



January 30, 2017

Marc Peverini, Policy Advisor
Ministry of the Environment and Climate Change
Integrated Environmental Policy Division
Waste Management Policy Branch, Non-Hazardous Waste Policy Section
40 St. Clair Avenue West, Floor 8
Toronto, ON
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Dear Mr. Peverini,

Re: Proposed Strategy for a Waste-Free Ontario: Building the Circular Economy (EBR Registry Number: 012-9356)

Thank you for the opportunity to provide comments on the proposed Strategy for a Waste Free-Ontario Building the Circular Economy. Our comments are consolidated comments from Municipal Governments on behalf of the Association of Municipalities of Ontario, City of Toronto, Regional Public Works Commissioners of Ontario and the Municipal Waste Association.

We applaud the Province's efforts to move to a low carbon, circular economy and are pleased to be a part of realizing this vision. Specific municipal comments are listed below.

Vision and Goals:

- Vision is appropriately aspirational and bold
- Visionary goals of zero waste and eliminating GHG from waste sector are important to keep all stakeholders focused on our ultimate destination

Timeline on p 12 and 13:

- Transition for the Blue Box program should be expedited
- We support interim targets of 30 per cent diversion rate by 2020, 50 per cent diversion rate by 2030 and 80 per cent diversion rate by 2050 but recommend they be broken down to indicate the contribution expected by the residential and IC&I sectors
 - Current municipal diversion rates are at 40-60% while IC&I rates are at 11-12%
- The interim targets are based on waste diversion rates, however we need to develop new targets that better reflect waste reduction, reuse and the efficient use of resources
- We support the use of disposal bans for materials that are currently designated as long as the following elements are considered:
 - Require sufficient diversion capacity for banned materials that is easily accessible
 - Ensure it does not result in material being exported to other jurisdictions for disposal

Objectives and Actions:

Objective 1: Enhance Provincial Direction and Oversight

- Support Provincial ownership of policy for driving desired outcomes in waste management sector
- Support idea that good, transparent data is required to make good policy decisions
- Support compliance and enforcement by Authority
- As Ministerial appointees to the Board self-select the balance of members, we recommend that candidates with municipal waste management experience are elected to ensure balance between stakeholder experience
- Support Provincial Interest and use of policy statements to clearly set Provincial direction and look forward to working closely with the Province in their development. Policy statements need to be specific and ensure compliance can be enforced.
- Support idea that good, solid data footing is required and that all parties need to submit data to ensure accurate goal setting and measurement of progress. Municipal governments would expect that data sharing provisions between the Authority and the parties obligated to report would be developed to ensure the right balance between transparency and protection of proprietary information
- Province should expedite reduction, reuse and recovery from the Industrial, Commercial and Industrial sectors as it represents a significant opportunity for meeting the Strategy's targets
- Need to develop new metrics other than weight-based diversion to accurately measure and incent reduction and reuse and recognize the rapidly changing physical characteristics of the waste stream

Objective 2: Enable Efficient and Effective Recovery Systems

- Support the shift to full producer responsibility for their products and packaging
- Support need to ensure Ontarians experience with existing diversion programs is not interrupted by transition
- Acknowledge success of the WFOA will depend on the regulations to support them and how these regulations are implemented. Regulations will need to set rigorous and specific service levels to clearly define expectations for Producers, service providers and all stakeholders. Some of the definitions required are: material specific targets for waste reduction, reuse and recovery; accessibility standards for Producers to ensure all Ontarians are serviced; data reporting requirements; promotion and education standards; service level standards, amongst many others. The province needs to ensure municipalities are fully engaged in this consultation.
- Require stronger language around consumer convenience. Transitioned programs need to provide services that build upon the quality and breadth of services offered today
- Producers must be required to provide services province-wide and not be able to cherry pick in largest communities
- Strongly urge Minister to request that the Federal Competition Bureau be engaged in the windup of existing IFOs to ensure a fair, competitive market at the Producer Responsibility Organization (PRO) level and throughout the market can be established under the RRCEA

- Need to ensure that assets, reserves, infrastructure, IT systems, business processes and databases of existing IFOs are dealt with fairly and transparently to ensure a level playing field
- Require the Province to address the residual value of any unused (redundant) municipal waste diversion infrastructure that was built to assist municipalities in meeting the requirements of regulations imposed by the Province.
- Blue box transition discussions should get underway immediately. We would like to see the Province facilitate multiple stakeholder discussions to formulate a pathway for transition earlier than 2022. During the transition period, Minister should increase the percentage of municipal costs Producers are required to pay for blue box services. This is a fair path forward that is consistent with new policy and goals of the Province and initiates the increasing responsibility Producers will ultimately have under the RRCEA
- Municipal sector supports idea of stakeholder working group and would like to be engaged
- For Province to meet vision of zero waste and zero GHG emissions focus on ICI sector is crucial and progress in this area must be expedited
- Support enhancements to regulatory requirements including a modern regulatory approach to reduce administrative or regulatory burden on service providers and to expedite approvals in order to facilitate resource recovery
- Support the Province's desire to ensure that landfills are well planned and managed to minimize the need for them and reduce greenhouse gas emissions
- Agree effective promotion and education material is required to ensure Ontarians actively participate in reduction, reuse and resource recovery programs and make informed purchases. Producers should be responsible for promotion and education efforts to ensure Ontarians participate fully in their programs so they can fulfill the reduction, reuse and recovery targets that will be set for designated materials under RRCEA Regulations

Objective 3: Increase Waste Reduction and Improve Resource Productivity:

- Require that Producers pay for management of designated materials regardless of which stream they end up in. This would include landfill, EFW or other disposal options, become litter, or end up in the organics stream (e.g. Green Bin program)
- Support the rationale for new designations. A first step should be to ensure all applicable materials are designated under current diversion programs. Future regulations should use simple language and definition of designated material to ensure all materials in a category are captured. Province needs to consider how targets and standards for programs under RRCEA regulations are fairly applied to existing pharmaceutical program under the EPA. Would like to see new designations expedited and specific mention of a program for Construction and Demolition wastes
- Support the development of an Organics Action Plan. Plan needs to be flexible to permit various technologies that maximize organic waste diversion and reduce GHG along with a variety of end products (i.e. compost, biogas, energy etc.) and other value added products
- Collection and processing of organics is the most expensive waste stream to manage for Ontario municipalities who currently have it in place; it will be a significant property tax burden to add this service for municipalities who do not currently have it in place

- Support the actions related to reducing the amount of food waste generated in Ontario throughout the entire supply chain i.e. from field to plate to recovery
- There must be designation of ‘branded’ organic materials for producer responsibility. This would include items such as facial tissue, paper towels, paper napkins, diapers, ‘compostable’ products such as coffee pods, cutlery, plates
- The concept of a disposal ban on food waste is targeted for implementation in 2022/2023. In order for this to be successful there must be considerable work completed on ensuring sustainable organics processing capacity is available and a practical approach to monitoring and regulating odours from organics processing facilities is developed as process upsets do occur
- Support the move towards source site owner responsibility for planning for appropriate reuse, tracking, and recording of excess soil from the source to reuse. If municipal governments are required to develop strategies and monitor the reuse of excess soil, they will need a new revenue source. AMO has provided more detailed comments to the Excess Soils Working Group
- Support idea of risk based approach for compliance and enforcement; focus on human health and the environment, and ability to consider developing technologies and infrastructure that can support the development of a circular economy

Objective 4: Create Conditions for Sustainable End Markets

- Support voluntary green procurement policies that incent informed purchasing of goods and services
- Focus appears to be on governments and institutions such as schools, however Producers should also be incorporating green procurement by ‘closing the loop’ and using secondary resource content, designing for durability, less toxic materials etc.
- Support use of disposal bans to drive diversion in specific instances as long as the following elements are considered:
 - Ensure appropriate diversion capacity for banned materials that is easily accessible to avoid illegal dumping and other unintended consequences
 - Need to ensure it doesn’t result in materials being exported to other jurisdictions for disposal
 - A food waste ban cannot result in municipalities being forced to implement a program
 - Disposal bans should be done in concert with generator requirements of extended producer responsibility
 - Disposal bans may require considerable resources for enforcement
 - Effective promotion and education efforts need to be developed by Producers to ensure Ontarians are aware of alternative means to manage materials that are banned from disposal

Action 7: Ensure landfills are well planned and managed to minimize the need for them and reduce greenhouse gas emissions

- Support the recommendations about careful planning for future landfills, ensuring GHG emissions are reduced, and ensuring environmental protections through strict landfill standards and requirements

- Landfills (and landfill operation) will continue to be necessary during the transition to a circular economy over the next few decades. The role of landfills must be considered when planning, developing policy, financing and implementing emerging waste management systems and the transition to a circular economy

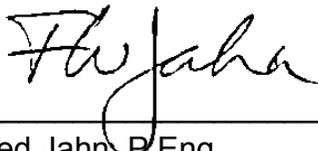
Measure and Evaluate Success:

- Regular updates on accomplishments and forecasts of upcoming activity would help measure and evaluate success and enable stakeholders to provide better informed input
- Need to ensure appropriate measures are in place to track and incent reduction and reuse efforts, redesign, secondary material content etc. Not solely focus on recycling and recovery.

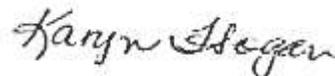
Municipal governments support the move to a Circular Economy and look forward to working with the Province and other stakeholders to make this happen successfully for all Ontarians. We need a combined effort by all stakeholders to get the Blue Box transitioned. Given its profile with Ontarians as a symbol of environmental awareness, we should ensure it is transitioned expeditiously and successfully to demonstrate the Government’s commitment to a Circular Economy.

Municipal governments are committed to continuing to be a trusted partner of the Province in moving forward on a zero waste, a low carbon economy.

Sincerely,



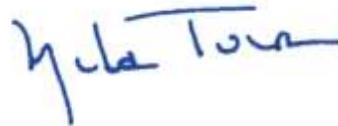
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