been collected from Guelph's depot for many years, supported by national programs operating successfully in Canada and internationally. There is no evidence to suggest that current RER timelines are inhibiting program performance.

Accordingly, the City supports retaining the originally proposed implementation timeline and proceeding with RER requirements in 2027.

Recognizing the Province's objectives to eliminate mercury from the marketplace, the City is open to considering targeted adjustments or exemptions for mercury-containing products, provided environmental outcomes are not compromised.

Revising the regulation to clarify that at least one site is required in the original municipality for upper-tier offsetting, but not for adjacent offsetting.

The City supports this amendment.

Proposed change to the Administrative Penalties (AP) Regulation:

Removing the \$1 million cap on the maximum AP amount that can be issued for continuing and non-continuing contraventions.

The City of Guelph strongly supports removing the \$1 million cap on administrative penalties. Meaningful penalties are necessary to ensure

compliance and to prevent regulated parties from benefiting financially through non-compliance.

The City further recommends that settlement funds be reinvested into Ontario's waste reduction and recycling system, rather than redistributed to producers or used to offset producer fees, especially where these funds may originate from visible consumer charges.

When producer obligations are not met, municipalities like Guelph often absorb the resulting impacts, including through:

- Increased fire risk affecting collection vehicles and waste management facilities, placing municipal staff and infrastructure at risk;
- Higher levels of litter and illegal dumping, resulting in environmental contamination and potential risks to Guelph's groundwater resources; and
- Increased volumes of material entering municipal disposal streams.

These system impacts should be considered when determining how settlement funds are used to strengthen overall program performance.

Other possible changes to all EPR regulations:

Considering if rules related to PROs sharing collection sites and trading excess performance to meet targets should be added to the framework.

While the City of Guelph does not hold a strong position on the specific mechanisms proposed for shared PRO activities, such as shared collection sites, credit trading, or clearinghouses, the City encourages the Province to:

- Seek input from the Competition Bureau of Canada; and
- Review best practices from established producer responsibility clearinghouse models operating in European jurisdictions.

Considering if there should be any provisions (e.g. minimum requirement or incentives) for Ontario based processing of materials.

The City supports increasing Ontario-based recycling capacity. Local processing reduces system risk, supports regional economic development, and improves resilience when export markets are disrupted.

Previous tire stewardship programs in Ontario successfully used incentives to encourage domestic processing and attract investment. The City supports similar outcomes under the producer responsibility framework.

However, the City has concerns about approaches that could unintentionally reduce the overall quantity of tires recycled. Providing disproportionately higher credit for tires processed in Ontario could, if not carefully designed, result in fewer tires being managed overall. The City does not support this outcome.

Instead, the City would support consideration of a reduced credit value for tires processed outside Ontario, provided strong management and collection requirements remain in place to ensure high overall diversion performance.

Closure:

We appreciate this opportunity to provide input on this proposal and look forward to working together with the Ministry to support strengthened producer responsibility regulations to enhance environmental protections. Should you have any questions about the feedback provided or require additional details please do not hesitate to contact the City at intergovernmental.relations@guelph.ca.

Sincerely,

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