

Sent via email to: [charles.o'hara@ontario.ca](mailto:charles.o'hara@ontario.ca)

July 29, 2020

Charles O'Hara  
Director, Resource Recovery Policy Branch  
Ministry of the Environment, Conservation and Parks  
Foster Building 8th Floor,  
40 St Clair Ave W,  
Toronto, ON M4V 1M2

Dear Charles:

**RE: Regulation under *Resource Recovery and Circular Economy Act, 2016* for Packaging, Paper and Packaging-Like Products**

On behalf of municipal governments across the Province, please find attached our submission related to the transition of the Blue Box program to full producer responsibility and the new packaging, paper, and packaging-like products (PPPP) regulation under the *Resource Recovery and Circular Economy Act, 2016*.

We would like to thank the Ministry staff for all of their hard work throughout the consultation period, especially under trying conditions. The consultation was well-run with all stakeholders having had significant opportunities to provide their perspectives.

The attached submission on the sectors' recommendations on the transition of the Blue Box program is substantive and is being provided for your Ministry's consideration. It has been written over several months and includes extensive feedback from municipalities.

There are a few points we would like to highlight:

- We appreciate the government's commitment to this initiative. This is an important file for municipalities and we have seen many previous governments fail to address it.
- We support many of the amendments that have been made related to the proposal. These include but are not limited to:
  - the inclusion of all municipalities regardless of size;
  - the inclusion of all residential dwellings (e.g., multi-residential, long-term care, retirement homes) and schools;
  - the broadening of materials included such as packaging-like products, paper products, certain single use items, and compostable packaging/products.
- Targets remain an area of concern, specifically:
  - The lack of transparency related to the performance of sub-categories to identify areas where improvement is necessary (e.g., PET packaging vs polystyrene packaging which are both captured under the broad rigid plastics target). This

detailed data will be readily available from recycling facilities and we do not see this as increased administrative burden to provide this transparency.

- The beverage container target should be split into a non-alcoholic and alcoholic target to ensure this does not simply reduce the performance of beer and other alcoholic containers while only moderately improving the performance of non-alcoholic beverage containers.
  - Allowing credits to be used against performance targets for the use of recycled content could create significant issues in this regulation given the amount of recycled already used and committed to by companies. Municipalities support the general concept of encouraging the use of recycled content but do not believe this is the right mechanism.
  - A separate target for compostable packaging/products should be established to ensure a level playing field across materials.
- Regarding eligible sources, the Ministry's proposal has been significantly improved in our view, but concern remains that:
    - There are no provisions to account for the thousands of recycling bins in parks and public spaces that help to address litter
    - There are no provisions to allow for newly developed multi-unit residential buildings in communities that already provide these services during transition
    - There is a lack of detail around the application of fees and penalties by producers and this requires further discussion to ensure an incremental approach.
  - The Ministry should set a transition schedule that is based on the dates self-selected by municipalities. This approach has resulted in a measured and balanced transition of costs to producers over the three year transition window.
  - Finally, that the government should ensure producers continue to deliver at least one information piece to households on an annual basis.

Thank you again for the Province's fortitude to tackle this important issue and for all the hard work over the last year. We look forward to continuing to work with you and are pleased to answer any questions you might have.

Sincerely,



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



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Annette Synowiec  
Director, Policy, Planning & Outreach  
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Melissa Kovacs-Reid  
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***Development of a Regulation for  
Packaging, Paper and Packaging-like  
Products (PPPP) Under the Resource  
Recovery & Circular Economy Act  
(RRCEA) and Transitioning Blue Box  
Programs***

July 29, 2020

## Disclaimer

The following are comments prepared by the Municipal Resource Recovery and Research Collaborative (M3RC) to the Ministry of the Environment, Conservation and Parks (the Ministry), in response to the consultation on transitioning the Blue Box through the creation of a new regulation under the *Resource Recovery and Circular Economy Act, 2016* (RRCEA).

The purpose of the M3RC is to develop and promote policies and programs on behalf of the municipal sector to support the transition to a circular economy. The M3RC provides advice and recommendations to staff and municipal councils for their consideration and action but does not usurp or replace the autonomy of individual municipal governments. These positions do not preclude individual municipal Councils from sharing their own positions with the Ministry.

The M3RC has been providing advice to the sector since 2017. This includes being active in both the mediation process by Special Advisor, David Lindsay, and now in the current consultation on the regulation being held by the Ministry.

The recommendations made by the M3RC were informed by the recommendations made in [Mr. Lindsay's report](#) that were accepted by the Ministry. They also align with the [provincial interests incorporated in the RRCEA](#), and the public policy objectives of the Blue Box mediation process as set out in the [Minister's mandate letter to the Special Advisor](#).

Note that the M3RC recognizes that this is an iterative process and active policy discussion. Given that, this initial input may change as more feedback and information are received. It is also understood that certain areas will need further discussion and refinement as the draft regulation is posted and consulted on.

## Executive Summary

The M3RC recommends that the following key attributes be reflected within the regulation:

1. The list of designated materials should ensure a level-playing field for all designated packaging, paper, and packaging-like products (PPPP); reduce consumer confusion as to what packaging and products are recyclable in Ontario; and begin to address issues related to certain single use items (see Table below).

### Proposed Materials to be Designated under the RRCEA

Designated PPPP	Change from current Blue Box Program Plan
<p><b>All primary packaging, as defined by <a href="#">Sections 59 and 60 of the RRCEA</a></b></p>	<ul style="list-style-type: none"> <li>• Alcoholic beverage containers &amp; related packaging should be included to ensure continued proper management and to treat all PPPP under the same legislative framework.</li> <li>• All material compositions should be captured (e.g., wood, compostable or fabric) to ensure a level playing field for all producers, to avoid “free-riders”, and other unintended consequences.</li> </ul>
<p><b>All convenience packaging, as defined by <a href="#">Sections 59 and 60 of the RRECA</a></b></p>	<ul style="list-style-type: none"> <li>• All material compositions should be captured (e.g., wood, compostable or fabric) to ensure a level playing field for all producers, to avoid “free-riders”, and other unintended consequences.</li> </ul>
<p><b>All transport packaging, as defined by <a href="#">Sections 59 and 60 of the RRECA</a>, excluding road, rail, ship and air containers</b></p>	<ul style="list-style-type: none"> <li>• All material compositions should be captured (e.g., wood, compostable or fabric) to ensure a level playing field for all producers, to avoid “free-riders”, and other unintended consequences.</li> </ul>
<p><b>Paper Products, as defined by BC’s Program Plan</b></p>	<ul style="list-style-type: none"> <li>• Should expand beyond printed paper to include purchased posters, calendars, greeting cards, envelopes, and paper for copying, printing, writing, and other general use paper, which is the same as BC.</li> <li>• Results in less free-riders, and provides for better measurement of actual collection, and management performance.</li> <li>• Hard cover books should remain exempt.</li> </ul>

Designated PPPP	Change from current Blue Box Program Plan
<p><b>All packaging-like products which includes:</b></p> <ul style="list-style-type: none"> <li>• <b>Packaging components and ancillary elements that are integrated into the packaging;</b></li> <li>• <b>Products that are indistinguishable from other PPPP captured in the above categories; and</b></li> <li>• <b>Single-use products with short retention times that are identified as major contributors to litter.<sup>1</sup></b></li> </ul>	<ul style="list-style-type: none"> <li>• Should expand to include items that act like packaging &amp; are indistinguishable from other PPPP (e.g., pie plate, cups, bags sold as products).</li> <li>• Should expand to include products with short retention times that are increasingly of concern (e.g., products marketed as flushable, cigarette filters, straws, stir sticks, utensils, coffee pods) and a significant source of litter.<sup>1</sup></li> </ul>

2. The list of eligible sources should include all residential dwellings, including:
- permanent or seasonal single & multi-family households (including rental, cooperative or condominium residential, residential components of mixed-use or multi-purpose properties, and institutional residential properties);
  - senior citizen residences and long-term care facilities;
  - municipally or privately owned and operated campgrounds if there are permanent households or seasonal households (i.e., a trailer park).

It should also include:

- elementary and secondary schools;
- eligible sources component of publicly-operated (municipally-owned or contracted) or privately-operated drop-off depots,
- dedicated depots, or depots at landfill sites; and
- recycling containers in public spaces such as parks, main thoroughfares and public facing local government buildings.

Municipal governments are concerned that some small businesses, charities, or faith-based organizations could have difficulties receiving servicing in largely residential areas. We urge the government to ensure that these entities can continue to receive servicing through some other means (e.g., mutual agreement to continue collection on a fee per service basis). Municipalities also encourage the Province to expeditiously move past only focusing on residential diversion and update the 3Rs regulations to improve diversion in the industrial, commercial, and institutional sectors (IC&I).

3. There should be a defined common collection system that collects all designated PPPP and services the eligible sources. All designated producers should be obligated to contribute to this system. Municipal governments do not support a common collection system that could jeopardize services to over 135 small rural, remote, and Northern community Blue Box programs. It is also critical that schools and public spaces be serviced, and that services be expanded post-transition. Additionally, all eligible sources including single-family homes and multi-residential buildings should be serviced during the transition period once they reach a defined occupancy rate.

Alternative methods to the common collection system for collecting PPPP should be permitted, however the regulation should ensure:

- Accessibility, collection, and management targets are met
- There are sufficient consequences to address non-compliance
- Producers that do not meet targets can be ordered back to the common collection system.

<sup>1</sup> Single use products would be limited to registration, reporting & education requirements.

4. With this regulation, Ontario has an opportunity to set best-in class targets that will drive improved environmental outcomes and economic development opportunities for the Province. Best-in-class material specific collection and management targets are essential components of the new regulation, and should be established (e.g., the Ellen MacArthur Foundation (EMF) [New Plastics Economy Global Commitment](#); the [UK Plastics Pact](#); the [European Union's Single Use Directive](#); and the [Ocean Plastics Charter](#)). Recycling activities should be defined based on what is reutilized back into new products (i.e., discounting process losses and contamination). Performance has been stagnant for the last two decades in large part because there were not high targets or consequences to facilitate continuous improvement going forward.

#### Target Categories and Reporting Subcategories

Target Categories	Reporting Sub-Categories
<b>Paper<sup>2</sup></b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 90% recycling target</li> <li>• 2030-onwards – 90% recycling target</li> </ul>	OCC, ONP, Mixed Fibres, Gable top, Aseptic <ul style="list-style-type: none"> <li>• 2030-onwards – None of the subcategories should be under half of the main target</li> </ul>
<b>Rigid Plastics</b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 55% recycling target</li> <li>• 2030-onwards – 60% recycling target</li> </ul>	PET, HDPE, PP, Polystyrene, Other rigid plastics <ul style="list-style-type: none"> <li>• 2030-onwards – None of the subcategories should be under half of the main target</li> </ul>
<b>Flexible Plastics</b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 30% recycling target</li> <li>• 2030-onwards – 40% recycling target</li> </ul>	Single material, multi-material <ul style="list-style-type: none"> <li>• 2030-onwards – None of the subcategories should be under half of the main target</li> </ul>
<b>Metal</b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 67% recycling target</li> <li>• 2030-onwards – 75% recycling target</li> </ul>	Ferrous and non-ferrous <ul style="list-style-type: none"> <li>• 2030-onwards – None of the subcategories should be under half of the main target</li> </ul>
<b>Glass</b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 90% recycling target</li> <li>• 2030-onwards – 90% recycling target</li> </ul>	N/A
<b>Other</b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 90% recycling target</li> <li>• 2030-onwards – 90% recycling target</li> </ul>	Wood, items marketed as compostable, fabric <ul style="list-style-type: none"> <li>• 2030-onwards – None of the subcategories should be under half of the main target</li> </ul>
<b>Non-Alcoholic Beverage Containers<sup>3</sup></b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 80% recycling target</li> <li>• 2030-onwards – 85% recycling target</li> </ul>	(e.g., sealed non-alcoholic beverage containers) *Excluded from material specific categories above
<b>Alcoholic Beverage Containers</b> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 85% recycling target</li> <li>• 2030-onwards – 85% recycling target</li> </ul>	N/A *Excluded from material specific categories above

<sup>2</sup> Paper includes any type of cellulosic fibre source including, but not limited to wood, wheat, rice, cotton, bananas, eucalyptus, bamboo, hemp, and sugar cane (bagasse) fibre sources. Includes newsprint (CNA/OCNA & Non-CNA/OCNA), OCC and boxboard, magazines and catalogues, telephone books, aseptic and gable top cartons, polycoat containers and cups, and other paper products.

<sup>3</sup> Includes all beverage containers regardless of what materials they are made from (e.g., glass, plastic, metal, paper or any combination thereof).



- Municipal governments providing Blue Box services should be transitioned based on the date they have selected within the three-year transition period (e.g. between 2023-2025). Based on the resolutions received to date, this approach has resulted in a balanced transition schedule over the three years.<sup>4</sup> This approach will help address the complexity of changing responsibility for the services from municipal governments and communities to producers and reduce the risk of service disruptions.

The list of when municipalities should transition should be referenced in the regulation in such a way that provides all stakeholders with certainty on how and when transition will occur. There should be an allowance for some flexibility if mutually agreeable between producers and municipal governments. There should also be an ability for the Minister to amend the schedule without requiring Cabinet approval in these instances.

- Producer requirements should be scaled up from the transition period to the post-transition period to allow for producers to effectively assume operational responsibility of the current system (see below). Best effort requirements to meet 2026 accessibility, collection and management targets should be established for the transition period.

#### Requirements During Transition and Post-Transition Phases (2023-2025 & 2026-onward)

PPPP PROGRAM ELEMENT	DEGREE OF STANDARDIZATION 2023-2025 Transition	DEGREE OF STANDARDIZATION 2026 and Beyond
<b>List of PPPP materials to be collected and managed</b>	<ul style="list-style-type: none"> <li>At a minimum, maintain collection list in each transitioned municipality that existed prior to transition (e.g., Jan. 1, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>Standardized list of designated PPPP across the province.</li> <li>All materials would have to participate in the common collection system and/or equivalent alternative).</li> </ul>
<b>List of eligible sources</b>	<ul style="list-style-type: none"> <li>At a minimum, maintain eligible sources allowed under the Blue Box Program Plan and require that any new eligible developments be serviced when they reach a defined occupancy rate.</li> <li>At a minimum, these sources (e.g. multi-unit residential, senior citizen residences and long-term care homes, elementary and secondary schools, public space recycling) should be included in 2023-2025 for those municipalities that already service them. Eligible developments should be serviced when they reach a defined occupancy rate.</li> </ul>	<ul style="list-style-type: none"> <li>Match or exceed accessibility provided by local government garbage collection systems (e.g., curbside, multi-unit residential, depot, public space) and require that any new eligible developments be serviced when they reach a defined occupancy rate.</li> <li>Also, all multi-unit residential, senior citizen residences &amp; long-term care homes, elementary and secondary schools, and an expansion of public space recycling.</li> </ul>

<sup>4</sup> Note: To ensure this information is accurate, a request to municipal governments was made to review these dates and provide feedback by mid-August. Some adjustments may be required based on feedback received.



PPPP PROGRAM ELEMENT	DEGREE OF STANDARDIZATION 2023-2025 Transition	DEGREE OF STANDARDIZATION 2026 and Beyond
<b>Service Levels</b>	<ul style="list-style-type: none"> <li>Maintain current municipal collection frequency in place prior to transition.</li> </ul>	<ul style="list-style-type: none"> <li>Create a minimum provincial standard (e.g., at a minimum bi-weekly).</li> <li>Flexibility reflecting community size, density, and geographic location.</li> <li>Flexibility in type of container, but size must be adequate to store and set out the projected quantities of PPPP materials in that community taking into consideration collection frequency.</li> </ul>
<b>Promotion &amp; Education Requirements</b>	<ul style="list-style-type: none"> <li>At a minimum, maintain current efforts and promote behaviour change (recycling, litter abatement, reduction, etc.)</li> <li>Producers should be responsible for, at a minimum, delivering one piece of educational material directly to each designated household on an annual basis.</li> <li>Allow for flexibility in local promotion messages and sorting instructions; especially where integrated waste collection systems are in place.</li> </ul>	<ul style="list-style-type: none"> <li>At a minimum, promote behaviour change (recycling, litter abatement, reduction, etc.)</li> <li>Producers should be responsible for, at a minimum, delivering one piece of educational material directly to each designated household on an annual basis.</li> <li>Packaging should include mandatory recyclability labelling.</li> <li>Allow for flexibility in local promotion messages and sorting instructions; especially where integrated waste collection systems are in place.</li> </ul>

- The regulation must ensure transparency and accountability through reporting, record keeping and annual auditing protocols.
- An administrative penalties regulation under the *Resource Recovery and Circular Economy Act* should be passed as soon as possible.

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## 1.0 Background

### Context

In early 2017 key producers of packaging, paper, and packaging-like products (PPPP) and municipal governments met to discuss the future of Ontario's Blue Box in the context of growing challenges for both municipalities and producers. These challenges included:

- A rapidly changing mix of packaging and paper products in the Blue Box residential recycling stream;
- Disconnect between those who supply PPPP and those who collect, process and market the PPPP;
- A fragmented municipal recycling collection and processing system that does not easily accommodate system-wide rationalization to standardize items collected, increase collection rates, improve scale efficiencies, reduce contamination, and mitigate commodity market risks;
- New investment in Ontario's recycling collection and processing system has been hindered due to uncertainty related to the future direction of the Blue Box program; and
- An increased focus on quality in global recyclable material commodity markets.

Due to the above conditions, both municipal governments and producers were facing rapidly increasing shared system costs without levers to mitigate these costs under the current regulatory environment.

In April of 2017, an agreement was reached between the parties that:

- Producers ought to be the party that assumes full operational and financial responsibility for delivering the Blue Box to Ontarians; and
- An amended Blue Box Program Plan (a-BBPP) might provide a mechanism to affect the orderly transfer of operational responsibility from municipalities to producers as a first step to full operational and financial extended producer responsibility (EPR). This would set the stage for a second step to an individual producer responsibility (IPR) regulation under the *Resource Recovery and Circular Economy Act, 2016* (RRCEA).

The Minister directed the Resource Productivity and Recovery Authority (the Authority) and Stewardship Ontario to develop a proposal for an a-BBPP.

However, the a-BBPP proposal was not completed prior to the Minister's deadline and the spring 2018 provincial election. This left some key outstanding issues without policy direction from the Ontario government, including:

- What accessibility, collection and recycling targets would be appropriate, including associated terminology definitions and calculation methodologies;
- What reporting mechanisms for oversight and enforcement would be required; and
- What timelines would be for the next stage of transition to IPR under the RRCEA.

While unsuccessful, the a-BBPP process provided some essential learnings. The most important learning was to show that this interim step was unnecessary. In fact, it perpetuated many of the challenges all stakeholders face in the current system.

By contrast, moving PPPP under the RRCEA ensures transparency; focuses on outcomes over process; provides producers with flexibility in decision-making; and ensures proper oversight and enforcement. It also moves stakeholders away from a process that requires constant government intervention.

Moving the Blue Box program to the RRCEA as soon as possible should be the goal of all stakeholders as all parties' benefit.

## Province Announces Blue Box Transition

The M3RC applauded the Ontario government's announcement on August 15, 2019. This announcement was the first time that certainty around the timeline to transition the Blue Box to full producer responsibility under the RRCEA was provided. This move enables:

- Much needed investments into Ontario's recycling collection and processing infrastructure;
- Informed business decisions between municipalities and their contractors;
- Producers to prepare to assume their future obligations;
- Producers to drive towards outcomes-based performance standards;
- Incentivizes producers to innovate their PPPP and the associated end-of-life collection and management systems; and
- A schedule and framework for municipal governments, their existing service providers, producers, and their future service providers that will enable a smooth transition.

Note that the same approach of moving under the RRCEA has already been successful for the recycling of used tires. The transition has led to new investments being made and has facilitated the proper management of used tires.

## 2.0 Approach

The M3RC has been providing advice to the sector since 2017. This includes being active in both the mediation process by Special Advisor, David Lindsay, and now in the current consultation on the regulation being held by the Ministry.

The recommendations made by the M3RC are informed by the recommendations made in Mr. Lindsay's report that were accepted by the Ministry. They also align with the [provincial interests incorporated in the RRCEA](#), and the public policy objectives of the Blue Box mediation process as set out in the [Minister's mandate letter to the Special Advisor](#).

The M3RC has prepared recommendations covering the following six (6) topics/sections for the Ministry's consideration:

- i. What materials should be designated (i.e. covered in the regulation);
- ii. Who is responsible;
- iii. How should municipal programs transition;
- iv. What is required during the transition phase (e.g., 2023 – 2025);
- v. What is required post transition (e.g., 2026 -); and
- vi. What other provisions are necessary.

At the outset, it is important for municipal governments to state that the regulation should not dictate the role of municipalities in any way. Municipal governments should be allowed to decide whether they choose to enter into any commercial terms with producers for management of PPPP through municipal or their privately contracted processors of new or existing source separated organics diversion programs. As we are aware the transition to full producer responsibility includes both financial and operational responsibilities, municipal governments should not be required to have a role in this system (e.g. collect or manage PPPP).

## 3.0 Designating Materials

The M3RC recommends that the PPPP regulation designate materials broadly based on the definitions already in the RRCEA and reflect the products and packaging definition in [British Columbia's \(BC\) Packaging and Paper Product Extended Producer Responsibility Plan](#). The BC definition includes primary

packaging, convenience packaging and transport packaging (excluding road, rail, ship and air containers). Both convenience and transport packaging are growing given the increased demand for home delivery of goods and food.<sup>5</sup>

The definitions of primary, convenience and transport packaging should be expanded slightly from the current definitions in Ontario's Blue Box Program Plan to include:

- all alcoholic beverages (currently exempt) and their packaging that are placed by consumers into the PPPP system to ensure continued proper management and to treat all PPPP under the same legislative framework;
- all packaging captured regardless of what the material was manufactured with (e.g., wood, compostable, fabric) to ensure a level playing field for all producers, to avoid "free-riders", and other unintended consequences; and,
- an expanded printed paper / paper products definition, similar to BC's Program Plan (e.g., newspapers, news print, posters, calendars, greeting cards, envelopes and paper for copying, printing, writing and other general use paper), which reduces "free-riders", and provides a better measurement of actual collection, and management performance.
- Hard cover books should remain exempt.

A new category called "packaging-like products" should be included and defined as:

- Packaging components and ancillary elements integrated into packaging already captured in BC's and Ontario's program plan;
- Products that are indistinguishable to the consumer from other PPPP captured<sup>6</sup>, as they are currently "free-riders" in the current system, and do not contribute to the collection / recycling targets; and
- Single-use products with short retention times that are increasingly of concern (e.g., products marketed as flushable, cigarette filters, straws, stir sticks, utensils, coffee pods) and a significant source of litter which have been identified globally as an urgent issue to address.

While this list increases the basket of goods captured, there is a strong rationale to do this and we are pleased to see the Ministry has taken this approach in their draft documents:

- **Ensures equity** – all packaging would be treated equally and unintended outcomes from exclusion of certain material types would be avoided. This should help ensure a level playing field for producers and reduce "free-riders".
- **Simplifies the management of materials for consumers** – consumers should not be forced to evaluate the context of PPPP to understand if it should be placed in the collection system. Currently an aluminium pie plate that holds a pie bought from a retail outlet is considered convenience packaging and captured in the Blue Box Program Plan. However, a package of aluminum pie plates bought for use in the home is considered a product and is not captured in the Blue Box Program Plan. These rules do not make sense to the consumer and should be changed. This also helps to reduce "free-riders" for those items that will inevitably make their way into the program.
- **Addresses single-use items and litter** – There has been an urgent call for action on these items globally. Additionally, a strong declaration by producers<sup>7</sup> was made for a harmonized approach to single-use plastics at the provincial and federal levels of government. This regulation could make an important contribution to this goal by requiring that producers of single-use plastic items (e.g., products marketed as flushable, coffee pods, cigarette butts,

<sup>5</sup> Vox. 'Food delivery and takeout are on the rise. So are the mountains of trash they create,' December 4, 2019. Available at <https://www.vox.com/the-goods/2019/12/4/20974876/takeout-delivery-waste-grubhub-recycling>.

<sup>6</sup> Examples include convenience packaging provided at a retail or in bulk to the consumer. The goal is to ensure packaging-like products (e.g., sandwich bags, freezer bags, coffee pods etc.) that ultimately end up in the recycling system are included.

<sup>7</sup> Retail Council of Canada. 'Open Letter to Ontario Government: A harmonized approach to single-use plastics is better for business than municipal patchwork,' October 3, 2019. Available at <https://www.retailcouncil.org/press-releases/open-letter-to-ontario-government-a-harmonized-approach-to-single-use-plastics-is-better-for-business-than-municipal-patchwork/>.

utensils, straws, stir sticks, etc.) report on the amount of these products supplied into the market.

It also aligns with the recently announced changes British Columbia is making to their Recycling Regulation.<sup>8</sup>

The requirements for each type of PPPP can differ (e.g., reporting, registration, collection, and management). Specifically, for single-use products that are major contributors to litter, the M3RC proposes that producers should report on the quantities of products to better understand generation rates and consider potential promotion and education efforts to ensure better management of PPPP at the end-of-life.

## Eligible Sources

The M3RC recommends that eligible sources be defined in the regulation based on an amendment of the definition in the [Municipal Datacall Guide](#), with the following changes noted in red:

Public, ~~or~~ municipal ~~or~~ private contract-based collection of or from:

- Permanent or seasonal single & multi-family households (including rental, cooperative or condominium residential, ~~residential components of mixed-use or multi-purpose properties, and institutional residential properties~~)<sup>9</sup>.
- Senior citizen residences and long-term care facilities.
- ~~Elementary Public~~ and secondary schools ~~collected along a residential collection route, concurrently with residential tonnes.~~
- The ~~residential-eligible sources~~ component of publicly-operated (municipally-owned or contracted) drop-off depots, at dedicated depots, or depots at landfill sites.
- Public space recycling containers, ~~whether operated in parks, streetscapes or public facing local government buildings if they are collected on a residential collection route concurrently with residential tonnes~~ (tonnes from local government special events/festivals are ~~not~~ eligible).
- Municipally and privately-owned and operated campgrounds can be reported as eligible sources only if there are permanent households or seasonal households, i.e. a trailer park (weekend campgrounds are considered IC&I).<sup>10</sup>

This definition is consistent with the intention of the Special Advisor's Report, as it was clear the definition of PPPP should exclude industrial, commercial, and institutional (IC&I) materials that are outside of the current Blue Box Program Plan. With a shift to producer responsibility, it is not equitable or easily enforceable to limit eligibility to only those concurrently collected upon a municipal collection route. It is meant to include all residential dwellings. It also ensures that the definition is enforceable and equitable.

## 4.0 Defining Responsibility and Management

The M3RC recommends that the definition of "responsible producer" should take a similar cascading approach to [Ontario's Used Tires Regulation](#), [BC's PPP program plan](#), and in [Stewardship Ontario's draft amended Blue Box Program Plan](#) (e.g. brandholder, first importer, marketer [resident and not]).

### De Minimis

The M3RC understands de minimis requirements may be necessary as it reduces the burden on small business and aligns with risk-based compliance protocols. Ontario's current de minimis under the existing

<sup>8</sup> More information can be found at [https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/2020-06-29\\_explanatory\\_notes\\_to\\_reg\\_amendments.pdf](https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/2020-06-29_explanatory_notes_to_reg_amendments.pdf).

<sup>9</sup> A discussion will be necessary on how to manage residential dwellings on private roads which have potential liability issues.

<sup>10</sup> Note ensure new storage locker collection services for residential PPPP deliveries are included (e.g., <https://www.penguinpickup.com>).

Blue Box Program Plan exempts producers with annual gross sales in Ontario of less than \$2 million or who supply less than 15 tonnes of designated materials into Ontario annually or whose products are included under a separate regulation (e.g. household hazardous or special waste). It is important to note that in Ontario there is currently no de minimis for alcoholic beverage containers.

We note that British Columbia, Quebec and some European programs have lower de minimis levels and provide options for simplified reporting and flat fee payments for smaller generators. Table 1 provides a comparison of different de minimis levels in Canada.

Table 1: De Minimis Requirements in Canada

Jurisdiction	De Minimis
<b>British Columbia</b>	<ul style="list-style-type: none"> <li>• &lt;\$1M revenue and/or &lt;1 T PPPP supplied to market;</li> <li>• Single point of retail sale (not a franchise/chain); or</li> <li>• Is a registered charity.</li> </ul>
<b>Quebec</b>	<ul style="list-style-type: none"> <li>• &lt;\$1M revenue and/or &lt;1 T PPPP supplied to market;</li> <li>• Flat-rate contribution for enterprises who market annually between 1 and 15 metric tons of material.</li> <li>• Newspaper enterprises who put in the market less than 15 metric tons annually.</li> </ul>

Municipal governments need more clarity about whether de minimis is going to be implemented, and how it will impact reporting and the setting and calculation of performance targets.

### Defining Recycling

The M3RC recommends that the regulation be technology agnostic. If mechanical and chemical processes can produce base products, materials or substances that can be re-incorporated into new products, excluding fuels or other technologies that do not keep the molecule in play, they should both count towards recycling.

The current definition of recycling should change to be consistent with the new European Union’s recycling calculation. That calculation moves the point of measurement to the input into the final recycling facility - after all sorting has taken place. Contamination and process losses should also be removed from the weight of materials recycled as reported to the Authority. This ensures that Ontario moves to a system that values the quality of materials, and away from a system that puts a greater focus on quantity. If direct sources of this information are not available, alternative approaches such as processing efficiency standards with mandatory auditing and reporting could be used.

Municipal governments also support standardized digital reporting requirements for all recycling and composting facilities. These requirements should not duplicate environmental compliance reporting requirements but instead allow for streamlined reporting. This would allow for better oversight and a more fulsome understanding of market conditions.

### Defining Organic Processing

The regulation should recognize activities such as composting and other types of organics processing, such as anaerobic digestion, which produce nutrient based products that are used to enrich the soil, as an eligible management method to achieve targets. Some PPPP items are already captured in green bin programs in Ontario such as shredded paper and soiled pizza boxes. However, many items that are currently labelled as compostable cannot be composted in most organic process facilities in Ontario because they cannot be properly processed. This is a growing issue globally, so it is important that producers of compostable products demonstrate that the materials can be properly processed.



Municipal governments should not be forced to accept materials in their programs that they cannot properly process due to current technology limitations and processing capacity.

### Inclusion of Energy Recovery

AMO and many municipalities (with some variations) have endorsed a position to adhere to the waste hierarchy and the premise that recovery be considered a higher use in the waste hierarchy than disposal.



Figure 1: Waste Hierarchy

The regulation should adopt a waste hierarchy approach to reporting for the management of collected materials in a similar manner to BC. In BC, the program accounts for materials managed as engineered fuels and energy-from-waste / incineration separately, and also accounts for the amount sent to landfill.

The regulation may want to incent producers to use recovery options for residuals, versus landfill disposal in the Regulation. However, this should not be credited towards meeting reduction, reuse, or recycling / management targets. This approach would align with recommendation made in the Special Advisor's report.

## 5.0 Transition Mechanism

The issue of how municipal programs should transition over to the new full producer responsibility program was not completely resolved as part of Special Advisor David Lindsay's final report at the conclusion of the Blue Box mediation process. However, there was agreement that the schedule is intended to have approximately 1/3 of the Provincial program transition in each of the three transition years (i.e. 2023, 2024 and 2025).

Municipal governments have consistently recommended that municipal self-determinacy be the driving criteria used to establish the transition schedule because they are best versed on their own situation (e.g. encumbrances for Blue Box such as contracts, assets, human resources etc.). In December 2019, the AMO President sent a request to every municipal Council with a Blue Box program requesting them to pass a resolution by June 30, 2020, and send it to the Minister of Environment Conservation and Parks and AMO, indicating:

- Which date Council preferred to transition their Blue Box program based on their own situation and encumbrances such as contracts, assets, human resources etc.
- The rationale for why Council chose that date

- Whether there was interest to provide services to producers should they come to mutually agreeable contract terms with producers

To date, over 150 resolutions have been received from municipal Councils that represent about 95% of the Provincial Blue Box programs. A listing of the municipal governments who have passed resolutions and their respective dates selected for transition are included in Appendix A. This information has been consolidated and arranged chronologically based on the dates selected by Councils and more resolutions are expected over the next few weeks.

## Methodology

Resolutions have been analyzed based on the date of transition indicated and the percentage that each municipal Blue Box programs represents as a share of the provincial total based on the following factors in the 2018 Datacall:

- Households, population, collected tonnes, marketed tonnes, net cost, gross cost, and waste generated. For example based on the 2018 Datacall, the City of Hamilton represents 4.08% of the total households serviced and 4.70% of the total materials marketed per year

Further, the percentage of each municipal program has been adjusted based the date within the year the municipality indicated they would prefer to transition. For example:

- A municipality who opted to transition June 30, 2023 would see half of their program allocated to 2023 and half of their program allocated to 2024
- A municipality who chose to transition in February 2024 would see 5/6 of their tonnes allocated to 2024 and 1/6 of their tonnes allocated to 2025

The calculations are generally conservative in that the earliest date a municipality indicated a preference for was used (e.g., if a Council selected the year without specifying a date, the proration is based on transitioning on January 1<sup>st</sup>; if they signalled prior to June 30, 2020, July 1<sup>st</sup>, 2020 was selected as the date to transition).<sup>11</sup> Regions and waste authorities have been tracked as a unit rather than separate entities based on how they report into the Datacall. We have noted three small exceptions within the data received where these entities are not unanimously proposing a specific transition date.

## Results of Approach

Based on this approach (as of July 28, 2020), the Table below provides an outline of how the total percentage that is proposing to transition based on different factors<sup>12</sup>:

	Households	Population	Collected	Marketed	Gross Cost	Net Cost	Waste Generated
<b>PRORATED – 2023</b> <b>*Represents 99 programs</b>	40.27%	37.83%	37.99%	37.54%	38.97%	37.90%	38.91%
<b>PRORATED – 2024</b> <b>*Represents 23 programs</b>	28.99%	29.37%	28.71%	28.03%	28.14%	27.80%	28.66%
<b>PRORATED – 2025</b> <b>* Represents 17 programs</b>	24.55%	27.81%	29.05%	28.66%	25.83%	26.41%	28.85%

The amount of transitions in each year is balanced and results in a measured transition of the total Provincial program, which is encouraging as it includes approximately 95% of the Provincial Blue Box programs.

<sup>11</sup> There are two exceptions based on indications from staff as to the most practical selection date.

<sup>12</sup> Note: To ensure this information is accurate, a request to municipal governments was made to review these dates and provide feedback by mid-August. Some adjustments may be required based on feedback received.

The M3RC recommends that this methodology be considered as the draft transition schedule is created and included in the draft Regulation. A provision should be included in the regulation to enable producers and municipal Councils who mutually agree to move ahead or back in the transition schedule to be able to do so based on new information or details that flow from the regulation. These amendments should not impact any other municipalities' scheduled transition date. A summary of transition dates received (as of July 28<sup>th</sup>, 2020) in Appendix A is being circulated to municipal members for their review.

Municipal programs reflected in Datacall groups 6-9 represent under 10% of the Blue Box materials but include 191 programs. Municipal governments would recommend the government allow for greater latitude in how and when these municipalities are selected for transition.

### **Obligation for Non-Transitioned Municipalities**

Municipal governments providing Blue Box services should be compensated by producers under the Blue Box Program Plan for 50% of their net verified costs based on the guidelines in the Authority's [Datacall Guide](#) until they have been fully transitioned. The rationale for doing so is:

- The basis for applying an effectiveness and efficiency factors is no longer relevant given the Blue Box Program proposed August 15, 2019 lock-down date and that all Blue Box programs will transition to producers "as is".
- This will address ongoing legal challenges and dispute resolution procedures during the transition period.
- This was already agreed to as part of the proposed amended Blue Box Program Plan.

The Authority should continue to audit Datacall submissions and QA/QC submissions for accuracy. However, the best practice, efficiency/effectiveness and cost containment metrics, methodologies and modelling exercises that have been proven not to work and that result in litigation between the parties must be eliminated. This change was agreed to by the parties during the a-BBPP consultation process.

### **O. Reg 101/94 and Transitioned Municipalities**

Once a municipality transitions, the requirements under [Ontario Regulation 101/94](#) for municipalities with population of at least 5,000 to operate and maintain a Blue Box management system must cease to apply.

Municipal governments remain concerned about a Ministry proposal during the consultation for the development of the Blue Box regulation proposed to eliminate recycling programs in communities with a population less than 5,000 and to restrict addition of new multi-residential buildings until 2026. This would mean, at a minimum, 135 (out of 235) municipal programs would no longer be serviced, representing a population of over 250,000 Ontarians. Many of these municipalities have already passed resolutions on when they want to transition, In effect, not including these Blue Box programs would treat residents in smaller communities differently than those in larger communities while producers include the cost of the province-wide Blue Box in the price of all of their products wherever they are consumed in Ontario. Restricting the addition of new multi-residential buildings will impact certain communities more, where the Province is requiring them to increase density.

## 6.0 Pre-Transition Requirements

### Producer Registration and Reporting

The regulation should require designated producers to register and report annual supply data a year before transition (e.g., 2022). This data should ensure consistent detailed reporting as is currently done through the Blue Box Program Plan.<sup>13</sup>

While the MECP has proposed that PROs be allowed to report on behalf of their participating producers, consistent with the intent of the RRCEA to require individual producer responsibility, RPRA must have a direct line of sight and ability to audit reports provided by all individual producers.

Reporting on this will allow for a better understanding of what changes may be necessary to material categories over time, and to track the effectiveness and efficiencies of collection and management systems.

Producers should calculate the amount of designated materials that they determine are supplied into eligible sources (see Section 3.0) in the Province, and make transparent the rationale for how they determined these quantities (Table 2).

Table 2: Reporting Supplied During Pre-Transition Phase

Reported in	Rationale
<b>All designated materials by packaging type (e.g., similar to CSSA Reporting Requirements with inclusion for additional material types such as compostable and wood)</b>	<ul style="list-style-type: none"><li>• Already detailed report – no additional burden</li></ul>
<b>Eligible Sources (with rationale) vs Total Supplied</b>	<ul style="list-style-type: none"><li>• Transparently demonstrate how this is calculated</li></ul>

Producers have robust data management systems to track the total quantities and types of products they supply into their markets. Since the enactment of the *Waste Diversion Act* in 2002 in Ontario and similar regulations in other Canadian provinces, producers, their compliance agencies (Stewardship Ontario, Eco-Entreprise Quebec; Recycle BC; and their service providers such as CSSA) and independent reporting service providers have developed detailed protocols for translating these detailed sales figures into PPPP equivalencies for the purposes of reporting on their stewardship obligations and to pay fees on detailed material sub-categories. However significant challenges remain with accurately determining what percentage of these materials are consumed and generated as waste within “eligible sources”.

Determining the amount of PPPP that ends up in eligible sources is an allocation that each producer makes, which should be then verified by the Authority. To determine which PPPP supplied primarily for residential uses ends up in residential homes, apartments, schools, public places, long-term care homes, versus offices, workplaces, shopping malls and hotels is an inexact science. The means by which individual producers determine what percentage of their total sales are determined to be “eligible” needs to be completed transparently and subject to audit. Municipal governments strongly support annual audit provisions of supplied data.

<sup>13</sup> Canadian Stewardship Services Alliance. '2020 Guidebook for Stewards,' January 2020. See pages 56-78 available at [https://www.cssalliance.ca/wp-content/uploads/2019/01/CSSA-2020-Guidebook\\_FINAL-Jan-7.pdf](https://www.cssalliance.ca/wp-content/uploads/2019/01/CSSA-2020-Guidebook_FINAL-Jan-7.pdf).

Transparency on the total of materials supplied will provide essential data to accurately monitor progress towards targets. It will also support effective planning to improve the recycling performance for the significant quantities of PPPP that will continue to be generated outside of “eligible sources”.

Given the staggering changes underway in product and packaging design and consumer consumption patterns related to prepared food home food delivery<sup>14</sup>, delivered home meal kits, and on-line shopping<sup>15</sup>, it is important to understand how these consumption and waste generation patterns are changing. This especially pertains to transport and convenience packaging delivered to eligible and non-eligible sources.

Supply data reported by the designated producer into the Registry should be accessible, at the producer's choice, to their Producer Responsibility Organization (PRO), as is currently the case for used tires, to avoid duplicative reporting.

While we recognize that MECP wants to ensure a manageable number of PROs negotiating the common collection system, the current proposal to only allow PROs that represent at a minimum 10% of the supplied materials does not appear to be supported by sufficient rationale nor is it keeping with the legislation which is meant to support choice and competition. Municipal governments recommend this be reduced to 5% to at least be comparable to other jurisdictions.

### Service Providers Registration

Service providers (collectors, haulers, processors, and PROs) should be required to register six months after the regulation is filed.

## 7.0 Transition Phase (2023 – 2025)

The M3RC understands that during the transition phase there are a number of complexities to transitioning a system with varying:

- Materials accepted in municipal collection systems;
- Collection system designs and service levels;
- Processing system designs and capabilities; and
- Contract terms and requirements.

Designated producers will need some time to transition and improve the common collection system. Target setting and measurement will be more complicated given the scaled transition over three years.

As a result, the M3RC proposes that there be some flexibility allowed to producers during this period – provided producers are required to make best efforts to prepare for and achieve 2026 accessibility, collection, and management targets.

Within this flexibility, producers should build on the municipal structure that is already in place. The regulation should require that producers during this period should at a minimum, ensure that:

- Materials currently accepted by local governments prior to transition are accepted until all local governments are transitioned.<sup>16</sup>
- Accessibility rates at least match current accessibility (e.g., curbside – single-family & multi-unit residential, depot, public space, schools, long-term care, etc.) based on the most recent

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<sup>14</sup> Vox. 'Food delivery and takeout are on the rise. So are the mountains of trash they create,' December 4, 2019. Available at <https://www.vox.com/the-goods/2019/12/4/20974876/takeout-delivery-waste-grubhub-recycling>.

<sup>15</sup> Toronto Star. 'I went undercover as an Amazon delivery driver. Here's what I learned about the hidden costs of free shipping,' December 19, 2019. Available at <https://www.thestar.com/news/investigations/2019/12/19/i-went-undercover-as-an-amazon-delivery-driver-heres-what-i-learned-about-the-hidden-costs-of-free-shipping.html>.

<sup>16</sup> There is an opportunity during this period for producers working with their service providers to improve systems and test innovative solutions for a standardized Blue Box system for Ontario by 2026.

Datacall reporting for a municipality transitioning (or on a one-time registration of collection sites by municipalities).

- All new developments which are eligible for municipal servicing or choose municipal servicing (i.e., curbside – single-family & multi-unit residential, depot, public space, schools, long-term care, etc.) are required to be serviced when they reach a defined occupancy rate.
- Promotion and education requirements should promote behaviour change (recycling, litter abatement, reduction, etc.).
- Producers should be responsible for at minimum, delivering one piece of educational material directly to each designated household on an annual basis.
- Flexibility in local promotion messages and sorting instructions should be allowed, especially where integrated waste collection systems are in place.
- Collection frequency should maintain the current municipal collection frequency during the transition period to minimize disruption to Ontarians and service providers.

Table 3 provides a summary of the Transition Phase requirements.

Table 3: Requirements During Transition Phase (2023-2025)

PPPP PROGRAM ELEMENT	DEGREE OF STANDARDIZATION
<b>List of PPPP materials</b>	<ul style="list-style-type: none"> <li>• At a minimum, maintain collection list in each transitioned municipality that existed prior to transition (e.g., January 1, 2020)</li> </ul>
<b>List of eligible sources</b>	<ul style="list-style-type: none"> <li>• At a minimum, maintain eligible sources allowed under the Blue Box Program Plan and require that any new eligible developments be serviced when they reach a defined occupancy rate</li> <li>• At a minimum, these sources (e.g. multi-unit residential, senior citizen residences and long-term care homes, elementary and secondary schools, public space recycling) should be included in 2023-2025 for those municipalities that already service them. Eligible developments should be serviced when they reach a defined occupancy rate.</li> </ul>
<b>Service Levels</b>	<ul style="list-style-type: none"> <li>• Maintain municipal collection frequency in place prior to transition</li> </ul>
<b>Promotion &amp; Education requirements</b>	<ul style="list-style-type: none"> <li>• At a minimum, maintain current efforts and promote behaviour change (recycling, litter abatement, reduction, etc.)</li> <li>• Producers should be responsible for, at a minimum, delivering one piece of educational material directly to each designated household on an annual basis</li> <li>• Allow for flexibility in local promotion messages and sorting instructions, especially where integrated waste collection systems are in place</li> </ul>

### Producer Performance Reporting

Designated producers, either individually or through their PRO, would be required to report beginning in 2023 in compliance with the performance requirements in the regulation:

- Accessibility, service levels, and promotion and education
- Amount of PPPP collected
- How PPPP was managed by tonnage based on the following activities:
  - Used in the production of new products including nutrient based products like compost excluding any losses and contamination in a similar manner as the European Union.
  - Recovery including specifically how much material was used as a fuel and how much sent to a waste incinerator that generates energy.
  - Disposed of either in a landfill or a waste incinerator without any energy generation.

The reporting of how materials are managed should be similar to how RecycleBC already reports (See Figure 2).

RECYCLING	RECOVERY	RESIDUAL MANAGEMENT	
Tonnes of material managed by recycling	Tonnes of material managed by recovery (engineered fuel)	Tonnes of material managed by disposal	% of collected tonnes managed by recycling.
180,532 tonnes*	6,185	16,742	87.3%**
	Tonnes of material managed by recovery (energy from waste)		
	0		

Data above represents audited data from processor on quantities of materials shipped. Prior year-end inventory shipped in the current year and unprocessed and unshipped inventories at year end are both considered.

\* Gross tonnes managed by recycling in the Recycle BC system, including newspaper

\*\* Based on gross tonnes collected in Recycle BC system of 206,778 tonnes

Figure 2: Example from 2018 Recycle BC Annual Report

Table 4 provides a summary of reporting requirements and Table 5 provides a description of the categories and subcategories that should be the basis for reporting in relation to collection and management targets. The goal is to ensure that increased producer efforts are applied to low performing, problematic items (e.g., litter) or materials that may have other desirable environmental attributes to divert (e.g., GHG reduction opportunities). It is understood that some discussion may be necessary to balance the specificity of reporting. The M3RC recommends that best efforts performance requirements be included to ensure progress towards the 2026 and 2030 targets established (see Table 7).

Table 4: Reporting Requirements During Transition Phase

Reported	Rationale / Potential for Burden
<b>How the producer met accessibility, promotion and education, and service level requirements including improvements from the baseline</b>	<ul style="list-style-type: none"> <li>• Already detailed reporting – no additional burden</li> <li>• Can be done by the PRO</li> </ul>
<b>Amount of PPPP collected (in tonnes)</b>	<ul style="list-style-type: none"> <li>• Already detailed reporting – no additional burden</li> <li>• Can be done by the PRO</li> </ul>
<b>How PPPP was managed (in tonnes)</b>	<ul style="list-style-type: none"> <li>• Generally, follows reporting as in BC for PPPP</li> <li>• Materials recycled that excludes process losses &amp; contamination &amp; includes organic processing</li> <li>• Materials sent to recovery (fuel or incineration)</li> <li>• Materials landfilled or incinerated without energy capture</li> <li>• Can be done by PRO</li> </ul>



Table 5: Reporting Categories

Base Categories	Specific Sub-Categories
<b>Paper</b>	OCC, ONP, and mixed fibres, gable top, aseptic
<b>Rigid Plastics</b>	PET, HDPE, PP, Polystyrene, Other rigid plastics
<b>Flexible Plastics</b>	Single material, multi-material
<b>Metal</b>	Ferrous and non-ferrous
<b>Glass</b>	N/A
<b>Other</b>	Wood, items marketed as compostable, fabric ...
<b>Non-Alcoholic Beverage Containers<sup>17</sup></b>	(e.g., sealed non-alcoholic beverage containers) *Excluded from material specific categories above
<b>Alcoholic Beverage Containers</b>	N/A *Excluded from material specific categories above

Municipal governments do not support the Ministry’s proposal to only include one beverage target for alcoholic and non-alcoholic beverage containers. These should be two separate categories to account for the current performance of Ontario’s Deposit Return system.

## 8.0 Post Transition Phase (2026-onward)

The targets established for the post transition phase (2026-onward) will become the drivers for any system improvements occurring during the transition phase (2023-2025). The importance of establishing high targets to drive activities cannot be understated.

### Accessibility

Once the system is fully transitioned, designated producers should be required to have PPPP accessibility in place that at a minimum:

- Matches accessibility provided by local government and private garbage collection systems servicing eligible sources across the province (e.g., curbside, multi-family, depot, public space). Any new eligible developments be serviced when they reach a defined occupancy rate.<sup>18, 19</sup>
- Provides PPPP services to all multi-unit residential dwellings, all senior citizen residences and long-term care facilities, and all elementary and secondary schools.
- Expands public space recycling to an accessibility standard to be defined through further consultation.

Producers will likely work collectively either through one or multiple PROs to discharge their obligations. As such, it is critical that the regulation ensure that a common collection system remains in place, be

<sup>17</sup> Includes all beverage containers regardless of what materials they are made from (e.g., glass, plastic, metal, paper or any combination thereof).

<sup>18</sup> This will mean that producers will be required to provide servicing to any community in Ontario that has an organized garbage collection system regardless of size.

<sup>19</sup> A discussion will be necessary on how to manage residential dwellings on private roads which have potential liability issues. Indemnity agreements are often used but given this is a growing issue as a result of medium density developments it should be discussed.

accessible to all Ontarians, and that the costs of this common system are allocated fairly among obligated producers. This approach to ensure equal access to a shared system is common where participants require access to essential infrastructure such as transportation links, telecommunication, Interac or product barcodes.

In other jurisdictions where producers have chosen to work through multiple PROs, there are working examples of how a common collection system has been maintained while fairly allocating the recovered materials and costs of this common system to producers on the basis of their market share of obligated materials.

Post collection, producers should have flexibility in how to manage their materials within the confines of the regulatory outcomes established.

Producers should be provided flexibility within the regulation to provide curbside and/or depot servicing through whatever collection receptacle they choose so long as they:

- provide sufficient capacity to store and set out the anticipated quantities of PPPP materials taking into account collection frequency or delivered taking into account depot operating hours;<sup>20</sup> and
- are consistent with relevant local bylaws and health, safety and environmental policies.

Producers should have flexibility in how they match local government garbage collection (i.e., curbside municipal garbage collection would mean curbside PPPP collection). This includes supplement and/or alternative collection systems that producer may choose to employ (see Alternative Collection System).

The regulation should not dictate the role of municipalities in any way. Municipal governments should be allowed to decide whether they choose to enter into any commercial terms with producers for management of PPPP through municipal or their privately contracted processors of new or existing source separated organics diversion programs. Municipal governments should not be required to collect or manage PPPP.

### **Alternative Collection System**

By January 1, 2026, all obligated producers will have the same accessibility obligations (i.e., collection of all designated PPPP materials through a common collection system). Some producers may want to implement collection systems that are operated to supplement or as an alternative to the common collection system. The RRCEA was developed as an outcomes-based approach to move away from the Industry Funding Organization model which did not serve the interests of everyone, and did not incent producers to create innovative approaches to collect and manage PPPP.

Municipal governments want to ensure however that:

- Accessibility, collection and management targets are met for all obligated PPPP supplied into Ontario
- Sufficient consequences are required to address non-compliance
- Programs that do not meet targets can be ordered back to the common collection system

### **Standardization of Materials Collected**

After transition, all designated materials (excluding certain single use products that are major contributors to litter – see Table 1) should have the same accessibility obligation of being required to be collected in common collection system. That is unless the obligated producer is using an alternative system (e.g., deposit return, return to retail, mail back system) that addresses the considerations laid out above – see

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<sup>20</sup> Note another consideration on this issue relates to physical storage space, especially in high-density urban areas or in multi-residential buildings with limited storage space.

Alternative Collection System). This would result in a standardized material collection list across the province.

### Service Levels

At a minimum, the collection system for single family homes should meet the following service levels:

- The frequency of the collection of source separated obligated material required should be no less than bi-weekly.
- The PPPP management system must be adequate to deal with the anticipated materials set out.
- All designated products and packaging must be collected, unless there is an alternative system for an individual material.
- The PPPP management system must include the provision of adequate containers for the acceptance of source separated materials and be provided by producers at no charge to residents and replacement of containers should be required based on the frequency of servicing (i.e., bi-weekly servicing would mean containers should be replaced within two weeks following request).<sup>21</sup>

Ultimately producers should have the ability to change collection frequency post transition as long as adequate storage volume is provided and any changes are consistent with relevant regulations.

For multi-unit residential buildings, other permanent residential buildings, retirement homes, long term care facilities, schools, and public spaces:

- Post-transition, provide collection to all sources included in the municipal system as well as adding any privately-serviced establishments upon request.
- Collection must be provided on-site, with sufficient bins to collect materials.
- No more collection bins than can be physically accommodated by the building or space.
- Collection to occur in accordance with agreement or on demand when building indicates need for pick up.

All designated products and packaging must be collected, unless there is an alternative system for an individual material.

Table 6 provides a summary of post transition requirements.

Table 6: Post Transition Requirements (2026 - onward)

PPPP Program Element	Degree of Standardization
<b>List of PPPP Materials</b>	<ul style="list-style-type: none"> <li>• Standardized across the province</li> <li>• All designated PPPP must be collected in the common collection system and/or equivalent alternative)</li> </ul>
<b>List of Eligible Sources</b>	<ul style="list-style-type: none"> <li>• Match accessibility provided by local government garbage collection systems (e.g., curbside, multi-family, depot, public space) and require that any new eligible developments be serviced when they reach a defined occupancy rate</li> <li>• Also, all multi-unit residential, senior citizen residences &amp; long-term care homes, elementary and secondary schools, and an expansion of public space recycling</li> </ul>

<sup>21</sup> This should include consideration of the required dwelling storage capacity of set-out containers and strategies for minimizing litter.

PPPP Program Element	Degree of Standardization
<b>Service Levels</b>	<ul style="list-style-type: none"> <li>• Create a minimum provincial standard for frequency (e.g., at a minimum bi-weekly)</li> <li>• Flexibility reflecting community size, density, and geographic location</li> <li>• Flexibility in type of container, but size must be adequate to store and set out the projected quantities of PPPP materials in that community taking into consideration collection frequency</li> </ul>
<b>Promotion &amp; Education requirements</b>	<ul style="list-style-type: none"> <li>• At a minimum, promote behaviour change (recycling, litter abatement, reduction, etc.)</li> <li>• Producers should be responsible for, at a minimum, delivering one piece of educational material directly to each designated household on an annual basis</li> <li>• Packaging should include mandatory recyclability labelling</li> <li>• Allow for flexibility in local promotion messages and sorting instructions; especially where integrated waste collection systems are in place</li> </ul>

Municipal governments are open to allowing for the use of penalties against buildings as part of an incremental strategy to drive behaviour change. Further discussion and clarity is required to determine how phasing-in of penalties might be done and how oversight might be provided.

Municipal governments are also open to allowing for additional fees to be charged for certain multi-unit residential buildings, other permanent residential buildings, retirement homes, long-term care facilities, and schools, for collection services if they are above the regulated minimum levels. However, a discussion is necessary about what this might include (e.g., manually delivering bins to grade level, service delays where building staff do not convey bins to proper location at expected time etc.), as clearly defining the minimum threshold is critical. It should not penalize based on efforts to increase high density development the province is mandating.

### Producer Performance Targets & Reporting

Reporting is an essential component to ensure transparency and accountability within the regulatory framework. In order for the regulation to be outcomes-based, performance reporting needs to be detailed enough to identify and as a result incent low performing materials to improve. The current high-level basket-of-goods performance reporting approach has not motivated change in these low performing materials. With this regulation, Ontario has an opportunity to set best-in class targets that will drive improved environmental outcomes and economic development opportunities for the Province.

Major producers have voluntarily set corporate commitments (e.g., the Ellen MacArthur Foundation's [New Plastics Economy Global Commitment](#); the [UK Plastics Pact](#) Report which has been adopted as the model for a global network of Plastic Pact countries which now includes France, Chile, the Netherlands, South Africa and Portugal) and governments around the world are also establishing rigorous targets (e.g., [European Union Single Use Directive](#), [Ocean Plastics Charter](#)). For more information, see Appendix B.

Ontario should establish itself once again as a leader and drive best-in-class environmental outcomes through high collection<sup>22</sup> and management targets.

Municipalities are very concerned that the Ministry's latest proposal to measure and report on performance based on five broad categories (e.g., paper, rigid plastic, flexible plastic, glass, and metal) which does little to improve the current situation and is not in keeping with the broad agreement reached in David Lindsay's report. The report emphasized in its recommendations that:

<sup>22</sup> Also provides a means to measure litter reduction.

*The categories should be specific enough that they can be used to identify materials that have low diversion rates, so that action can be taken to improve diversion.*

It is fundamentally important for municipalities as we deal directly with the problems associated with waste that becomes litter or ends up in the residential waste stream. As a result, municipal governments are proposing the following approach:

*Reporting:*

- The regulation should establish broad material categories to which recycling targets would be applied.
- In order to meet recycling targets within each category, producers would be required to report based on defined subcategories (see Table 7). This would provide transparency in how producers are meeting targets and help to identify lower performing subcategories where focused improvement may be necessary. The subcategories have been proposed to align with what most advanced material recovery facilities already report on. While beverage containers are not commonly reported on in Ontario material recovery facilities, they are a common category reported in other jurisdictions in Canada, the US and in many other international jurisdictions.
- To avoid some of the regulatory burden, municipal governments recommend that subcategories be established in such a manner that represents at a minimum 5% of the overall category by weight. Where subcategories might be too small, they could be dealt with in a grouped subcategory such as 'other rigid plastics.'

*Targets:*

- Recycling targets should be best-in-class (i.e., reflecting targets established in BC and the European Union which have progressive targets for the broad categories).
- The regulation should align the progressive nature of these targets with international targets such as the European Union (e.g., 2025 and 2030) and recycling should be defined based on what is marketed minus process losses and contamination.
- The lowest performing materials should have higher expectations for improvement.
- By 2030, a minimum level should be established for the subcategories to ensure they are fairly contributing to the broad category target (e.g., none of the subcategories should achieve a recycling target of less than 50% of the broad category recycling target).
- During the transition phase, producers should be required to demonstrate best efforts to meeting the goals established in 2026 and 2030.

Table 7 – Target Categories and Reporting Subcategories

Target Categories (Targets)	Reporting Sub-Categories
<p><b>Paper<sup>23</sup></b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 90% recycling target</li> <li>• 2030-onwards – 90% recycling target</li> </ul>	<p>OCC, ONP, Mixed Fibres, Gable top, Aseptic</p> <ul style="list-style-type: none"> <li>• 2030-onwards – None of subcategories should be under half of the main target</li> </ul>
<p><b>Rigid Plastics</b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 55% recycling target</li> <li>• 2030-onwards – 60% recycling target</li> </ul>	<p>PET, HDPE, PP, Polystyrene, Other rigid plastics</p> <ul style="list-style-type: none"> <li>• 2030-onwards – None of subcategories should be under half of the main target</li> </ul>
<p><b>Flexible Plastics</b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 30% recycling target</li> <li>• 2030-onwards – 40% recycling target</li> </ul>	<p>Single material, multi-material</p> <ul style="list-style-type: none"> <li>• 2030-onwards – None of subcategories should be under half of the main target</li> </ul>
<p><b>Metal</b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 67% recycling target</li> <li>• 2030-onwards – 75% recycling target</li> </ul>	<p>Ferrous and non-ferrous</p> <ul style="list-style-type: none"> <li>• 2030-onwards – None of subcategories should be under half of the main target</li> </ul>
<p><b>Glass</b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 90% recycling target</li> <li>• 2030-onwards – 90% recycling target</li> </ul>	<p>N/A</p>
<p><b>Other</b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 90% recycling target</li> <li>• 2030-onwards – 90% recycling target</li> </ul>	<p>Wood, items marketed as compostable, fabric, etc.</p> <ul style="list-style-type: none"> <li>• 2030-onwards – None of subcategories should be under half of the main target</li> </ul>
<p><b>Non-Alcoholic Beverage Containers<sup>24</sup></b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 80% recycling target</li> <li>• 2030-onwards – 85% recycling target</li> </ul>	<p>(e.g., sealed non-alcoholic beverage containers)</p> <p>*Excluded from material specific categories above</p>
<p><b>Alcoholic Beverage Containers</b></p> <ul style="list-style-type: none"> <li>• 2023-2025 – best efforts based on 2026 targets</li> <li>• 2026-2029 – 85% recycling target</li> <li>• 2030-onwards – 85% recycling target</li> </ul>	<p>N/A</p> <p>*Excluded from material specific categories above</p>

<sup>23</sup> Paper includes any type of cellulosic fibre source including, but not limited to wood, wheat, rice, cotton, bananas, eucalyptus, bamboo, hemp, and sugar cane (bagasse) fibre sources. Includes newsprint (CNA/OCNA & Non-CNA/OCNA), OCC and boxboard, magazines and catalogues, telephone books, aseptic and gable top cartons, polycoat containers and cups, and other paper products.

<sup>24</sup> Includes all beverage containers regardless of what materials they are made from (e.g., glass, plastic, metal, paper or any combination thereof).

Producers that do not meet their targets should be subject to penalties that will promote greater efforts by them to increase recycling.

Municipal governments do not support allowing the use of recycled content to allow for a reduction in producer management. While municipalities strongly support policies that promote increased use of recycled content this goal should not be encouraged by offsetting a producer's recovery targets given:

- Whether paper, packaging or products are manufactured using recycled content, all become waste that must subsequently be managed either within Ontario diversion programs or as municipal waste.
- Use of industrial process scrap and pre-consumer wastes is already common practice across many industries operating in Ontario. Reducing producer's recovery targets is likely to have little or no effect on increasing the use of pre-consumer materials by Ontario manufacturers. There is also no clear nexus established between crediting a producer for the use of pre-consumer waste against a regulatory obligation that requires producers to manage only PPPP intended for residential use.
- A credit for recycled content limited only to PPPP collected in Ontario and re-used within a manufacturing process in Ontario may be subject to challenge as a non-trade tariff barrier given the large quantities of filled packed products shipped into Ontario from the United States (and other provinces). It is noteworthy that an early draft of the original BBPP included a proposed credit for use of recycled content but this was subsequently eliminated on legal advice that the same level of credit would have to be provided to the manufacturers of imported packaged products, newsprint or OCC imported from the United States under the then prevailing North America Free Trade Agreement.

Producers are gaining experience in many countries with modulating the material specific fees charged to producers by PROs to promote increased use of recycled content. MECP should consider the use of Policy Statements by setting minimum requirements on PROs to promote similar approaches in Ontario.

Given the potential economic benefits to Ontario from increased remanufacturing of recovered PPPP in Ontario, the province should give consideration to alternative tools including charging penalty fees to producers which do not meet minimal levels of recycled content (as per the UK) and providing tax incentives for companies that will increase their use of recycled content in products manufactured in Ontario.

The proposed offset credits of up to 75% reduction in recovery rates are unconscionably high. If the MECP is determined to proceed with this proposal at the very least, there should be no credit provided for use of pre-consumer waste materials and the offset credit should be capped at no more than 10% and applied only to increased use of recycled content post the transition date of 2026.

### **Producer Performance Targets – Audit and Verification**

Requirements should be included in the regulation for third party audit protocols similar to section 26 of Ontario's [Tire Regulation](#) and the Audit Performance [Procedure developed by the Authority](#). Municipal governments do not support multi-year performance audits. Performance audits that verify targets have been achieved should be annual to verify reported outcomes.

The M3RC also recommends that seasonal composition audits be completed in selected geographic locations across the Province through a third-party audit of the residential waste stream to assist with the verification of reported outcomes.

The Province should have annual reporting outcomes publicly available online. Given that successful recycling programs are dependent up on high public participation there should be accountability in reporting on the results achieved.



## Producer Performance Targets – Circular Economy

The M3RC supports efforts within the regulation to recognize and encourage maximum resource efficiency, waste reduction, and support circular economy goals in the design, use, reuse, and reincorporation into the economy. High targets are essential as well as ensuring that penalties are created in such a way that encourages compliance.

The M3RC remains concerned that the Ministry has still not moved forward with an administrative penalties regulation under the RRCEA. In order for this outcomes-focused regulation to work properly there needs to be adequate consequences applied to stakeholders who do not meet their performance and other requirements in the regulation.

The regulation must include a clause to review and adjust targets on a set schedule (e.g., every 3 years) to drive progressive recycling rates and focus additional resources if required on areas of concern.

Other approaches that could be considered include, but are not limited to:

- Requiring major producers to prepare, submit and publicly report on reduction / reuse plans (as is currently required every three years for individual producers that supply more than 300 tonnes of obligated packaging into Belgium).
- Mandatory recycled content provisions like those incorporated into the European Union Single Use Plastics Directive (i.e., 25% by 2025 and 30% by 2030).
- Design requirements like those established in the European Union Single Use Plastics Directive that require all beverage caps to be tethered to the container or that ban the manufacturing or distribution of certain problematic materials or products/packaging formats that disrupt the recycling of other materials.
- Requiring producers to report on policies and programs that they have implemented to incentivize reduction, reuse, and redesign to facilitate the reduction, reuse, and recycling of their products.
- Requiring PROs to adopt fee setting methodologies that encourage participating producers to select recyclable materials or to improve recyclability (e.g., disrupter fees similar to Norway's deposit return system or as are used to finance France's packaging recycling programs).
- Encouraging PROs to adopt fee modulation policies which provide a direct financial incentive to individual producers to take direct actions that help achieve program targets (i.e. incorporate pro-recycling messages into product and packaging labeling or into their advertising; simplify packaging design to reduce material use or remove problematic materials; increase their use of recycled content; etc.) as is currently in place in France and being considered for adoption in other countries.
- Reporting and/or public disclosure of the quantities of virgin materials used and/or the recycled content of obligated products supplied into Ontario.

Finally, it will be beneficial to consider any such efforts in concert with discussions occurring at the federal/CCME table on plastics to promote harmonization with other provinces, if this can be done in a timely manner.

## 9.0 Other Complementary Measures

The Ministry should consider several other complementary measures:

- As part of the work they have been undertaking since 2013<sup>25</sup> on updating the Ontario Regulations 101/94, 102/94 and 103/94 (i.e., 3Rs Regulation), Ontario businesses could be

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<sup>25</sup> Ministry of Environment and Climate Change. 'An application for review requesting a review of Ontario Regulation 103/94 under the Environmental Protection Act; Industrial, Commercial, and Institutional Source Separation Programs,' February 2013. Available at <http://docs.assets.eco.on.ca/applications/2016-2017/R2012013-undertaken.pdf>.

required to ban the unrestricted distribution of certain single-use items and implement 'ask first' or 'by request' policies (e.g., straws, stir sticks, utensils, drink stoppers, condiments);

- Consider banning materials that cause significant environmental damage and can adequate replacements prior to being introduced into Ontario and in alignment with any federal forthcoming regulations;
- Review the Building Code to ensure multi-unit buildings are better designed to accommodate source separation for all diversion streams, especially organics, make participation in diversion streams as convenient as garbage, and include design requirements for the safe and efficient delivery of waste diversion programs and collection services;
- Work with the federal government to provide support for recyclable commodity markets to incentivize the use of secondary materials over virgin material through tax incentives and procurement practices;
- Make changes to the approval process to accommodate minor alterations to existing infrastructure, and in building new or expanded processing infrastructure that support waste reduction, reuse and recycling to help drive waste diversion.
- Remove some current barriers (e.g. faster approvals for recycling facilities and expansions) to ensure new processing capacity can be developed to accommodate new volumes<sup>26</sup>;
- Implement policies and purchasing practices (e.g., green procurement, mandatory content requirements) that can help increase demand for recycled content and support domestic re-processing markets; and
- Governments should demonstrate leadership by reducing packaging waste generated and single use items in their own operations.

While M3RC supports the concept of disposal bans for all designated materials to increase diversion, greater clarity is required on:

- when and where the ban would apply (e.g., transfer station, landfill, curbside collection, first point of disposal, etc.);
- how the ban would be enforced and how resulting costs incurred by municipal governments could be recovered;
- how potential leakage of banned materials to other jurisdictions or ending up as litter would be addressed; and
- whether exemptions should be considered if there are major disruptions in markets for the collected materials.

Any ban should apply to all designated packaging and products supplied into Ontario and not only to the eligible sources of these materials as defined in the PPPP regulation under the RRCEA.

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<sup>26</sup> See AMO's response to the "Reducing Litter and Waste in our Communities" discussion paper for examples. Available at <http://www.amo.on.ca/AMO-PDFs/Waste-Management/Waste-Diversion/2019/Reducing-Litter-and-Waste-in-our-Communities-Discu.aspx>.

**APPENDIX A – MUNICIPAL RESOLUTIONS & INTENTIONS  
(complete to July 28, 2020)**

The call for resolutions made it clear that the transition date preferred by Councils are not binding, and there was no guarantee that the process would be accepted by the Province.

Note that most resolutions were passed at Council, with two exceptions where staff had delegated authority to make that decision (City of Toronto and City of Ottawa). Most resolutions include provisions that indicate a desire to be transitioned earlier if possible.

Note: To ensure this information is accurate, a request to municipal governments was made to review these dates and provide feedback by mid-August. Some adjustments may be required based on feedback received.

**Municipalities Seeking to Transition 2023**

Municipality who Passed A Complete Resolution at Council or Staff Have Delegated Authority (Datacall Group)	Reported Transition Date
1. Town of Aylmer (5)	2023 (no date specified)
2. City of Kawartha Lakes (4)	2023 (no date specified)
3. City of Sarnia (3)	2023 (no date specified)
4. City of Toronto (1)	2023 (no date specified)
5. Town of Greater Napanee (7)	January 2023 (no date specified)
6. Township of Addington Highlands (9)	January 1, 2023
7. Township of Algonquin Highlands (6)	January 1, 2023
8. Township of Armour (8)	January 1, 2023
9. Municipality of Bayham (7)	January 1, 2023
10. Township of Beckwith (7)	January 1, 2023
11. Township of Billings (8)	January 1, 2023
12. Township of Bonnechere Valley (9)	January 1, 2023
13. City of Brockville (5)	January 1, 2023
14. Municipality of Callander (6)	January 1, 2023
15. Town of Carleton Place (5)	January 1, 2023
16. Township of Carlow Mayo (9)	January 1, 2023
17. Township of Central Frontenac (9)	January 1, 2023
18. Municipality of Central Elgin	January 1, 2023
19. Municipality of Chatham-Kent (4)	January 1, 2023
20. Town of Cochrane (6)	January 1, 2023
21. Town of Deseronto (5)	January 1, 2023
22. Township of Drummond North Elmsley (7)	January 1, 2023
23. City of Dryden (6)	January 1, 2023
24. Municipality of Dutton-Dunwich (7)	January 1, 2023

Municipality who Passed A Complete Resolution at Council or Staff Have Delegated Authority (Datacall Group)	Reported Transition Date
25. Municipality of Dysart et al (9)	January 1, 2023
26. Township of Edwardsburgh Cardinal (7)	January 1, 2023
27. Township of Elizabethtown-Kitley (9)	January 1, 2023
28. Township of Front of Yonge (9)	January 1, 2023
29. Town of Gananoque (5)	January 1, 2023
30. City of Guelph (3)	January 1, 2023
31. Municipality of Hastings Highlands (7)	January 1, 2023
32. Hawkesbury Joint Recycling (7)	January 1, 2023
33. Townships of Head, Clara & Maria (6)	January 1, 2023
34. Town of Hearst (8)	January 1, 2023
35. Municipality of Highlands East (8)	January 1, 2023
36. Township of Horton (7)	January 1, 2023
37. Municipality of Huron Shores (8)	January 1, 2023
38. City of Kenora (6)	January 1, 2023
39. City of London (1)	January 1, 2023
40. Township of Malahide (7)	January 1, 2023
41. Municipality of Mattice-Val Côté (8)	January 1, 2023
42. Town of Mississippi Mills (7)	January 1, 2023
43. Township of Montague (7)	January 1, 2023
44. District of Muskoka (4)	January 1, 2023
45. Township of Nairn and Hyman (6)	January 1, 2023
46. Municipality of Neebing (7)	January 1, 2023
47. Region of Niagara (2)	January 1, 2023
48. City of North Bay (4)	January 1, 2023
49. County of Northumberland (4)	January 1, 2023
50. Township of O'Connor (8)	January 1, 2023
51. Town of Parry Sound (5)	January 1, 2023
52. Town of Prescott (5)	January 1, 2023
53. Township of Prince (6)	January 1, 2023
54. Municipality of Red Lake (8)	January 1, 2023
55. Township of Russell (7)	January 1, 2023
56. Township of Seguin (8)	January 1, 2023
57. County of Simcoe (2)	January 1, 2023
58. Township of Sioux Narrows-Nestor Falls (8)	January 1, 2023
59. Town of Smiths Falls (5)	January 1, 2023
60. Township of Southwold (7)	January 1, 2023
61. Town of Spanish (6)	January 1, 2023

Municipality who Passed A Complete Resolution at Council or Staff Have Delegated Authority (Datacall Group)	Reported Transition Date
62. Township of Strong (8)	January 1, 2023
63. Village of Sundridge (5)	January 1, 2023
64. City of Timmins (6)	January 1, 2023
65. Municipality of West Elgin (7)	January 1, 2023
66. Municipal of West Grey (7)	January 1, 2023
67. Township of Southgate (7)	Between January 1, 2023 and June 30, 2023
68. City of St. Thomas (5)	March 1, 2023
69. Township of Perry (7)	March 2, 2023
70. City of Clarence-Rockland (7)	March 13, 2023
71. City of Hamilton (1)	April 1, 2023
72. Municipality of the Nation (7)	April 1, 2023
73. City of Stratford (5)	May 2023 (no date specified)
74. City of Owen Sound (5)	May 31, 2023
75. Dufferin County (4)	June 1, 2023
76. City of Ottawa (2)	June 1, 2023
77. Township of Sables-Spanish (6)	June 1, 2023
78. Township of Tarbutt & Tarbutt Additional (8)	June 1, 2023
79. Township of Howick (7)	June 30, 2023
80. Town of Plympton-Wyoming (7)	June 30, 2023
81. Regional Municipality of Durham (2)	July 1, 2023
82. Loyalist Township (7)	July 1, 2023
83. St. Clair Township (7)	July 1, 2023
84. City of Thunder Bay (3)	July 1, 2023
85. County of Wellington (4)	July 1, 2023
86. Town of Arnprior (5)	July 29, 2023
87. Township of McNab/Braeside (7)	July 29, 2023
88. Town of Renfrew (5)	July 29, 2023
89. Township of Enniskillen (9)	September 1, 2023
90. Town of Kirkland Lake (6)	September 30, 2023
91. Municipality of Meaford (7)	September 30, 2023
92. City of Sault Ste. Marie (3)	September 30, 2023
93. Town of Deep River (7)	October 1, 2023
94. County of Haldimand (7)	October 16, 2023
95. City of Peterborough (3) *passed General Committee but waiting for Council approval*	November 1, 2023
96. County of Peterborough (4)	November 1, 2023
97. Township of Carling (8)	(by) December 31, 2023

Municipality who Passed A Complete Resolution at Council or Staff Have Delegated Authority (Datacall Group)	Reported Transition Date
98. Village of Burk's Falls (9)	December 31, 2023
99. Municipality of Casselman (5)	December 31, 2023
100. Municipality of Magnetawan (8)	December 31, 2023

### **Municipalities Seeking to Transition in 2024**

Municipality who Passed A Complete Resolution at Council or Staff Have Delegated Authority (Datacall Group)	Reported Transition Date
1. Municipality of South Dundas (7)	2024 (no date specified)
2. Township of South Stormont (7)	2024 (no date specified)
3. Township of Faraday (9)	January 1, 2024
4. Town of Hanover (5)	January 1, 2024
5. Township of North Dundas (7)	January 1, 2024
6. City of Orillia (5)	January 1, 2024
7. Tay Valley Township (9)	January 1, 2024
8. Township of Tudor and Cashel (9)	January 1, 2024
9. Township of Rideau Lakes (7)	March 1, 2024
10. Region of Waterloo (2)	March 2, 2024
11. Bluewater Recycling Association (4)	April 1, 2024
12. City of Cornwall (5)	April 1, 2024
13. City of Barrie (3)	May 1, 2024
14. Township of Augusta (9)	June 1, 2024
15. Township of North Glengarry (7)	July 1, 2024
16. Essex-Windsor Solid Waste Authority (2)	August 28, 2024
17. Municipality of Powassan (6)	September 16, 2024
18. County of Norfolk (4)	September 28, 2024
19. Region of Peel (1)	October 1, 2024
20. Town of Fort Frances (6)	October 31, 2024
21. County of Brant (7)	November 1, 2024
22. Town of Blind River (6)	November 20, 2024
23. Township of Ewanturel (6)	December 31, 2024

## **Municipalities Seeking to Transition in 2025**

Municipality who Passed A Complete Resolution at Council or Staff Have Delegated Authority (Datacall Group)	Reported Transition Date
1. County of Oxford (4)	2025 (no date specified)
2. Town of Central Manitoulin (6)	January 1, 2025
3. City of Temiskaming Shores (6)	January 1, 2025
4. Ottawa Valley Waste Recovery Centre (6)	March 28, 2025
5. Region of Halton (1)	April 1, 2025
6. Town of Perth (5)	June 1, 2025
7. Quinte Waste Solutions (4)	August 1, 2025
8. Municipality of Killarney (8)	(by) October 31, 2025
9. Bruce Area Solid Waste Recycling) (4)	December 31, 2025
10. Township of Brudenell, Lyndoch & Raglan (9)	December 31, 2025
11. Township of Hilliard (8)	December 31, 2025
12. Township of Madawaska Valley (9)	December 31, 2025
13. Municipality of North Stormont (7)	December 31, 2025
14. Municipality of Northern Bruce Peninsula (9)	December 31, 2025
15. Tri-Neighbours Board of Management (6)	December 31, 2025
16. Region of York (1)	December 31, 2025
17. Township of Johnson	December 31, 2025



## Appendix B: Global Commitments

### Plastic Pact (UK)



By 2025:

- Eliminate problematic or unnecessary single-use plastic packaging through redesign, innovation or alternative (re-use) delivery models.
- 100% of plastic packaging to be reusable, recyclable or compostable
- 70% of plastic packaging effectively recycled or composted
- 30% average recycled content across all plastic packaging

Figure 3: UK Plastic Pact Commitments (with examples of signatories)

### Ellen MacArthur Foundation – Vision of Zero Plastic Waste



**Vision:**

- Elimination of problematic or unnecessary plastic packaging through redesign, innovation, and new delivery models is a priority
- Reuse models are applied where relevant, reducing the need for single-use packaging
- All plastic packaging is 100% reusable, recyclable, or compostable
- All plastic packaging is reused, recycled, or composted in practice
- The use of plastic is fully decoupled from the consumption of finite resources
- All plastic packaging is free of hazardous chemicals, and the health, safety, and rights of all people involved are respected

Figure 4: Ellen MacArthur Foundation Commitments (with examples of signatories)

#### Strategy on Zero Plastic Waste (2018):

- Provides an outline for how to achieve a plastics circular economy in Canada and the goal of zero plastic waste

#### Oceans Plastics Charter (2019):

Includes commitments such as

- Working with industry towards increasing recycled content by at least 50% in plastic products where applicable by 2030.
- Working with industry and other levels of government, to recycle and reuse at least 55% of plastic packaging by 2030 and recover 100% of all plastics by 2040.
- Working with industry towards 100% reusable, recyclable, or, where viable alternatives do not exist, recoverable, plastics by 2030.



Figure 5: Government Commitments