

IT'S A WHOLE NEW WORLD FOR WASTE MANAGEMENT IN ONTARIO

ROMA Conference

OBJECTIVES & GOALS

- Show how the *Waste-Free Ontario Act, 2016* has changed the landscape for all waste programs
- Will focus on amending the Blue Box Program Plan, and what it means to your community
- Outline resources for use by Councils and municipal staff
- Will provide a frank question & answer session, so hoping to keep the presentation brief!



WASTE-FREE ONTARIO ACT

- Move to full producer responsibility with individual producers responsible for end-of-life management for designated products and packaging
- Fundamental change – Producers fully managing designated materials, not municipalities



IMPLICATIONS

- Municipal governments have long advocated for full producer responsibility
- Removes financial and operational obligation from municipalities and puts it on Producers
 - Blue Box Program has net cost of ~\$260M annually
 - Opportunity to move from 50% or less funding to completely funded
- Transition to a new system is complicated



AMENDED BLUE BOX PROGRAM PLAN

- Parties landed on amending the Blue Box Program Plan versus direct jump to the *Resource Recovery and Circular Economy Act, 2016*
 - Rationale was that transition could be accelerated faster than the 2023 date which the Strategy for a Waste-Free Ontario outlined as the date that the Blue Box would be transitioned by
- July 7, 2017: Accord between municipalities and producers
- August 14, 2017: Minister's Direction Letter
- December 19, 2017: Stewardship Ontario releases draft amended Blue Box Program Plan and the Resource Productivity and Recovery Authority (formerly WDO) releases the draft Program Agreement

FUTURE OF THE BLUE BOX

Current Blue Box Program Plan (BBPP)

Waste Diversion Transition Act, 2016

Producers provide funding up to 50% of net cost of the Blue Box Program.

In-kind contribution by newspapers is part of the 50% funding, which impacts the amount that municipalities receive.

There is a 60% recycling target based on a basket of goods (i.e. combined material target).

Minister to receive the amended BBPP by February 15, 2018 for approval

Stewardship Ontario is required to consult and develop an amendment to the BBPP.

Resource Productivity and Resource Authority (RPPRA) and the Minister are required to consult and approve.

Non-transitioned Municipalities

Waste Diversion Transition Act, 2016

Municipalities continue to operate or to contract for collection and processing services. The amended BBPP will determine eligible sources of Blue Box materials, how program costs will be calculated and verified, and a percentage of these costs to be paid by producers.

Municipality transitions upon completion of collection and processing contracts or upon agreed terms. (full details to be confirmed)

Transitioned Municipalities

Waste Diversion Transition Act, 2016

(Changes required to Regulation 101/94 for transitioned municipalities)

Stewardship Ontario is required to consult and amend the BBPP. The amended BBPP could improve service accessibility and result in an expanded list of paper products and packaging. There will likely be a 75% recycling target based on a basket of goods and the move to material specific targets.

Municipalities will have options:

- to act as service providers to producers who are required to pay for these programs
- work with private service providers
- opt out from providing service altogether

NEW Regulation

Resource Recovery & Circular Economy Act, 2016

Producers (collectively or individually) to collect and manage Blue Box materials based on requirements in new regulation.

Municipalities will have the following options:

- act as service providers to producers who are required to pay for these programs
- work with private companies that may use existing municipal infrastructure
- opt out from providing service altogether

The new regulation could improve service accessibility and result in an expanded list of paper products and packaging with material specific targets.

RPPRA will have greater power to oversee and enforce.

EVALUATION OF DRAFT A-BBPP

- Municipalities began this process with a great deal of enthusiasm, and have continuously operated reasonably to land a Plan that could work for all stakeholders
- Done properly and in accordance with the Minister's direction letter, transition could mean the following for municipalities:
 - Significant reduction in annual operating expenditures and reduced market risk exposure
 - A smooth transition that will not negatively impact Ontarians' experience with and access to existing recycling services
 - Improved environmental outcomes
 - Creation of a consistent recycling experience for all Ontario residents
 - Ensure a fair and open marketplace
 - Set the framework to strive towards a circular economy



EVALUATION OF DRAFT A-BBPP

- However, the a-BBPP as drafted does not meet what our expectations were on a number of fronts:
 1. The move to individual producer responsibility is not guaranteed, and includes a number of barriers that may hinder transition to the RRCEA
 2. Governance and decision-making are not in keeping with *Waste-Free Ontario Act* which seeks better oversight and controls
 3. Little progress has been made on improving environmental outcomes
 4. There is limited transparency on how targets are set, measured and penalties associated with performance deficiencies
 5. Many legacy concerns have not been addressed (stranded assets, determining eligible costs for non-transitioned municipalities, & funding for management of newspapers)



DRAFT AMENDED BLUE BOX TIMELINE

December 30, 2017

Draft Timeline



June 1, 2018 – Plan is notionally approved



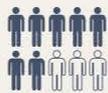
June 2018 – Provincial election and October 2018 municipal elections.



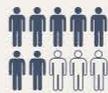
Mid-2020 – first households begin to transition



End of 2020 - Stewardship Ontario will report only on the total inbound quantity of material collected fr..



Mid-2023 – a maximum of 75% of households have transitioned



Mid-2022 – a maximum of 50% of households have transitioned



June 2022 – 2nd Provincial election and October 2022 2nd municipal elections.



End-2021 – SO will report annually the program's diversion performance



Mid-2021 – a maximum of 25% of households have transitioned



End of 2023 - Strategy for a Waste-Free Ontario "we plan to complete transition of the Blue Box program"



Mid-2024 – a maximum of 100% of communities have transitioned



June 2026 – 3rd Provincial election. October 2026 3rd municipal elections



Mid-2026 – earliest SO will achieve the aggregate province-wide 75% diversion target (provii..

HOW DOES THE A-BBPP AFFECT ME?

- It depends based on what your community currently provides:
 - Non-serviced municipalities
 - Small rural curbside program
 - Small rural depot program



NON-SERVICED COMMUNITIES

- According to 2016 Datacall there are 41 municipal governments who are either:
 - Not serviced;
 - Reported not having Blue Box services; or
 - It is unknown whether they are serviced or not.
- Vast majority in this category are northern municipal governments
- Draft a-BBPP focuses on transitioning existing programs
- We have advocated that services be expanded, including both existing programs, and those that do not have Blue Box services as of August 14, 2017

SMALL CURBSIDE & DEPOT PROGRAMS

For both types of programs...

- If municipal governments wish to transition when your catchment area comes up, these programs will be assumed at the type of service that exists as of August 14, 2017
- That means that curbside services being delivered today, will be delivered tomorrow under a full producer responsibility system
- You are not obligated to transition, but important to speak as a Council on what works best for you

NEXT STEPS FOR A-BBPP

- Municipalities do not support the Plan as is; however, it is a process and if key issues are fixed, it can be overcome
- Solutions have been identified and provided already by AMO, the Municipal 3Rs Collaborative, City of Toronto, Regional Public Works Commissioners of Ontario, Municipal Waste Association, and the Ontario Waste Management Association, along with other stakeholders, but we have not seen many of them addressed in the draft a-BBPP or the Program Agreement
- There is sufficient time available to amend the draft Plan before submission to the Minister on February 15, 2018
- Important to continue acting as a reasonable and responsible stakeholder to move forward and find a reasonable approach

RESOURCES FOR COUNCIL & STAFF



- HOME
- ADVOCACY
- EVENTS
- TRAINING
- OPEN DATA
- YOUR ASSOCIATION
- DASHBOARD

TOWARDS A CIRCULAR ECONOMY - WASTE FREE ONTARIO ACT

READ

- Comments on Module 1 Consultation - Amended Blue Box Program Plan
- Comments on Module 2 Consultation - Amended Blue Box Program Plan
- Stranded Assets
- Eligible Sources
- Expansion of Services
- Service Compensation and Dispute Resolution
- Expand and Harmonize the List of Materials Collected
- Calculating PPP Recovery Rates
- Reduction, Reuse and Reintegration of PPP into the Economy
- Promotion and Education
- Conditions to Transition to the RRCEA

In November 2016, the *Waste Diversion Act* was repealed and replaced by the *Waste-Free Ontario Act*, which includes both the *Waste Diversion Transition Act* and the *Resource Recovery and Circular Economy Act*.

This new legislation will have a major impact on municipal waste management and, most importantly, on waste diversion programs you may operate now or have planned for the future.

In particular, the cost to run programs for collecting and recycling paper products and packaging is now split 50/50 between municipalities and the companies that produce these items. The new legislation will transfer to full producer responsibility.

Municipal blue box recycling programs will undergo some of the biggest changes, as municipalities will have new options – to act as service providers to producers who are required to pay for these programs, to work with private service providers, or opt out from providing service altogether.

It is in the best interest of municipal governments that this work gets done as quickly as possible, as the current proposal to transition the Blue Box is expected to take at least another six years and will cost municipalities an estimated \$780 million. Municipalities can save \$130 million per year by accelerating this transition.

STEWARDSHIP ONTARIO CONSULTATIONS ON BLUE BOX UNDER WAY

AMO/MUNICIPAL 3RS COLLABORATIVE PREPARES THE SECTOR FOR BLUE BOX TRANSITION

2017 AMO CONFERENCE - BLUE BOX TRANSITION IN ONTARIO

WASTE PORTAL

If you are a municipal elected official or staff member and require a login to the waste portal, email amo@amo.on.ca

What Ontario Municipal Elected Officials Need to Know about the Blue Box Transition in Ontario



Subscribe 35

- Municipal Key Messages on Transition
- Comments on Module 1 Consultation with Stewardship Ontario
- Infographic of Blue Box Stakeholder Consultations (to March 2016)
- Slides from AMO/M3RC Municipal Update (Webcast)
- Municipal Briefing Note for Stewardship Ontario Consultation (Module 1)
- Infographic of Blue Box Transition Timeline
- Slides from AMO/M3RC Seminar (Webcast)
- Notice to Northern and Rural Municipalities re: Waste Diversion Programs
- Information from Blue Box Session at the AMO Conference (RPR)
- Information from Blue Box Session at the AMO Conference (Ann McKay)
- Conference - What Municipal Elected Officials Need to Know about Blue Box (Video)
- Conference - What Municipal Staff Need to Know about Blue Box (Video)
- Messages - Municipal Response to Transition of the Blue Box Program
- Agrounder - Towards a Circular Economy
- Municipal Sector Advisory re: Key Role in Transition
- Municipal Sector Advisory re: Transition of Blue Box Program
- FOIA Update for CIP Spring Consultations
- Regan's Action Plan Review
- Joint Submission to MOECC on RPR's Operating Agreement
- The Blue Box Enters a New Era
- Bill 151 Forum Slides
- Joint Submission to MOECC on Waste Free Ontario Act Transition Planning
- Presentation on Waste Free Ontario Act at RDMA Conference
- Joint Submission to MOECC on Proposed Strategy for a Waste-Free Ontario
- Joint Letter to MOECC on Competition & Transition
- Waste Reduction and Resource Recovery Framework Legislation

ACTOR

- City Confident in Stewardship Ontario's "Aggressive" Transition Timeline (Ottawa Metro Article)
- Changes coming to Blue Box program in Durham (Whitby This Week Article)
- Amended Blue Box program will save taxpayer dollars (Waterloo Record Article)
- Staff Report to Planning & Works Committee (Region of Waterloo)
- Staff Presentation to Planning & Works Committee (Region of Waterloo)
- Staff Report to Committee of the Whole (Durham Region)
- Staff Presentation to Committee of the Whole (Durham Region)
- Staff Report to Public Works and Infrastructure Committee (City of Toronto)
- Letter to Minister Glen Murray re: Request for Support Towards Beginning the Transition to a Circular Economy for Paper Products and Packaging in Ontario (AMO, SPWCO, MWA, City of Toronto)

- June 29 2017 - Staff Report to Waste Management Strategic Advisory Committee (Item 4.2) (Peel Region)
- June 2017 - York Council Q & A for WFOA, Transition Process and New Municipal Working Group (York Region)
- June 15 2017 - Staff Report to Committee of the Whole - Environmental Services (York Region)
- June 7 2017 - Staff Report to Council Committee of the Whole (Region of Durham)
- May 24 2017 - Staff Report to Public Works and Infrastructure Committee (City of Toronto)
- May 9 2017 - Staff Report to Environment, Infrastructure and Transportation Policies Committee (City of Kingston)
- May 9 2017 - Staff Report to Environment, Infrastructure and Transportation Policies Committee (City of Kingston)
- April 12 2017 - Staff Report to Planning and Public Works Committee (Halton Region)
- April 12 2017 - Staff Report to Planning and Public Works Committee (Halton Region)
- February 9 2017 - Regional Council Meeting (Item 5.4) (Region of Peel)

STAY INFORMED!

- We are here to help. For any questions, contact the individuals below to help determine what this means in your community

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QUESTIONS?

WHAT'S HAPPENING WITH ORGANICS?

- AMO submitted comments on the Framework for the EBR posting on January 15, 2018
- City of Toronto, Regional Public Works Commissioners of Ontario (RPWCO), and the Municipal Waste Association (MWA) were co-signatories

ACTION PLAN: THE HIGHLIGHTS

- Support a province-wide multi-stakeholder promotion & education campaign to support food waste prevention and reduction that includes the entire supply chain
- Support amending the 3R's regulations to include the IC&I sector, provided the Province can ensure compliance & enforcement
- Disposal restrictions or bans need to take into account population differences and hard work already taken by municipalities; HOWEVER, more work required on additional costs that will be borne if the ban is implemented
- Support streamlining process and taking further actions in the Plan (e.g. exemptions, use of qualified professionals, broaden the Registry)
- Province needs to connect policy frameworks for energy, climate change and resource recovery
- Province should extend Producer responsibility to these alternative delivery models

POLICY STATEMENT: THE HIGHLIGHTS

- Include an additional level of “Feed Animals” between Feed People and Resource Recovery under the Ontario Food Recovery Hierarchy
- The diversion targets need careful consideration:
 - Need flexibility in calculating targets
 - Need to effectively measure prevention and reduction as well as diversion from disposal
 - Seven-year timeline is too short for some
- The Province has an important role to play in the promotion & education campaign
- given connection to food delivery through broader public service and institutions like hospitals and jails
- Thresholds for implementation of programs remain challenging and require a funding source – and one that isn’t allocated from Blue Box transition
- Branded organics should be obligated and municipalities should be compensated for recovery

WHAT'S HAPPENING WITH TIRES?

- AMO will be submitting comments on the EBR posting on the Tires Regulation later today
- City of Toronto, Regional Public Works Commissioners of Ontario (RPWCO), and the Municipal Waste Association (MWA) were co-signatories

TIRES REGULATION: HIGHLIGHTS

- Province should not put limits on definition of “tire”, instead focusing on designating the product or packaging whatever its composition and place responsibility to ensure it is properly managed at the end-of-life
- Consider Responsible Persons who retail products without a residence or presence in Ontario to be the transportation company who delivers the product
- Accessibility in smaller rural, northern and remote communities around tire collection sites needs more exploring
- More clarity required on Section 9 (1) (iii) of the regulation (e.g. management of tires)
- Promotion & education solely via electronic means is problematic
- Minister should produce a guideline that addresses reporting requirements, and allow for flexibility based on risk and unique circumstances