




Hamilton

INFORMATION UPDATE

TO:	Mayor and Members City Council
DATE:	March 8, 2019
SUBJECT:	Waste Free Ontario Act Update (ES19007) (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Craig Murdoch, B.Sc. Director, Environmental Services Division Public Works Department
SIGNATURE:	

This Information Update is to inform the Mayor and Members of Council that on Wednesday, March 6, 2019 the provincial government released a discussion paper on the future of waste diversion and disposal in Ontario.

BACKGROUND:

The Waste-Free Ontario Act (WFOA) was proclaimed on November 30, 2016. With the proclamation of the WFOA, the Waste Diversion Act (the legislation that previously governed waste diversion programs in Ontario), was repealed. The vision of the WFOA is to create a circular economy with zero waste where resources are reused and/or recovered back into the economy as opposed to being disposed. The WFOA will significantly change how recyclables, organics, and residential waste are managed in Ontario. The WFOA includes two components, the Waste Diversion Transition Act (WDTA) and the Resource Recovery and Circular Economy Act (RRCEA). The WDTA regulates how waste diversion programs will operate prior to and during a transition of the RRCEA. The RRCEA regulates how waste diversion programs will operate under full producer responsibility. Currently, three waste diversion programs have already transitioned, or have plans to transition in the near future, to a full producer model under the RRCEA:

- Tires
- Waste Electrical and Electronic Equipment (WEEE)
- Municipal Hazardous and Solid Waste (MHSW) and Batteries

The blue box program is the only waste diversion program currently without a transition plan. This program has the greatest impact on municipalities and residents as it

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

collectively costs Ontario municipalities approximately \$125M annually to operate. The first step for a waste diversion program to transition is for the Minister of Environment, Conservation and Parks to issue a wind-up letter to the industry funding organization (for the blue box program this is Stewardship Ontario) with a deadline for when a transition plan needs to be provided to the Minister and a deadline for when transition will be complete. As of this time, a wind-up letter has not been provided to Stewardship Ontario by the Minister of Environment, Conservation and Parks. Once the wind-up letter is issued, work will commence on drafting the regulations that will govern the blue box program under the RRCEA.

CURRENT STATUS:

On Wednesday March 6, 2019, the Ministry of the Environment, Conservation and Parks (MECP) released "Reducing Litter and Waste in Our Communities: Discussion Paper". This discussion paper includes eight key areas for reducing waste and litter in Ontario:

1. Prevent and reduce litter in our neighbourhoods and parks
2. Increase opportunities for Ontarians to reduce and divert waste at home, at work and on the go
3. Make producers responsible for the waste generated from their products and packaging
4. Reduce and divert food and organic waste from households and businesses
5. Reduce plastic waste going into landfills and waterways
6. Provide clear rules for compostable products and packaging
7. Recover the value of resources in waste
8. Support competitive and sustainable end-markets for Ontario's waste

This discussion paper includes a list of core principles that will guide transition:

- The government will lead the transition process.
- The people of Ontario's experience with and access to existing services will not be negatively impacted, such as regular curbside collection of Blue Box materials.
- Transition will promote competition and a level playing field in the marketplace.
- All stakeholders will be extensively consulted and engaged in the process.

To generate feedback on specific aspects of the discussion paper, questions for each key area have been included. For example, key area 3 - Make producers responsible for their waste generated from their products and packaging, directly relates to the transition of the blue box program. This key area has six discussion questions:

1. How do you think the Blue Box Program could best be transitioned to full producer responsibility without disrupting services to Ontario households?

2. Should it transition directly to producer responsibility under the Resource Recovery and Circular Economy Act, 2016 or through a phased approach?
3. When do you think the transition of the Blue Box Program should be completed?
4. What additional materials do you think should be managed through producer responsibility to maximize diversion?
5. How can we make it easier for the public to determine what should and should not go in the Blue Box?
6. How should the province implement the transition process of its existing programs to producer responsibility without interrupting service?

The discussion paper has been posted on the Environmental Registry for a 45-day public review and comment period from March 6, 2019 to April 20, 2019.

IMPACT:

The discussion paper lacks detail on timing for transitioning to full producer responsibility, which is of particular interest to the City of Hamilton. Until more information is known, we are unable to predict at this time what impacts this may have on City operations. Additionally, Staff are preparing for an update to the City's Solid Waste Management Master Plan (SWMMP) late in 2019. The issuance of the wind-up letter by the Minister, with more details on the transition of the blue box program, will better inform the SWMMP and allow staff to develop a plan that best represents the needs of the City.

NEXT STEPS:

Staff will review the discussion paper and provide the MECP with responses to all 8 key areas and associated discussion questions by the April 20, 2019 deadline. Due to the short time given by the MECP to comment, the response document will be shared and reviewed with the Waste Management Advisory Committee (WMAC) prior to submitting to the Ministry. Shortly thereafter staff will provide the Mayor and members of Council with another Information Update outlining the comments submitted to the MECP.

Should you have any questions, please contact Angela Storey, Manager of Business Programs at (905) 546-2424, X6483.

APPENDICES AND SCHEDULES ATTACHED:

Not applicable

