



Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan

January 2019

Mr. Nathaniel Aguda, Project Manager
Ministry of the Environment, Conservation and Parks
Environmental Policy Division, Environmental Policy Branch
40 St Clair Avenue West, Floor 10
Toronto ON M4V 1M2

Dear Mr. Aguda,

Re: EBR Registry number: 013-4208

Introduction

The Association of Municipalities of Ontario, City of Toronto, Regional Public Works Commissioners of Ontario and the Municipal Waste Association are pleased to have the opportunity to provide comments on the new Ontario Environment Plan.

We applaud the government's efforts that are evident in this Plan to reduce litter and ensure resources are preserved and reincorporated into the economy. We also applaud your government's continued push to address the problematic elements from the former *Waste Diversion Act, 2002* (now *Waste-Free Ontario Act, 2016*) and to complete the transition to a modern, outcomes/market-based approach which assigns responsibility to those entities best able to address it.

Waste management is a growing area of local, national and international attention.¹ Incorporating design principles that seek to minimize resource consumption, litter and waste generated from products and packaging will support climate change reduction initiatives.

Municipal governments support the Ministry's work on this important environmental issue and will work in partnership with the Province to deliver on these objectives.

Opportunity

Reducing litter and waste in our communities directly engages all Ontarians in practical actions to recover the resources embedded in products and packaging to be reincorporated into our economy while also making a significant contribution to reducing greenhouse gases and fighting climate change. Focusing on outcomes-based regulations and having producers responsible for the waste they produce is the most efficient way to ensure products and packaging are designed to preserve natural resources and maximize their economic utility.

¹New Poll: Canadians say plastics in oceans and waterways a problem and more action needed; 88% of Canadians concerned about plastic in oceans/waterways; <http://abacusdata.ca/new-poll-canadians-say-plastics-in-oceans-a-problem-and-more-action-needed/>

It is also important for the government to remove unnecessary barriers to new investments in this sector (e.g. to reutilize resources and/or invest in new processing facilities) and leverage market opportunities and tools (e.g. renewable natural gas, procurement specifications etc.). One of the key guiding principles missing from the Province's Made-in-Ontario Plan is the opportunity related to creating economic opportunities. Driving a circular economy enables jurisdictions to create local economic value by growing sustainable local businesses, maximizing the value of local resources, encouraging local investment in green technologies and products, creating new green jobs, and benefiting from economic and health benefits of improvements to the local environment.

Reduce and Divert Food and Organic Waste from Households and Businesses

Municipal governments support the expansion of organics collection programs. We were glad to see a reference to large cities, as many municipal governments already have these systems in place. However, it is an expensive stream to collect and process and expansion will bring financial pressure on the municipal tax base.

We were also enthused to see businesses and the Industrial, Commercial and Institutional sector being included. This can help build economies of scale for investment and construction of infrastructure, which supports job creation and builds local economies.

Consultations should begin immediately to determine how results and targets will be measured to allow adequate time for planning of programs to meet required targets.

Consideration of an organics disposal ban needs to take into account the differences in Ontario between densely populated urban areas and remote/rural sparsely populated areas and their ability to implement cost-effective alternatives for disposal.

Municipal governments support a Province-wide education campaign on avoiding food waste and how to safely donate food and look forward to consulting with government on how to proceed with this. The issue of food loss and waste touches many areas in addition to the environment that will need to be considered such as social services on issues such as food insecurity and food donation/re-distribution as well as health services. The food loss and waste occurs throughout the supply chain² and all stakeholders including producers, post-harvest handling and storage operators, processors and manufacturers, distributors and retailers, and consumers need to be engaged and play a role in the development and implementation of this campaign.

We recommend that the Province consider a tax credit for farmers who use processed organic wastes to help improve the productivity of their crops, in a similar manner to the

² Gooch, M., Bucknell, D., LaPlain, D., Dent, B., Whitehead, P., Felfel, A., Nikkel, L., Maguire, M. (2019). The Avoidable Crisis of Food Waste: Technical Report; Value Chain Management International and Second Harvest; Ontario, Canada.

Ontario community food program donation tax credit for farmers. This tax credit would help build sustainable markets for processed waste organics, while helping to improve Ontario's soil health and crop yields.

Reduce Plastic Waste

We support efforts at the local, provincial, federal and international scale to reduce the generation of single-use plastic waste and the amount of plastics leaking into the environment. The existing *Resource Recovery and Circular Economy Act, 2016* provides the authority and mechanisms to apply a broad suite of actions to reduce the generation of plastic waste, to promote use of better types of plastics, to encourage a transition to more sustainable alternative materials, and to ban the use of unnecessary plastic packaging. Jurisdictions around the world are demonstrating their willingness and determination to take bold actions.³

Reduce Litter in Neighbourhoods and Parks

Increasing amounts of plastic waste products and packaging are ending up in our oceans, lakes, rivers and other bodies of water. This poses a threat to sensitive ecosystems, wildlife, communities, and individuals.

Recent studies estimate 8 million tonnes of plastics are ending up in our oceans annually.⁴ An additional 10,000 tonnes per year is estimated to be entering the Great Lakes.⁵ This has profound impacts on marine mammals, fish, and birds. At the same time, microplastics are being increasingly found in our drinking water with uncertain health impacts.

As a result, this is becoming a growing concern for municipal governments who are forced to deal with plastics at the “end of the pipe” as litter, in the waste stream, through recycling programs, or at wastewater treatment facilities.

Other products and packaging are contributing to litter and/or environmental problems including beverage cups, paperboard containers, cigarette butts, textiles and aluminum beverage containers. It is not surprising that the majority of litter could have been recycled or composted; however once on the ground it becomes almost worthless and an additional management cost.

³ Plastic Oceans: MEPs back EU ban on throwaway plastics by 2021; see link at: <http://www.europarl.europa.eu/news/en/press-room/20181018IPR16524/plastic-oceans-meps-back-eu-ban-on-throwaway-plastics-by-2021>

AND United Nations Legal Limits on Single-Use Plastics and Microplastics: A Global Review of National Laws and Regulations, found at https://wedocs.unep.org/bitstream/handle/20.500.11822/27113/plastics_limits.pdf?sequence=1&isAllowed=y

⁴ J. R. Jambeck et al., Plastic waste inputs from land into the ocean (Science, 13 February 2015)

⁵ M. J. Hoffman and E. Hittinger, Inventory and transport of plastic debris in the Laurentian Great Lakes (Marine Pollution Bulletin, Vol 115, 15 February 2017)

Municipal governments strongly support a comprehensive strategy to address litter and would be pleased to work on with the Province on this. Many communities are doing this already and we have included a few examples:

- City of Toronto has an extensive network of public street litter bins and park recycling and garbage bins to curb litter and waste in public spaces along with an annual clean-up day, hosted by the Mayor, to promote community clean-up efforts.
- City of Ottawa has had a Cleaning the Capital program that has operated for a number of years. Groups can sign up their projects and a kit is provided to support their litter clean up. Clean ups occur twice a year in the spring and fall.
- City of London runs an annual three month campaign called London Clean & Green. This has been operating in the City for over 20 years. There are three stages to the program: preventing litter, picking up litter, and then greening London.

Globally, most jurisdictions that have moved forward with litter reduction strategies incorporate four major groups of activities:

1. Data management, research and innovation

Some examples include annual litter audits with shared financing between governments and industry, branded litter audits, 'litter innovation fund' to pilot, implement and evaluate small scale local research projects that could be replicated more widely and digital litter reporting apps

2. Education, training and collaboration

Some examples include provincially standardized messaging and best practices, events to increase profile, awards to profile leaders, and collaborative or voluntary initiatives to tackle certain types of particularly problematic litter, including fast-food packaging, smoking-related litter and chewing gum

3. Infrastructure and servicing

Some examples include funding for sewer overflow issues or other sewer infrastructure, requirements for businesses such as take-away, drive-through and gas stations to have appropriate collection receptacles, and best practices for collection in problematic areas

4. Legislation, Regulation and Enforcement

Some examples include producer responsibility requirements, strengthening litter laws and bylaws, better enforcement, banning problematic products, packaging or activities such as balloon releases.

Increase Opportunities for Ontarians to Participate in Waste Reduction Efforts

We are supportive of standardizing Blue Box items across the Province. This should be done as part of moving the program to full producer responsibility.

We agree that the Industrial, Commercial and Institutional sector needs to do more on diversion if Ontario is to be a leader in this field. The diversion results in the Province to date have been focused on the residential sector. That said we have an immediate opportunity before us to reenergize and recapitalize the existing province-wide Blue Box program by transitioning to full producer responsibility as a first step and relieving municipal taxpayers of this cost. The next best step for Industrial, Commercial and Institutional sector is to have generators and service providers report on materials being generated to gauge the size of the opportunity and develop the most effective and cost-efficient approaches to address it.

Make Producers Responsible for the Waste Generated from their Products and Packaging

Municipal governments fully support transition of existing diversion programs to full producer responsibility for both products and packaging. We believe it is to the benefit of all stakeholders to have the Blue Box transition process start with a wind-up letter early in 2019, allowing for adequate time for robust planning and consultation on the development of a Paper Products and Packaging Regulation under the *Resource Recovery and Circular Economy Act, 2016*.

Explore Opportunities to Recover the Value of Resources in Waste

We agree that recovery in the context of a waste hierarchy where it is a better treatment methodology than landfill but a lower value than recycling. Some municipal governments have chosen recovery as both an energy recovery and waste disposal option to meet specific community needs. The Province's policy priority should be to reincorporate resources into new products and packaging in support of the broader objective of promoting a more circular economy for Ontario. Having expanded definitions and recovery solutions that keep valued materials out of landfills and not discarded on the ground will help municipalities with current and future waste management systems.

There is also an opportunity to better utilize renewable natural gas through processing of organic waste and recovering landfill gas. Ontario could significantly boost the opportunities related to a voluntary market for renewable natural gas by being the first to opt into the program. This would show important leadership and help drive outcomes.

Provide Clear Rules for Compostable Products and Packaging

Action is required on this issue including consultations with key stakeholders urgently. Producers are introducing products and packaging marketed as compostable without having processing solutions in place. This is confusing to consumers and undermines

their confidence in waste diversion systems. It also adds unnecessary costs to the taxpayer.

The Province needs to address:

- A standard for compostability and stricter requirements related to advertising so property taxpayers are not burdened by companies making misleading claims
- Assistance for current municipal organic processing facilities to change their processes and/or infrastructure to allow them to process these products
- Producer responsibility requirements to ensure these companies are responsible for end of life costs for their products and packaging similar to Blue Box, Used Tires, Electronic and Electrical Equipment and Household Hazardous Waste

Consideration should also be given to alternative management systems for these products such as return to retail, mail back programs etc.

Municipal governments look forward to participating in these consultations.

Support Competitive and Sustainable End-markets for Ontario's Waste

Municipal governments support work the Province is undertaking on the modernization of approvals. The Environment Plan indicates that municipal governments and the communities they serve will have a say in landfill siting approvals. We welcome this local say and look forward to further discussions with the Province on the mechanisms that can be implemented to provide this. We note that the basis of the current municipal say is through the Environmental Assessment process.

Streamlining approvals for collection and diversion infrastructure will be required to ensure appropriate capacity is available. Municipal governments are prepared to meet quickly with the government and other stakeholders to explore options to reduce approval timelines for new facilities or changes to current approvals. It is important to emphasize that this is not about making it easier to get approvals. These facilities do pose potential environmental risks so they should have appropriate controls in place. Municipalities are often forced to become involved when environmental rules are too lax. Instead, this is about ensuring organizations who are seeking an approval for change, or an expansion or a new facility have a clearer and quicker path to receive a response.

Some specifics that could be looked at are:

- Exemptions for low-risk activities such as collection or small depots, etc.
- Use of qualified professional sign offs versus Environmental Compliance Assessments for more routine infrastructure or slight modifications to existing approvals

- Broadening of the Environmental Activity and Sector Registry (EASR) system for some systems that are well understood and already have relatively standardized approvals

We also support the development and enhancement of recyclable commodity markets to incentivize the use of secondary materials over virgin material through tax incentives and procurement practices.

Need for Modernized Data Collection

The Province should be looking to move to digital platforms to enable more efficient management of data. A platform may already be available to do this via the Resource Productivity and Recovery Authority (RPRA) Registry. Efforts should also be focused on how duplication of data collection between multiple agencies (e.g. Municipal Property Assessment Corporation, Ministry of Environment, Conservation & Parks, Statistics Canada) can be reduced. This can reduce administrative burden on business and other organizations.

It would also be helpful if the government produced annual data on waste generation, disposal, diversion, related processing capacity and project current capacities against future demand to ensure continued progress is being made to meet provincial targets.

Conclusion

Thank you for the opportunity to provide feedback on the Environment Plan. We applaud your government's willingness to bring to an end the outdated and former *Waste Diversion Act*, 2002 and to complete the transition to a modern, markets-based approach which assigns the costs of pollution directly to the entities which create the pollution.

We are eager to get to work with you on delivering these important objectives. Please contact us if you have any additional questions.



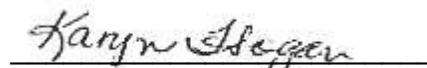
Dave Gordon
Senior Advisor, Waste Diversion
Association of Municipalities of Ontario



Mark Winterton
Chair, Regional Public Works
Commissioners of Ontario



Vincent Sferrazza
Director, Policy, Planning & Support
Solid Waste Management Services
City of Toronto



Karyn Hogan, BA, MLIS, MA
Chair, Municipal Waste Association