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Chris Goode, Senior Advisor
Ontario Ministry of the Environment
Environmental Programs Division
Modernization of Approvals Project
135 St. Clair Ave. W.
Toronto, Ontario
M4V 1P5

RE: Technical Discussion Paper on Proposed Recycling Standard for End-of-Life Vehicles.

Mr. Goode,

Recycling Council of Ontario (RCO) submits this letter in response to *Technical Discussion Paper on Proposed Recycling Standards for End-of-Life Vehicles* posted on the Environmental Bill of Rights, Registry No: 012-0678. RCO is pleased to provide comments through this written notice, and I apologize for the delay in getting you this submission.

RCO is a multi-stakeholder not-for-profit organization committed to minimizing society's impact on the environment by eliminating waste. RCO's mission is to inform and educate all members of society about the generation of waste, the avoidance of waste, the more efficient use of resources and the benefits and/or consequences of these activities. We have a 35-year history Ontario as supporting balanced and progressive policies that focus on the environmental outcomes based on a hierarchy that prioritizes waste prevention and resource conservation.

RCO applauds the Ministry of the Environment (MOE) for prioritizing and progressing improved environmental standards for end-of-life vehicle (ELV) processing facilities in Ontario. As part of our outcomes-focussed policy development process, RCO has long advocated for comprehensive materials management standards, including those associated with ELV. The approach taken to formalize operational and management standards and making reporting these activities is an important and positive step.

As the Government of Ontario moves forward with drafting regulations in this area, RCO offers response to the technical discussion paper.

Setting Benchmarks to Measure Outcomes and Evaluate Regulatory Success

The proposal is based on need for the new processing facility standard on the 600,000 vehicles retired in Ontario and the estimated 150,000 tonnes of vehicle waste that goes to landfill annually.

Although these statistics provide some information on annual disposal amounts, it provides no detail on the characterization of the disposed materials or the estimated diversion performance of ELV. This information is necessary to develop measurable performance indicators.

Furthermore, it appears that there are two main objectives for the standard:

1. Standardizing the depollution of ELV to maximize the discharge of targeted materials (e.g., fluids, mercury switches) that could pose environmental and human health risk during crushing or shredding activities if improperly discharged.
2. Allow for the tracking, recording, and verification of depolluted hulks via Depollution Notices (with recorded VIN) and setting the stage for future reporting on all materials recovered from points of generation (staging and crushing) to points of final disposition.

RCO supports these objectives and recommends they be further strengthened through improvement in data reporting and verification requirements within the standard.

The proposal lists a subset of specific target materials that processors will be required to remove. It suggests that collecting these materials separately is considered best practice, however, offers no details in terms of how the new reporting requirements will be used to improve data collection and/or performance measurement (i.e., amounts recovered, recycled, and disposed).

Without this, it is impossible to measure the impacts of the standard and its performance against objectives.

Reconciliation and Verification

While the proposal articulates a process to record processing of ELV via Depollution Notices as issued by Environmental Activity and Sector Registry (EASR) registrants, it does not describe how this will facilitate source separation, and does not provide information on how these notices will be reconciled and verified. Layering on new tracking and reporting requirements are only valuable if there is a supporting mechanism to continually analyze the data to review trends, measure performance, and make adjustments to the system to ensure it continually improves.

Monitoring and Oversight

Given that there are an estimated 700 processors currently operating in Ontario, the increased level of reporting requirements and corresponding number of

expected informational transactions, considerable resources must be dedicated to compliance monitoring and oversight.

Furthermore, with the limited capacity of the MOE to monitor and oversee existing compliance requirements RCO recommends that the Ministry consider the delegation of this oversight to an organization that can monitor EASR registrants, compliance to the standards, and reporting of overall environmental performance.

Consequences of Non Compliance

The proposal does not provide any detail on how it would manage any entity that is found out of the compliance. Perhaps this is not within the scope of the Technical Discussion paper, however, must be included in the supporting regulations.

In all, this proposed processing standard offers important and much needed formalization of the industry, which will result in better tracking and reporting of ELV materials. Standards are the best mechanism to drive environmental best practices and create a level playing field that will ultimately grow the value of the sector. Given Ontario's position as a leading manufacturer of new vehicles in Canada, becoming a leader in ELV processing is essential.

Sincerely



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