

EPR Canada Report Card Questionnaire for 2012



Introduction and Background

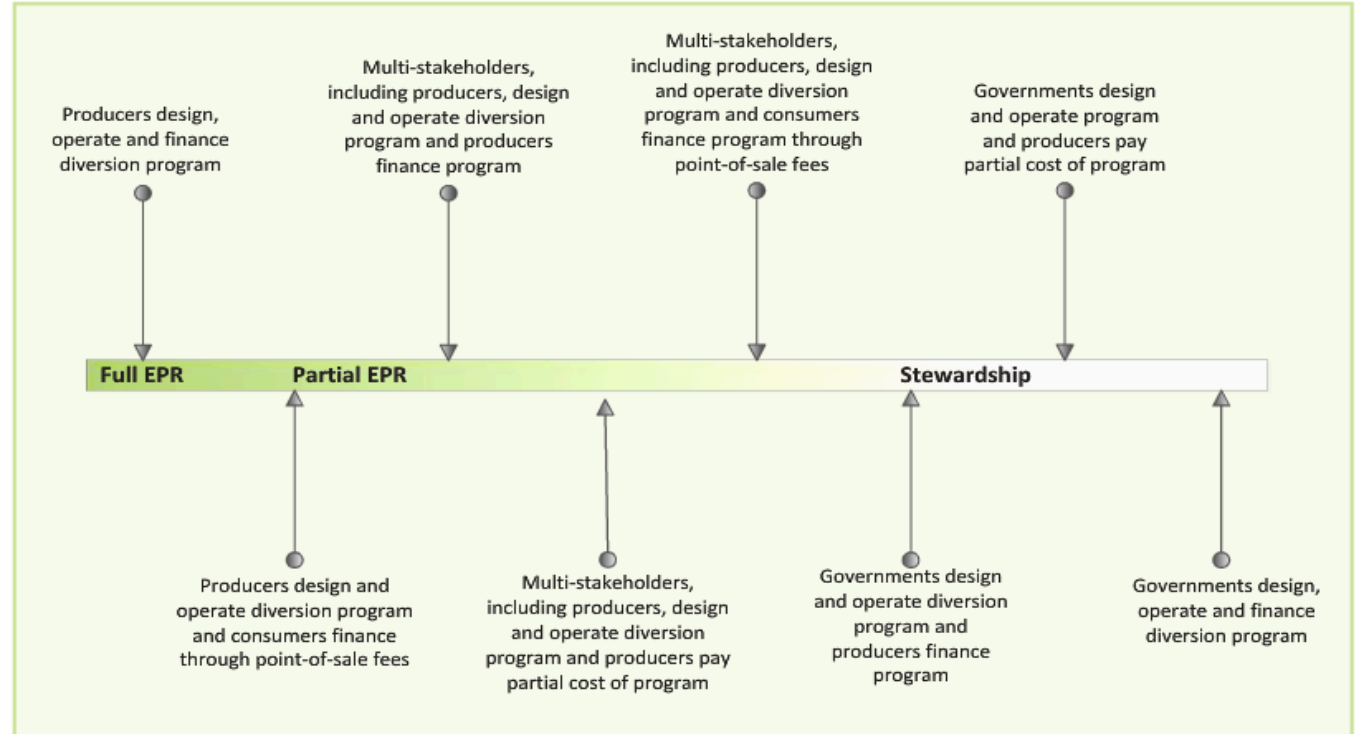
Extended producer responsibility or EPR is an environmental policy approach where a producer's physical and financial responsibility for a product or package is extended to the post-consumer stage of the life cycle. As a policy approach it provides incentives to individual producers, e.g., brandowners and first importers, to incorporate environmental considerations into the design of their products and packages. A key element of EPR is transferring the responsibility to design, operate and pay for waste diversion programs from municipalities/ waste authorities to producers.

Only programs where producers are solely and fully responsible for the program design, operation and financing of the diversion program and where they are accountable for the program's environmental performance are considered full EPR. Programs that have some of these elements are commonly referred to as stewardship or partial EPR programs.

EPR Canada is entering year two of its five-year project to produce and publish an annual Extended Producer Responsibility Report Card.

The intention of the report card is to reflect the progress that federal, provincial and territorial governments make, year-over-year, in developing and implementing policies, programs and practices that fulfill their commitments under the Canada-wide Action Plan for EPR to meet agreed targets and timelines for establishing EPR programs for certain products and materials.

EPR Canada appreciates the time and effort your government invested in responding to the 2011 EPR Report Card questionnaire. We received a number of useful comments and ideas, as well as inquiries about the questionnaire results that informed the development of this 2012 questionnaire.



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Therefore, please note that the questionnaire in this 2012 package is similar in many key respects to the questionnaire you answered for the 2011 program year; however, you will notice this questionnaire has been:

- revised to describe more precisely the information that is pertinent to the assessment categories, specifically commitment, implementation and accountability (see weighting below)
- revised to permit EPR Canada to apply a more objective assessment process based on evidence-based answers
- re-weighted to allocate scores according to a logical progression in the adoption of EPR policies, programs and practices
- converted to a format that will aid in completing the questionnaire more quickly
- formatted as a Microsoft Word form to make it easier to answer questions electronically and to provide examples of supporting documentation as links or attachments

You will find other changes in the questionnaire that will aid the formulation of your responses. Within the questionnaire are brief paragraphs describing how EPR Canada defines the key words: commitment, implementation and accountability.

EPR Canada Report Card Scoring System for 2012-2015

The EPR Report Card evaluates jurisdictions' performance in Extended Producer Responsibility policy in three main category areas:

1. **Commitment** towards [CCME's Phase 1 and Phase 2 product and materials lists](#).
2. **Implementation** - EPR implementation measures focus on policies and practices to measure policy performance including:
 - a. reporting on activities to ensure that stewards met their regulatory obligations, including free rider tracking and actions;
 - b. reporting on activities to monitor the performance of EPR programs, including program reviews;
 - c. EPR legislation review procedures and outcomes, and
 - d. evidence of policies and practices implemented to support diversion through EPR programs.
3. **Accountability** – Target setting and verifiable public reporting on results, including:
 - a. collection, recycling and/or recovery targets (and target setting methodology) for each EPR program;
 - b. non-diversion, environmental performance measurement practices;
 - c. dispute, enforcement and consequences if producers or producer responsibility organizations do not achieve their targets; and
 - d. public reporting on each EPR program's business plan, annual report and program reviews.

For the 2012 - 2015 reporting period, EPR Canada will be adjusting the weighting for each category in order to accomplish two objectives:

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1. to weight more heavily towards EPR commitment (and to some degree implementation) in the early years to reflect the early stages of EPR policies; and
2. to shift the weighting progressively in the latter years towards accountability activities, with less emphasis on commitment and implementation (i.e., as EPR policies mature).

The table to the right presents the weighting adjustments EPR Canada plans to use for 2012 to 2015 surveys.

Examples of Evidence

In the right hand quadrant of the questionnaire, examples of evidence are provided to aid in identifying appropriate information to support answers. However, please note that it is not a comprehensive list. Please include any examples of evidence that you believe supports your points.

Analyzing Results

Because of the changes to the proposed scoring and evaluation over time and the progressive weighting towards accountability, it is recognized that analyzing and comparing year over year trends could be challenging. To some degree each year can be viewed independently but within the larger context of moves towards program implementation and accountability as described above. This allows for some flexibility in contrast to a more rigid year-by-year comparison. It is expected, however, that trends will become clear over the course of the surveys and comparisons of performance will be possible as jurisdictions move away from commitment to program roll out and to program performance.

Timing for Completion of the Questionnaire

The timing for completion and return of this questionnaire is Friday May 17, 2013.

Functionality

Simply type into the questionnaire in the places indicated to complete the questionnaire. Send additional documents as email attachments.

Questions/Comments?

As always, we welcome your comments and questions about the questionnaire or about the program. You can find information on the EPR Canada website at www.eprcanada.ca or contact Duncan Bury (duncan@duncanburyconsulting.ca) or Geoff Love (loveenvironment@routcom.com).

2012- 2015 Proposed* EPR Score Card Weighting

Survey Year	Commitment	Implementation	Accountability
First Survey	44.5%	10.5%	45%
2012	50%	30%	20%
Proposed			
2013	40%	30%	30%
2014	30%	20%	50%
2015	20%	20%	60%

**EPR Canada may alter this scoring in subsequent years*

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A. Commitment to EPR

A jurisdiction's commitment to EPR is demonstrated by public and documented support for the EPR concept and for the establishment of EPR programs as defined in the CCME Canada-wide Action Plan for EPR. Establishment of EPR programs includes the necessary regulations and policies to ensure that full individual producer responsibility is undertaken for the management of the priority products set out in the CCME Action Plan. Commitment to EPR is also indicated by the transitioning of product stewardship programs to operate as full producer responsibility programs.

#	Commitment to EPR Questions	Examples of Supporting Evidence	2012 Points
1a	Has your jurisdiction formally adopted EPR as a policy? <input type="checkbox"/> Yes <input type="checkbox"/> No	<ul style="list-style-type: none"> Public policy document with stated objective to shift responsibility for end-of-life management of products and packaging from government to producers Press release, Minister's speech at a public event, Minister's statement, excerpts from Hansard, or other public document endorsing role of producers in end-of-life management of products and packaging Public document showing confirmation 	8
1b	Has your jurisdiction publicly established your commitment to EPR in a policy document or in a public statement? <input type="checkbox"/> Yes <input type="checkbox"/> No		
1c	Was the commitment confirmed or restated during 2012? <input type="checkbox"/> Yes <input type="checkbox"/> No		
2a	How does your policy define the role and responsibility of a producer to design and operate a diversion program to achieve regulatory outcomes?	<ul style="list-style-type: none"> Public policy document defining the role of individual producers and their direct and individual responsibility for designing and operating diversion program to achieve regulatory outcomes Copy of the updated roles and responsibilities 	8
	<i>Respond here:</i>		
2b	Was the definition of the role and responsibility of a producer revised, updated and/or clarified during 2012? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3a	List the policy and/or regulatory initiatives your jurisdiction uses to motivate producers to adopt design for the environment strategies for designated products.	<ul style="list-style-type: none"> Research demonstrating design-for-environment changes, and showing direct causal link to EPR policy/regulation Public policy document requiring producer, e.g. brand owner or first importer (not retailer, remitter, consumer or taxpayer) payment for EPR program; URL where documents are posted; description for each program financed by payments from producers Regulation prohibiting point-of-sale fees; URL where documents are posted; description for each program covered by regulation prohibiting point-of-sale fees 	6
	<i>Respond here:</i>		
3b	Indicate which initiatives were implemented during 2012.		
	<i>Respond here:</i>		

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#	Commitment to EPR Questions	Examples of Supporting Evidence	2012 Points
		<ul style="list-style-type: none"> • Clear statement of requirement that individual producers are the sole responsible party 	
4a	List the criteria you use to select materials to be managed under an EPR program <i>Respond here:</i>	<ul style="list-style-type: none"> • Published criteria for selecting priority materials • Evidence of having applied published criteria to select priority materials including consultation with producers and stakeholders • Published timeline for implementing EPR programs for priority materials 	6
4b	Describe how you apply these criteria? <i>Respond here:</i>		
4c	Identify any criteria that were revised during 2012; briefly describe changes? <i>Respond here:</i>		
4d	Have you published a timeline for future designations? <input type="checkbox"/> Yes* <input type="checkbox"/> No <i>*If yes, provide details.</i> <i>Respond here:</i>		
5	List your jurisdiction's EPR regulation designating each CAP Phase 1 material by name, number and date. <i>Respond here:</i>	<ul style="list-style-type: none"> • Designating EPR regulation under which producers design program and are responsible for operations and financing for <ul style="list-style-type: none"> - Packaging - Printed materials - Mercury containing lamps - Other mercury-containing products - Electronics and electrical products - Household hazardous and special wastes - Automotive products - Other materials 	10
6	List your jurisdiction's EPR regulation designating each CAP Phase 2 material by name, number and date. <i>Respond here:</i>	<ul style="list-style-type: none"> • Phase 2 materials <ul style="list-style-type: none"> - Construction materials - Demolition materials - Furniture (including mattresses) - Textiles and carpet - Appliances, including ozone-depleting substances (ODS) - Other materials 	6
7a	Did your jurisdiction transition any non-EPR programs established prior to October	<ul style="list-style-type: none"> • Where the following programs were implemented 	6

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#	Commitment to EPR Questions	Examples of Supporting Evidence	2012 Points
	2009 to programs where producers are responsible for the end-of-life management of their products and or packaging in 2012? <input type="checkbox"/> Yes <input type="checkbox"/> No	prior to 2009, provide documents showing the implementation strategies to transition to EPR in 2012. <ul style="list-style-type: none"> - Packaging - Printed material - Mercury containing lamps - Other mercury-containing products - Electronics and electrical products - Household hazardous and special wastes - Automotive products - Other materials 	
7b	If yes, describe the activities carried out in 2012 to implement the transition.		
	<i>Respond here:</i>		
EPR Commitment Sub-total			50

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B. EPR Implementation

EPR program implementation is indicated by the policies and practices that ensure that commitments to EPR are acted upon and that EPR programs operate in accordance with the stated commitment to EPR and with the established regulatory and policy requirements. Implementation is assessed through program performance monitoring, enforcement activities against free riders and provision for program review. In addition, supporting measures such as landfill disposal bans may be an indication of support for the implementation and operation of EPR programs if they are implemented with that specific intent.

#	EPR Implementation Questions	Examples of Supporting Evidence	2012 Points
8a	Estimate the number of free riders and the percentage of total obligated material supplied by these free riders for each targeted material/product listed in your responses to Questions 5 and 6.	<ul style="list-style-type: none"> • Communications to producers who may be free riders • Judgments arising from enforcement activities • Targets achieved 	8
	<i>Respond here:</i>		
8b	List enforcement activities carried out in 2012 to ensure that all producers met their regulatory obligation as well as the outcomes of the enforcement activities.		
	<i>Respond here:</i>		
9a	List activities carried out in 2012 to monitor the performance of the EPR activities listed in your responses to Questions 5 and 6, as well as the outcomes of the activities.	<ul style="list-style-type: none"> • Public document setting out the process producers are to follow to receive approval • Public policy or performance evaluation process that ensures competition regulations are met • Documents describing government's (or delegated oversight body's) responsibility for oversight and activities carried out to monitor compliance 	8
	<i>Respond here:</i>		
9b	List the activities carried out in 2012 to review programs pending approval as well as the outcomes of the activities.		
	<i>Respond here:</i>		
10	Identify the mandatory review period for your jurisdiction's EPR legislation, the date of the most recent review of the EPR legislation and the outcome of the review process.	<ul style="list-style-type: none"> • Periodic review and, if period has passed, evidence that review has been undertaken and outcomes implemented 	4
	<i>Respond here:</i>		
11a	List the policies and practices implemented by your jurisdiction to support effective implementation and positive outcomes of EPR programs.	<ul style="list-style-type: none"> • Policies and practices that directly support effective implementation/operation of EPR programs, and have been implemented specifically to encourage more effective EPR outcomes. Examples include material bans and landfill surcharges directed to EPR targeted materials and procurement policies 	10
	<i>Respond here:</i>		
11b	Indicate which, if any, were implemented during 2012.		
	<i>Respond here:</i>		
EPR Implementation Sub-Total			30

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C. EPR Accountability

Accountability focuses on the establishment and enforcement of quantitative collection and diversion targets for designated materials and on the measurement of environmental benefits of EPR programs. Accountability is also reflected in regular, comprehensive and transparent verifiable public reporting of program performance against policy directives and in the processes established to review and update EPR regulations, policies and programs.

#	Accountability Questions	Examples of Supporting Evidence	2012 Points
12	List the 2012 collection, recycling and/or energy recovery targets for each material/product listed in your responses to Questions 5 and 6.	<ul style="list-style-type: none"> Collection target with timeline Recycling target with timeline Energy recovery target with timeline 	4
	<i>Respond here:</i>		
13	For each of the collection, recycling and recovery targets listed in your response to Question 12, describe the basis for setting the target and the methodology for identifying the preferred environmental outcome.	<ul style="list-style-type: none"> Methodology to calculate collection, recycling, recovery and diversion numerator and denominator Requirement for independent performance auditing of environmental performance Review of best practice targets and performance in leading jurisdictions 	2
	<i>Respond here:</i>		
14a	Provide the mathematical formula for the numerator and denominator for the collection, recycling and energy recovery targets listed in your response to Question 13.	<ul style="list-style-type: none"> Outcomes defined based on assessment of system environmental impact Criteria or methodology guidelines for producers to identify preferred environmental outcomes 	2
	<i>Respond here:</i>		
14b	Are the data and calculations independently audited? <input type="checkbox"/> Yes <input type="checkbox"/> No		
15a	Do you measure non-diversion program performance? <input type="checkbox"/> Yes <input type="checkbox"/> No	<ul style="list-style-type: none"> Methodology to measure non-diversion environmental performance, e.g., greenhouse gas emissions 	3
15b	If yes, provide the metric and the measurement methodology.		
	<i>Respond here:</i>		
15c	List the 2012 non-diversion performance for each EPR program listed in your responses to Questions 5 and 6.		
	<i>Respond here:</i>		
16a	Describe the dispute process, enforcement process and consequences if producers or producer responsibility organizations do not achieve the performance metrics listed in your responses to Questions 13 and 15.	<ul style="list-style-type: none"> Defined consequences if environmental performance outcomes are not met Defined enforcement process Defined dispute or arbitration process 	2
	<i>Respond here:</i>		

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#	Accountability Questions	Examples of Supporting Evidence	2012 Points
16b	Identify the dispute and enforcement activities implemented and the consequences imposed during 2012. <i>Respond here:</i>		
17a	For each EPR program listed in your responses to Questions 5 and 6, identify: a) If a 2012 business plan was published <i>Respond here:</i>	<ul style="list-style-type: none"> • Annual business plans, annual reports and performance reports publicly available • Results of independent verifiable environmental performance audit publicly available • Audited financial statements publicly available if producer (or one or more producers participating in a collective program) pass producer costs to consumers via point-of-sale fees identified as linked to program 	2
17b	b) If a 2012 annual performance report has been (or will be) published, and <i>Respond here:</i>		
17c	c) If the annual performance report includes (or will include) independent audits of the program's environmental performance and financial statement. <i>Respond here:</i>		
18a	For each EPR program listed in your responses to Questions 5 and 6, identify the date of the most recent program performance review and the outcome of the review process. <i>Respond here:</i>	<ul style="list-style-type: none"> • Public document describing process to review and report on programs, including comprehensive consultation with stakeholders, to periodically review and revise programs including environmental performance outcomes 	2
18b	Identify the program review activities implemented during 2012. <i>Respond here:</i>	<ul style="list-style-type: none"> • Details in the annual or other reports as to what actions will be taken to improve performance 	
19a	For each program, describe what mechanisms exist to encourage producers to engage stakeholders in effective and appropriate consultation and input into program design and performance measurement. <i>Respond here:</i>	<ul style="list-style-type: none"> • Public hearings, public meetings, web based information, review periods 	3

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#	Accountability Questions	Examples of Supporting Evidence	2012 Points
19b	If your jurisdiction does not use these mechanisms for some/all programs, explain reason <i>Respond here:</i>		
Accountability Sub-Total			20