

WASTE FREE ONTARIO ACT

ROMA CONFERENCE

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WASTE FREE ONTARIO ACT

- In November 2015, the Minister of the Environment and Climate Change introduced Bill 151 – a new legislative framework for waste management
- The legislation is comprised of two proposed Acts:
 - Resource Recovery and Circular Economy Act
 - Waste Diversion Transition Act (WDTA)
 - Also contains Strategy for a Waste Free Ontario: Building the Circular Economy to support Ontario in achieving its goals
- The Bill was proclaimed November 30, 2016

WHAT DOES WFOA MEAN FOR US?

- Producers will be directly responsible for their end-of-life management, including all related costs
- Producers can discharge this responsibility by directly operating collection and recycling services for the used materials or by contracting with service providers, potentially including municipalities
- Following Proclamation, the *Waste Diversion Transition Act (WDTA)* provides an interim step to ensure the smooth transition of existing Blue Box, WEEE, MHSW, and Used Tires programs to the new *Resource Recovery and Circular Economy Act (RRCEA)* so that there will be no disruptions to the recycling services currently being provided or financed by Producers

PRINCIPLES FOR REGULATIONS

- Existing recycling service levels and geographic coverage must be maintained and further enhanced to achieve higher waste reduction and diversion targets in the new legislative regime.
- Producers should be required to provide province-wide recycling services for their designated materials
- Provincial recycling targets should be material specific rather than set as a broad “basket of goods” for designated materials

PRINCIPLES (CONT'D)

- **Separate recycling targets should be set for designated materials managed as municipal wastes and those primarily managed as Commercial & Industrial waste.**
- **Mechanisms must be put in place to ensure that Producers have viable opportunities to establish multiple approaches for meeting targets and to ensure full and fair competition among these approaches**
- **Municipalities that continue to provide recycling services for the management of designated wastes must be fully compensated by Producers for these services.**

PRINCIPLES (CONT'D)

- Where municipalities choose to transfer full operational responsibility for these programs to Producers or their designated recovery agents, this must include the transfer of existing program infrastructure and/or fair compensation for any stranded program assets.
- A firm deadline should be set for the transition of all existing programs to the RRCEA framework.
- The Producer's share of operating the existing Blue Box Program should be increased incrementally during this transition period.
- Processes and target dates should be identified for designating additional materials for Producer responsibility regulations.

UPCOMING ISSUES

- Transition of existing diversion programs from WDTA to RRCEA:
 - Blue Box, Municipal Hazardous and Special Waste, Waste Electronics and Electrical Equipment, Tires
- Policy Statements
- Organics Action Plan
- IC&I sector
- Designating more material
- Resourcing municipal sector

TRANSITION OF EXISTING PROGRAMS

- Transition of existing diversion programs from the WDTA to RRCEA. Involves windup of current IFOs and establishment of new Regulations under RRCEA for each program:
- **Blue Box**
 - Transition forecast by MOECC for 2022 given complexity and size of program
 - Each year we wait to transition costs municipal taxpayers \$120M and rising
 - Need broad stakeholder discussions on how to transition:
 - What is a common service level?
 - How are geographic accessibility targets determined?
 - What are appropriate targets for recovery?
 - How do we designate more material?
- **Municipal Hazardous and Special Wastes (MHSW)**
 - Need to increase amount of designated materials
 - Currently paid for by Producers, however many municipalities not receiving full compensation
 - Municipalities manage a significant amount of this material

TRANSITION TO RRCEA

- **Waste Electronic and Electrical Equipment (WEEE)**
 - Need to increase amount of designated materials
 - Currently paid for by Producers
- **Tires**
 - Municipalities currently paid a collector fee and transportation and processing is provided by Ontario Tire Stewardship (OTS)
 - Recently have had issues with OTS on data collection
- MOECC would likely want to start transition with a “relatively simple” program
- Think that could be MHSW or WEEE
- After Blue Box, MHSW has biggest financial benefit for municipalities to transition
- Work should commence immediately on Blue Box transition given size and complexity

DEVELOPMENT OF POLICY STATEMENTS

- MOECC will be developing Policy Statements to provide further direction on the Provincial Interest under the Resource Recovery and Circular Economy Act
- Some examples are:
 - Establishing principles for accessible and convenient recycling services
 - Guide the collection, reuse and recycling of materials
 - Establish criteria and principles to facilitate sustainable packaging
- Municipal sector will need to provide coordinated input on Policy Statements

ORGANICS ACTION PLAN

- Province is looking for early wins on Organics
- Disposal of organics produces Greenhouse Gases and processing of organics can increase renewable natural gas supply
- Calling for a food waste ban in 2022
- Needs to consider financial requirements of food and organic waste recovery through producers, consumers, taxpayers and municipalities. Collection and processing of organics is the most expensive waste stream to manage for Ontario municipalities who currently have it in place; it will be a significant property tax burden to add this service for municipalities who do not currently have it in place

ORGANICS ACTION PLAN

- Support the actions related to reducing the amount of food waste generated in Ontario throughout the entire supply chain i.e. from field to plate to recovery
- There must be designation of 'branded' organic materials for producer responsibility. This would include items such as facial tissue, paper towels, paper napkins, 'compostable' products such as coffee pods, cutlery, plates
- Prior to implementation of a disposal ban there must be considerable work completed on ensuring sustainable organics processing capacity is available and a practical approach to monitoring and regulating odours from organics processing facilities is developed as process upsets do occur

DIVERSION IN IC&I SECTOR

- MOECC is delaying implementation of policies and higher diversion for industrial, commercial and institutional sector until they have more data
- Looking at combination of tools to drive diversion in this sector:
 - Extended Producer Responsibility
 - Generator Regulations
 - Disposal Bans
- Diversion in ICI sector is 11% versus 45-50% in municipally-managed sector
- If Province wants to meet goals of zero waste and zero GHG, have to focus on this sector
- Will be important municipalities advocate that all final consumption packaging should be designated; move away from delineation between residential and ICI e.g. Cola can should be recycled and paid for by Producers regardless if it is generated in a home, restaurant, subway, public park, concert....

DESIGNATING MORE MATERIAL

- Encouraged to see MOECC consulting immediately on addition of more material to existing diversion programs
- Would like to see more details and timelines for future material to be added:
 - Bulky items such as mattresses, furniture etc.
 - Construction and Demolition material such as wood, drywall, brick, concrete etc.
- More material designation are key to realizing goals of the legislation

RESOURCING THE MUNICIPAL SECTOR

- The Resource Recovery and Circular Economy Act will fundamentally change how waste diversion programs are developed and delivered to our communities
- But a great amount of work will be required to ensure:
 - New programs provide excellent service to our communities
 - All Ontarians have access to high quality programs
- Municipal governments are a key partner and will have to provide input to Government on service standards, target setting, accessibility levels, organics action plan, policy statements, generator regulations, and disposal bans
- Currently, AMO is leveraging collective funds from Continuous Improvement Fund to do this work on behalf of sector
- Over the longer term, we require more resources to do this coordinated work
- AMO, Toronto, Regional Public Works Commissioners of Ontario and Municipal Waste Association are working together on how this could evolve

NEXT STEPS

- AMO with its partners City of Toronto, RPWCO and MWA will continue to provide support to our members including:
- February 8 workshop on the legislation at North York Novotel; webinar options for remote access available
- Providing comments and input to MOECC on multitude of issues:
 - Strategy for a Waste-Free Ontario Building the Circular Economy
 - Operating Agreement between Minister and Resource Productivity and Recovery Authority
 - Transition timeline and process for existing diversion programs
- Working with Authority on 2017 funding for 2015 Blue Box program costs under Waste Diversion Transition Act
- Educating our members on these key issues and soliciting their ongoing input
- Refining and providing further rationale for the positions and principles we have outlined
- Representing municipalities in discussions with the Province and in formal consultation processes.
- Keeping members updated on further developments throughout this process



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