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## MUNICIPAL SECTOR LAUNCHES INITIATIVE TO HELP MUNICIPALITIES MANAGE THE TRANSITION TO FULL PRODUCER RESPONSIBILITY FOR BLUE BOX RECYCLING PROGRAMS

Bill 151 – the *Waste-Free Ontario Act, 2016* – was proclaimed by the Ontario Legislature on November 30, 2016. The new legislation enacted the *Waste Diversion Transition Act 2016 (WDTA)* and the *Resource Recovery and Circular Economy Act 2016 (RRCEA)*, which makes producers fully responsible for end-of-life management of designated products and packaging. Existing waste diversion programs for Blue Box, Municipal Hazardous and Special Waste (MHSW), Waste Electrical and Electronic Equipment (WEEE) and Tires will be wound up and transitioned to regulations developed under the RRCEA.

This transition will have major implications for all municipalities currently managing or operating waste diversion programs. Blue Box programs will undergo many of the most significant changes as the municipal role shifts to “potential service provider” for producers who are required to manage their designated materials. Several issues will be of critical importance to municipalities. These include:

- Maintenance of current standards of service to residents
- Availability of information to help manage contracts with service providers during the transition
- Appropriate management of any ‘stranded assets’ in the waste system
- Recovery of costs required to manage materials left in municipal waste streams
- Incentives to drive continuous improvement of waste diversion programs
- Acceleration of the transition – current plans call for transition of the Blue Box Program by 2022 at the earliest, yet each year costs the municipal sector roughly \$130 million

The municipal sector must be actively involved, working very closely with the Ministry of the Environment and Climate Change (MOECC) and key stakeholders, including producers and service providers, to ensure that the outcomes of this transition are beneficial to our communities.

On February 8, 2017, AMO held a one-day workshop with elected officials and municipal staff across the Province, and was asked to support municipal involvement in the transition process and to develop an effective partnership role for the municipal sector.

On March 31, 2017, the AMO Board directed staff to engage in discussions on the formation of an appropriate entity to act as a coordinated municipal resource, to provide policy and negotiations support to the municipal sector, and to advocate for the expeditious transition of the Blue Box program to full producer responsibility.

To date, a Municipal Working Group has been established to guide and oversee the work required to respond immediately to efforts already underway by other stakeholders, and to develop recommendations for the best structure and methods for assisting municipalities during the transition. The Working Group includes representatives from AMO, the City of Toronto, the Regional Public Works Commissioners of Ontario (RPWCO) and the Municipal Waste Association (MWA), which has established links to Eastern Ontario and to rural and northern communities. Additional staff resources have been provided by AMO, the Region of Durham, the Region of York and the City of Toronto. Consultants have been engaged by AMO to provide specialized expertise.

The Municipal Working Group held a two-day retreat on May 3-4, 2017. Subgroups were formed to address (1) strategic options for transition (2) technical issues such as standards, targets and definitions (3) communications to municipalities and other stakeholders and (4) structure and governance of an entity to support municipalities. Several members were identified to attend ongoing stakeholder meetings and serve as representatives and contacts for the larger Municipal Working Group.

Meetings are being held with Stewardship Ontario and producers to gain a mutual understanding of key issues and to determine if there is common acceptable pathway for transition to full producer responsibility under the RRCEA. Both parties are interested in accelerating the transition and starting the process immediately. Continued uncertainty benefits no one.

The transition process may move quickly. Currently, the parties are discussing a potential amendment to the Blue Box Program Plan to get on a path for transition to the RRCEA. If a rapid transition is achievable, it will be very important for municipalities to establish clear strategies for the management of contracts for collection, processing and/or depots. Early termination clauses may be required. Discussions with procurement, legal and other support staff are recommended. There could be opportunities to amend existing contracts if mutually agreeable to the municipality, your service provider and Stewardship Ontario. The Municipal Working Group is preparing further recommendations for consideration by staff and Councils.

The efforts of the Municipal Working Group will not usurp or restrict the autonomy of municipal Councils to make decisions regarding waste diversion programs and contracts. However, it will be very important for all municipalities to learn more about the transition to the RRCEA, and to stay informed.

Information and updates will be available through several channels:

- The Municipal Working Group will provide regular updates directly to municipalities across Ontario following each meeting on the outcomes and work in progress.
- AMO's Waste Portal includes relevant documents and reports for staff and elected officials including templates and information from the province. Register by email at [amo@amo.on.ca](mailto:amo@amo.on.ca).
- AMO is working on a second seminar in the fall of 2017 to complement the February 8<sup>th</sup> seminar. Stay tuned for more information on how to sign-up.

Your municipal sector contacts are:

- For information on all activities of the Municipal Working Group, contact:
  - Dave Gordon, Senior Advisor, Waste Diversion, AMO, [dgordon@amo.on.ca](mailto:dgordon@amo.on.ca), 416-971-9856/1-800-426-6527 ext. 371
  - Amber Crawford, Policy Advisor AMO, [acrawford@amo.on.ca](mailto:acrawford@amo.on.ca), 416-971-9856/1-800-426-6527 ext. 353
- Contact Mike Birett, Managing Director, Continuous Improvement Fund (CIF) for assistance regarding contract management and related technical/administrative issues about CIF: [mbirett@thecif.ca](mailto:mbirett@thecif.ca), 289-231-7475.
- Contact Trevor Barton, Incoming Executive Director, Municipal Waste Association (MWA), for advisory support: [trevor@municipalwaste.ca](mailto:trevor@municipalwaste.ca), 519-823-1990.
- Contact Jon Arsenault, Co-Chair, Waste Management Subcommittee, Regional Public Works Commissioners of Ontario (RPWCO), for advisory support: [jarsenault@regionofwaterloo.ca](mailto:jarsenault@regionofwaterloo.ca), 519-575-4777.