

Topic of request: RPRA's EEE Verification and Audit Procedure

Date of request: April 28, 2023

Date of response from RPRA: May 26, 2023

Summary of request for clarification

On April 28, 2023, RPRA received a formal request for clarification related to RPRA's registry procedure: EEE Verification and Audit Procedure.

According to s.10(1) of the [EEE Regulation](#) under the RRECA, the definition of a large producer is a producer that is required to manage 700 tonnes or more of obligated ITT/AV equipment.

The requestor believes that the definition of a "large producer" provided in RPRA's [EEE Verification and Audit Procedure](#) is in contradiction to the definition provided in the EEE Regulation.

According to RPRA's procedure, if a producer's management requirement is equal to or greater than 200 tonnes, the registrant would be considered a large producer and must submit a verification report along with the producer's supply data.

RPRA's response

RPRA's [EEE Verification and Audit Procedure](#) was developed, in part, to provide sufficient guidance to producers and the qualified person who will be verifying their data to ensure consistent reporting.

In 2022, all battery and ITT/AV producers were required to submit a one-time supply data verification report (the first verification reporting year) to establish a baseline dataset for the entire sector that has been verified.

For the purposes of supply reporting verification, the definition of small and large producers is different than the definition established in the [EEE Regulation](#), which is related to a producer's requirements to establish and operate an accessible collection system.

From December 16, 2022, to January 16, 2023, RPRA consulted on the cut-off thresholds that determine if a battery or information technology, telecommunication and audio-visual (ITT/AV) equipment producer is small or large, as it relates to a producer's requirement to provide a verification report associated with the submission of annual supply data. RPRA considered all stakeholder feedback received when making updates to the cut-off thresholds of *Appendix D - Batteries and ITT/AV Supply Data Verification* of the [EEE Verification and Audit Procedure](#). Stakeholder feedback and RPRA's responses are summarized in the associated [consultation report](#). The revised procedure with the new cut-off thresholds was published on February 28, 2023.

Starting in 2023, and every year thereafter, verification of supply data and management reductions (e.g., post-consumer recycled content) is only required for large producers, as defined in the [EEE Verification and Audit Procedure](#). Small producers will no longer be required to submit a verification report but will be subject to inspections.

Definitions of large and small producers for the purposes of the verification procedure:

- “**Large ITT/AV producer**” means an ITT/AV producer with a minimum management requirement greater than or equal to 200,000 kilograms in the previous calendar year.
- “**Small ITT/AV producer**” means an ITT/AV producer with a minimum management requirement less than 200,000 kilograms in the previous calendar year.

Producers can verify their minimum management requirement by logging into their Registry account, downloading a copy of their previous years’ supply report, and reviewing the section that provides their management requirements for the upcoming reporting year.

RPRA established the small producer exemption from submitting a supply data verification report to reduce administrative burden on small business.

RPRA will continue to consult with stakeholders when developing registry procedures to better understand and minimize the impact on regulated businesses (cost to comply), where possible.