




COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	June 4, 2021
SUBJECT:	Waste Free Ontario Act Update – Final Blue Box Program Regulation (ES21004) (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Craig Murdoch Director, Environmental Services Public Works Department
SIGNATURE:	

This Communication Update is to inform the Mayor and Members of Council that the final Blue Box Regulation was released by the Ministry of Environment, Conservation and Parks (MECP) on June 3, 2021. This regulation will make producers of paper products and packaging fully accountable and financially responsible for operating Ontario's Blue Box program under the Resource Recovery and Circular Economy Act, 2016 (RRCEA).

Highlights of the Final Regulation for Blue Box Transition

Beginning on July 1, 2023, Ontario municipalities and First Nation communities will begin transitioning their blue box programs to the new Individual Producer Responsibility (IPR) framework. As municipalities transition, producers will become fully accountable and financially responsible for collecting, processing and recycling their blue box materials when consumers discard them. The new regulation will enact several changes to the Blue Box program in Ontario, including:

- Establishing a common curbside blue box collection system across Ontario which will service all municipalities and First Nation communities;
- Expanding the range of materials which are accepted in the Blue Box program to include recyclable packaging, single-use packaging-like products and single-use food and beverage service products including straws, cutlery and plates;
- Offering blue box collection services to several sources, such as multi-unit residential buildings, schools, some public spaces, retirement homes, and long-term

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care homes;

- Implementing a consistent, province wide promotion and education program to increase awareness about collection, reuse, recycling and recovery of materials; and
- Establishing weight-based recovery targets based on the quantity of material supplied into Ontario that producers will be required to meet.

For communities that already have a curbside blue box collection program, the regulation intends to not result in any disruption in blue box services to their residents.

Blue Box Program Transition Schedule and Hamilton's Transition Date

In 2020, a draft Blue Box regulation was released and included a draft transition schedule which identified that municipal Blue Box programs would transition to IPR beginning January 1, 2023. The regulation released yesterday finalized the transition schedule to IPR for the Blue Box program from municipalities to producers starting July 1, 2023 and will be fully rolled out across the province by December 31, 2025. The phased schedule is intended to ensure a stable transition for municipalities and balance program costs for producers. Approximately one third of municipalities will transition each year between 2023 to 2025.

In mid-2020, municipalities were asked to provide the Association of Municipalities of Ontario (AMO) with their preferred transition date for consideration by the MECP. The City of Hamilton, as outlined in Report PW20028 provided AMO with the preferred transition date of April 1, 2023, however the confirmed transition date for Hamilton is scheduled to take place on April 1, 2025. As part of the public consultation on the draft Blue Box program regulation, Council submitted an additional request to the MECP to reconsider the City transition date. The final Blue Box program transition schedule released with the Blue Box regulation did not offer an earlier transition date for the City. As outlined in Report PW20028, the City will continue to have legislated and financial responsibility for providing recycling services until the City's Blue Box program is fully transitioned to IPR.

Operational Impacts for City of Hamilton Recycling Collection and Processing Services

The Blue Box program transition will have a significant impact on the City's overall waste management system including recycling collection and the operation of the City-owned Materials Recycling Facility. Although the details of the IPR collection and recycling system have not been finalized, based on the final regulation information released as of yesterday, there will be several changes to the City's existing waste management system, which include:

- Eligible Properties - The City of Hamilton provides recycling collection for properties that are not included in the final regulation such as small commercial properties and

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places of worship. These non-residential sources are not included in the IPR model and will therefore not be eligible for recycling collection.

- **Stranded Assets** – Existing recycling assets, such as the City’s Materials Recycling Facility (MRF) and recycling receptacles may or may not be utilized by producers as part of the new Blue Box program. Staff will continue to work with industry associations to get more information and present any recommendations to Council for consideration.
- **Contracts** – The current contracts for the collection and processing of blue box recyclables will need to be terminated. When the contracts were negotiated, they both included clauses anticipating this regulatory change and allow the City to terminate the contracts with controlled financial penalties.
- **Promotion and Education** – Producers will be responsible for informing residents about the transitioned Blue Box program prior to implementation. At this time, there is no information available on whether producers will continue to provide Blue Box program information annually to residents and what impact that will have on the City’s existing promotion and education program; i.e. to include or not include recycling information in our annual Waste calendar.
- **Collection Schedule, Method and Acceptable Items** – Although the final regulation provides information on several factors related to transition, collection days for blue box material, a decision on single-stream vs. two-stream collection and what items will be accepted in blue boxes is not yet known. Staff will continue to work through industry associations to minimize changes and / or impacts on residents.

Over the coming months and years, staff will continue to participate in all consultation opportunities with the MECP and industry associations to ensure success of Hamilton’s transition to the new IPR model. Additional information will be provided to Council as details become known.

If you require more information please contact Angela Storey, Manager of Business Programs, at extension 6483.

APPENDICES AND SCHEDULES ATTACHED

N/A