December 3, 2020

Minister Jeff Yurek

Ministry of the Environment, Conservation and Parks (MECP)

5th Floor

777 Bay Street

Toronto, ON M7A2J3

Dear Minister Yurek,

Longo’s appreciates the opportunity to submit these comments on the proposed regulation under the Resource Recovery and Circular Economy Act. We are committed to the creation of a comprehensive Blue Box system that ensures a high level of service for consumers and Ontario. Upon reviewing the proposed regulation there are two points of feedback that we would like to pass on to the Ministry.

The first point of feedback we have is about the criteria for negotiating the common collection system. We understand that in order to be a rule creator for the CCS, the person must be a producer or producer responsibility organization (PRO) whose blue box material tonnage makes up 10% of the total tonnage that is supplied to consumers in Ontario. Longo’s supports having requirements so that the system is designed by viable PROs, but our concern is the 10% requirement creates a risk that smaller producers will be excluded from the rule-making process for CCS.

There is still a lot of uncertainty about PROs for the Blue Box system, and how many companies each PRO will service. Given that smaller producers have different needs than larger producers who operate nation-wide, we may see them also opting for different PROs than larger producers. In this case it will be very difficult to meet the 10% threshold to have a seat at the table. We recommend that the eligibility criteria is reduced to 5% so that smaller producers have a better opportunity to be represented in rule-making for the CCS.

The second point of feedback we have is around deductions. For all categories except beverage containers, reporting will be based on the tonnage of materials supplied into the residential market. Under the current system, producers report on residential supply through the use of deduction methodologies to subtract tonnage supplied to the IC&I sector. In comparison, the government’s current proposal requires producers to report total sales to RPRA. Producers are then expected to work with RPRA to get to residential supply.

While we understand that the scope eligible sources in the proposed regulation has expanded, there are still many sources that would be covered by the IC&I sector (i.e. office buildings, malls, business to business sales, etc.), meaning that designated materials will end up in these streams. Therefore, Longo’s recommends codifying exclusions into the regulation.

We support the development of extended producer responsibility policies in Ontario, but want to ensure that the process is equitable and involves producers of all sizes. Additionally, given that the costs of recycling will shift entirely to producers, it is important that deductions are allowed so that producers on not paying fees on materials that will not enter the Blue Box system. Please do not hesitate to contact me if you have any questions following our comments.

Thank you,



Pat Pessotto

EVP, Sustainability and Industry Relations