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April 13, 2019

Dear Ms. Acab:

**RE: Ontario Environment Plan: Reducing Litter and Waste in Our Communities:  
Discussion Paper ERO Registry Number: 013-4689**

The Municipal Waste Association (MWA) is pleased to submit these comments regarding ERO Registry 013-4689 on the Ministry's Reducing Litter and Waste in Our Communities: Discussion Paper. The MWA appreciates the ongoing consultative approach the Province has continued with this Discussion paper and also applauds the government's continued efforts to build upon previous Ontario environmental plans to foster innovation while protecting our environment.

The MWA supports the Ministry's 4-year goal and proposed steps to decrease the amount of waste going to landfill, increase the province's overall diversion rate, and reduce greenhouse gases from the waste sector, thus we welcome this opportunity to provide comments on the following discussion items:

## **2.1 Prevent and Reduce Litter in Neighbourhoods and Parks**

### **Discussion Questions**

1. How best can the province coordinate a day of action on litter?

**Response:** Coordinate with all Ontario municipalities through the Association of Municipalities of Ontario (AMO); City of Toronto; Municipal Waste Association (MWA) and the Recycling Council of Ontario (RCO) to have a voluntary province-wide public and private clean-up day within their jurisdictions over the course of a two-week period centred around Earth Day (April 22<sup>nd</sup>) each year or later for communities north of 50° Latitude. We recommend coordinating a unique Province-led program that involves local Community Service Clubs; Boy Scouts; Girl Guides; Environmental Education groups and community Environmental Associations; Faith communities; Education communities plus IC&I sector volunteers. From a municipal perspective, we have seen tremendous success with programs that are involved in friendly competition between municipalities of similar populations size such as with those competing in programs like Communities in Bloom on the number of volunteer hours, kilograms of waste or recycling collected per community etc. Further, many municipalities also have corporate partners which sponsor community litter clean-up events. Such sponsorship is welcomed, and corporate volunteer days for such activities are also encouraged.

2. What do you or your organization do to reduce litter and waste in our public spaces?
3. What role should the province play to facilitate this work?

**Response:** Municipalities and Industry Funding Organizations/Stewards have coordinated public space recycling pictorial signage, that is shared as best practices including industry purchasing and installing plastic container recycling receptacles. We recommend that the Province establish a branded litter reduction program across the Province with colour coded collection litter bins located within public spaces in partnership with local communities using pictorial messaging to “put litter in its place”.

To facilitate this work, we offer the following suggestions:

- The province should consider purchasing non-partisan litter reduction education messaging for television, radio, print and social media outlets in the vein of the current Foodland Ontario ads.
- Resurrect the City of Mississauga’s “Litter Bug” mascot to help re-brand this into a province-wide initiative to help reduce litter at its source through civic-pride education and promotion to resolve problematic sources of blowing litter such as improperly set out blue boxes
- The Province should work through the District Attorney Offices to harmonize the wordage and fines for littering, illegal dumping and/or discharge of waste into the environment under Municipal By-law Enforcement Short Form Set Fines under the Provincial Offences Act.
- In addition, all Ontario Regulations, Statutes and or Acts that describe litter or the act of “abandoning material that is likely to become litter” such as RRO 199

REG 950 PART IX S 86 Environmental Protection Act: "LITTER, PACKAGING, CONTAINERS, DISPOSABLE PRODUCTS AND PRODUCTS THAT POSE WASTE MANAGEMENT PROBLEMS" should be consistently adopted into other legislation such as the following examples: Highway Traffic Act 522; Lakes and Rivers Improvement Act Section 36 (1); Off Road Vehicles Act; Motorized Snow Vehicles Act; Reg 326/94 Public Lands Act; Provincial Parks and Conservation Reserves Act 2006.

- Provide strong anti-littering reporting tools such as a telephone hot-line or website reporting platform and subsequent enforcement follow through.

4. What and where are key hotspots for litter that you think should be addressed?

**Response:** Public thoroughfares including highways, road, streets, waterways, parklands, nature/preservation reserves, public land, private lands and especially at points of litter generation such as businesses that package take-away food & beverage take-out packaging. We strongly recommend that the Province fund municipalities to undertake extensive litter waste audits to concretely determine who is the product producer or packager responsible for the generation of this "litter, packaging, container, disposable products and products that pose waste management problems" and made responsible for the public costs involved in litter cleanups, recovery and/or disposal.

5. How do you think litter can best be prevented in the first place? Where is access to diversion and disposal particularly limited?

**Response:** The MWA has been a long-time proponent of deposit/return fees at the point of purchase for single-use containers for packaged water, pop, juice, milk and/or milk substitutes similar to Ontario's deposit/return fees for beer, coolers, wine & spirits containers and packaging. We believe that setting a value on this expanded list of empty packaging will not only reduce littering but will stimulate litter collection of these types of containers that would now have a financial "bounty". Many other Canadian jurisdictions have examples of successful deposit/return programs to build upon within our province.

Strongly consider policies that would reduce potential litter at the source. Consumers pay attention to pricing. Policies which increase the cost of single use or convenience items will reduce the amount of litter and waste. Ireland has had tremendous success with their levy on plastic bags.

Access to diversion and disposal is very limited for northern and rural communities, hence the need to add value to empty packaging through deposits where Ontarians could deliver empty beverage containers and/or other packaging to a retail redemption centre as we used to do before the blue-box dominated the landscape. We recommend that the province allow the producers/packagers to come up with their own recovery

plans for their own packaging and products which need to be reviewed and approved through the Resource, Productivity and Recovery Authority (RPRA).

## **2.2 Increase Opportunities for Ontarians to Reduce Waste**

1. How can the province best help the public participate in waste reduction and diversion activities? How can the province facilitate better diversion in lagging areas, such as multi-unit residential buildings?

**Response:** We believe the province could best help the public participate in waste reduction and diversion activities through a comprehensive and seasonal non-partisan litter-reduction education campaign across all media platforms throughout the year rather than just event specific days such as a province-wide clean-up day or on Earth Day or Waste Reduction Week.

For lagging areas like multi-residential waste diversion, we recommend working with municipalities to develop and deliver consistent target-specific outreach instructions to assist Ontarians living in these buildings in managing a standardized list of recyclable materials.

We support the designation of new materials for diversion however we caution the province from promoting this until a safe collection method, process or delivery method is developed especially for glass vacuum fluorescent bulbs and tubes that may contain mercury and rechargeable batteries (i.e. nickel-cadmium) that could negatively impact human health or the environment. In saying so, we support the Ministry's statement to "Get the right information to make sure we make progress".

2. What types of initiatives do you think would result in effective and real action on waste reduction and diversion for the Institutional, Commercial & Institutional (IC&I) sectors?

**Response:** The MWA encourages the Ministry as a bold first step to increase the enforcement of the current 3Rs Regulations within the IC&I sector with a focus on the Industrial and Commercial sector which includes multi-residential properties in order to hold this sector accountable. We are of the opinion that the IC&I sector should be restricted from exporting potentially divertible waste generated within Ontario to landfills in the United States.

3. What role do you think regulation should play in driving more waste reduction and diversion efforts from the IC&I sectors?

4. How can we get accurate information on waste reduction and diversion initiatives in the IC&I sectors?

**Responses:** We agree with the 7 bullet points on pages 10-11 and suggest that in order to have effective and real action on waste reduction, the Ministry should require generators and service providers to report on the amounts of waste collected and managed to RPRA, in order to gather better information which would help inform the province in identifying opportunities to increase reduction, reuse and recycling within this sector.

5. What do you think about a province-wide program for the recovery of clothing and textiles?

**Response:** The MWA is very supportive of a province-wide standardized program for the recovery of clothing and textiles and suggests that the Ministry refer to the 2018 staff technical report from Metro Vancouver that summarizes the key challenges with apparel waste; provides a detailed overview of the existing system for apparel reuse and recycling; and identifies opportunities for industry, academia and governments to work towards the reduction of clothing and apparel waste [Unravelling the Problem of Apparel Waste](https://www.researchgate.net/publication/323525011_Unravelling_the_Problem_of_Apparel_Waste)  
[https://www.researchgate.net/publication/323525011 Unravelling the Problem of Apparel Waste in the Greater Vancouver Area](https://www.researchgate.net/publication/323525011_Unravelling_the_Problem_of_Apparel_Waste_in_the_Greater_Vancouver_Area)

### **2.3 Make Producers Responsible for Their Waste**

1. How do you think the Blue Box Program could best be transitioned to full producer responsibility without disrupting services to Ontario households?
2. Should it transition directly to producer responsibility under the Resource Recovery and Circular Economy Act, 2016 or through a phased approach?
3. When do you think the transition of the Blue Box Program should be completed?

**Response:** It is the view of the MWA members and other municipal governments that the Blue Box Program transitions to full producer responsibility Regulation under the Resource Recovery and Circular Economy Act (RRCEA), and that the Minister initiate this process as soon as possible.

We are of the opinion that the RRCEA does ensure a level of transparency which focuses on the outcomes over any processes and provides the producers/packagegers with the flexibility in decision-making to establish a province-wide waste diversion program while ensuring there is proper oversight and enforcement. Additionally, a regulation under the RRCEA moves us away from a process that requires constant and costly government intervention.

4. What additional materials do you think should be managed through producer responsibility to maximize diversion?

**Response:**

- Construction & Demolition materials including asphalt and wood shingles; pitch and tar roofing; drywall; lumber; metals and plastics; bricks, masonry; cement; overburden and clean fill; window glass and frames.
- Plastic children’s toys; bulky playground equipment; outdoor furniture; water craft; garden edging; snow fence; landscaping materials etc.
- All compostable; certified compostable; oxo-degradable; biodegradable products and packaging.
- Expanding the WEEE to include all electrically powered equipment; and expanding MSHW to include all Phase 2 items, and consider expanding it further.
- Carpets, mattresses, furniture.

5. How can we make it easier for the public to determine what should and should not go in the Blue Box?

**Response:** The MWA recommends a province-wide and provincially led “harmonized or standardized” list of acceptable materials for all blue box programs across Ontario.

6. How should the province implement the transition process of its existing programs to producer responsibility without interrupting service?

**Response:** The MWA suggests that the Ministry continue with the process template used for the successful implementation for the transition of Used Tires to a new RRCEA regulation which will soon be followed by the transition of Waste Electrical and Electronic Equipment (WEEE) and Municipal Hazardous or Special Waste (MHSW), and will allow for a similarly successful transition of the blue box program. Thereby allowing municipal governments and producers alike to plan and implement responsibility without interrupting service that Ontarian’s have come to expect.

## 2.4 Reduce and Divert Food and Organic Waste

**MWA minor comments:** *page 15 second paragraph the term “other parasites” is incorrect, since most food is not a living host for a parasite, we suggest using the term vermin or pests. Additionally, “racoons” should be “raccoons”.*

1. What can be done to increase the safe rescue and donation of surplus food in Ontario?

**Response:** The MWA supports initiatives that would prevent wasted food, and agree with the Ministry’s recommendations to establish food literacy in order to build a culture of wasted food avoidance and support the safe donation and rescue of surplus food with a reminder that not all rescued food needs to be fed to humans. Further, the MWA recommends that the province adopt an official Ontario wasted food recovery

hierarchy in order to prioritize the highest and best use of food resources. The hierarchy we suggest has the following four principles:

- Reduce: prevent and reduce food and organic waste at the source
- Feed People: safely rescue and redirect surplus food before it becomes waste
- Feed Animals: safely rescue and redirect surplus food not fit for human consumption
- Resource Recovery: recover food and organic waste for a beneficial end use such as compost, bio-fuel or soil amendment.

2. What role do you think government and industry can play in raising education and awareness on the issue of food waste?

**Response:** Wasted food and food illiteracy is an issue in every Ontario community. The development and implementation of a province-wide food literacy and wasted food reduction campaign is recommended as this would help drive consistent awareness and behaviour change messaging to help prevent and reduce the amount of wasted food generated. The MWA works closely with the Ontario Food Collaborative (OFC) and currently posts on our public facing web page the OFC Food Waste Audit Guide and Appendices, and the OFC Food Waste Reduction and Healthy Eating Communications Strategy at [www.municipalwaste.ca](http://www.municipalwaste.ca)

We suggest that in order to minimize the amount of food that is discarded by upstream processors or retailers there should be strong disincentives like disposal fee surcharges and/or fines to the value of the carbon inputs equivalency to get the food to either market and/or disposal or recovery – there should not be a tax incentive or reward for wasted food sent to recovery since this practice rewards food wastage. Further, we recommend that Ontario continue to work with other provinces, territories and the federal government in support of [A Food Waste Policy for Canada](#)

<https://municipalwaste.ca/wp-content/uploads/2019/04/A-Food-Policy-for-Canada.pdf>

We again strongly support the development of best practices for safe food donation and the continuation of Community Food Program Donation Tax Credit and the Ontario Donation of Food Act between farms and food banks.

A point of caution for government and industry is that rescued food is not a solution to food insecurity.

3. Do you think the province should ban food waste? If so, how do you think a ban would be best developed and implemented?

**Response:** The MWA agrees that the implementation of a landfill ban is a potentially beneficial policy tool that, if implemented correctly, would help build sustainable end-

markets as a means to direct reuse or recycling and drive investment while at the same time preserve landfill capacity. Although the implementation of a ban would be at the direction of the MECP, considerations such as where a ban is applied (i.e. northern and remote geographies, transfer station, landfill, curbside, etc.), length of time to implement (typically phased in over a number of years), how a ban is communicated/promoted and who/how a ban is enforced and funded still needs to be determined. We are of the opinion that landfill bans could come into play after food waste and organics processing capacity is increased within Ontario and there is also a regulation for the implementation and submission to RPRA of industry and commercial establishments food waste reduction plans in place.

We are pleased that the Ministry has raised the question about landfill ban exemptions due to emergency circumstances and we would support a landfill ban exemption such as a CFIA directed disposal of food and its packaging due to cases of listeria, salmonella, or e-coli food recalls or in circumstances such as an avian flu epidemic.

## **2.5 Reducing Plastic Waste Going into Landfills or Waterways**

1. What do you think is the most effective way to reduce the amount of plastic waste that ends up in our environment and waterways?
2. What role do you think the various levels of government should play in reducing plastic waste?
3. Would you support and participate in shoreline and other clean-up projects to keep our waterways and land free of plastic waste?
4. Would a ban on single-use plastics be effective in reducing plastic waste?
5. What are your views on reducing plastic litter through initiatives such as deposit return programs?

**Responses:** As mentioned earlier, the MWA supports the commitment of the province to move to full producer responsibility. In our opinion, this one initiative alone is anticipated to have the greatest overall beneficial impact on reducing plastic waste from ending up in landfills and waterways. By shifting this responsibility to producers, this will create economic opportunities, incent innovation, improve our environment, and reduce the burden on Ontario's ratepayers. Therefore, we recommend that under full extended producer responsibility that the costs to manage branded products and packaging be covered wherever they are found (i.e. landfill or waterways).

Please note that many municipalities undertake comprehensive litter audits. Which can readily quantify branded packaging which we will share with the Ministry in order to demonstrate the magnitude of this problem where producer impacts reach far beyond our provincial borders and are typically global in nature. The continued collaboration with other provinces, territories and the Federal government through organizations such as the Canadian Council of Ministers of the Environment (CCME) is strongly recommended.



This would enable a national harmonized approach to policy development aimed at better management of plastic waste. As an example, and similar to other jurisdictions internationally, the federal government should consider a combination of national policy directives and targets including:

- ensuring that all plastic packaging introduced into the marketplace is reusable or recyclable and contains a minimum of 50% average recycled content;
- setting a minimum 70% target for all plastic packaging to be effectively reused or recycled (with the expectation that this target would increase over time); and,
- take actions to eliminate problematic or unnecessary single-use packaging items through redesign, innovation or alternative (reuse) delivery models.

With such high targets in place, mechanisms like deposit/return as discussed above, may also become a more appealing option for consideration by producers.

## **2.6 Provide Clear Rules for Compostables**

1. How do you think compostable products and packaging should be managed in Ontario?
2. Should producers of compostable products and packaging be held responsible for the management and processing of their materials?
3. What role do you think standards and facility approvals should play in the proper management of compostable products and packaging?

### **Responses:**

Immediate action is required on providing clear rules to producers who are introducing packaging advertised as “compostable” or “bio-degradable” erroneously into the market which is confusing to consumers and jeopardizes the integrity of blue box and/or green bin programs. There is a need for a provincially approved clearing house to “approve” specific products or packaging for municipal centralized composting or anerobic digestion processes tested in-situ within existing municipal organics processing facilities.

The MWA has no objection if industry secures private processors or invests into their own recovery system for their own packaging and we are aware that there is some interest in industry investing into the next generation composter for their particular brand of coffee pod.

We are of the opinion that the Province should treat compostable products and packaging the same as EPR for Blue Box in order to also provide relief for ratepayers for the green bin program. Green bin programs were originally designed to collect and manage food and organic waste and the addition of a plethora of “compostable” and

“pseudo compostable claims” packaging drives up the municipal cost and increases the public risk by contaminating the finished product with “foreign matter” from this type of packaging that doesn’t degrade within approved site-specific designed retention times.

## **2.7 Recover the Value of Resources**

1. What role do you think chemical recycling and thermal treatment should have in Ontario’s approach to managing waste?

We are also pleased of the importance in the Ministry’s recognition of chemical recycling and thermal treatment in conjunction with Ontario’s longstanding 3Rs policy to support the Circular Economy.

2. What types of waste materials do you think are best suited for thermal treatment?

- Residual waste remaining from the recovery of recyclables from an MRF
- Residual waste remaining from composting or anaerobic digestion facilities (i.e. screenings)
- Mixed composite plastic resins (i.e. stand-up pouches)

3. How can we clearly and fairly assess the benefits and drawbacks of thermal treatment?

We recommend that the province formally adopt recovery as part of an integrated waste hierarchy which considers recovery of energy and resources above landfill waste disposal. Further, it should be recognized that facilities that recover energy from waste in an efficient and environmentally sound manner provide the ability to minimize environmental burdens, and the amount of waste requiring final disposal.

## **2.8 Support Competitive and Sustainable End-Markets**

1. What changes to the approvals process do you think would best facilitate a reduction in waste going to landfills?

2. What type of end-markets for resources from waste do you think Ontario is best positioned for?

3. How do you think municipalities should be given more of a say in the landfill approvals process?

Response: In our opinion, there will be a requirement for major upgrades to existing waste management facilities across Ontario as well as a need for new waste infrastructure in order to make the proposed changes a reality.

To do this effectively, it is critical that the province moves quickly to remove some of the current barriers to ensure that additional capacity can be developed to accommodate new volumes. However, it is important to emphasize that this is not about making it easier to get approvals as waste management facilities can pose potential environmental risks so they should have appropriate controls in place.

Public and/or private organizations who are seeking an approval for change, or an expansion or a new facility need mechanisms in place that allow for a clearer and quicker path to receive a response. Ensuring that these approvals can happen in a timely manner is especially important for waste diversion facilities, in order that they can adapt quickly to changing markets or the ever-changing incoming waste streams. Therefore, the MWA fully supports the province's intent to look at opportunities to expedite the existing approvals process.

Ensuring Ontario capitalizes on increased economic opportunities through re-incorporating resources into the economy is a sizable opportunity from this sector. There is a substantial opportunity to better utilize renewable natural gas through processing of organic waste and recovering landfill gas.

We also recommend that the Ministry explore the following initiatives:

- Provide tax credits for farmers for the use of agricultural amendments,
- Subscribe to the voluntary renewable natural gas (RNG) program,
- Explore mandatory content recycling requirements for products and packaging,
- Explore tax incentives for recycled content,
- Invest funds into research and development to better support market options, and
- Support organics processing capacity building and infrastructure similar to the language used in Bill 168 "The Farming and Food Production Protection Act".

#### **4.0 We Want to Hear from You**

1. Of all the initiatives detailed in this discussion paper, what do you think should be a priority for early action?
2. How do you think Ontario can best maintain its competitiveness and growth while reducing the amount of waste going to landfill and litter in our communities?
3. How do you think we can make Ontario a leader in waste reduction and diversion once again?

**Responses:** The MWA believes that the transition of the Blue Box program to full producer responsibility through a Regulation under the RRCEA is the biggest priority for municipal governments.

Transitioning the Blue Box program to full producer responsibility will give the entire industry the certainty required to open up investment in collection, transportation, processing and markets. The Blue Box program is the largest waste diversion program in the Province and performance has stalled. Having the producers who design products and packages responsible for the end-of-life management of these materials will increase the economic utility of these valuable resources and result in innovative collection, processing and marketing strategies to increase the amount of this material that is diverted from landfill.

The transition to full producer responsibility that Ontario is proposing has been recognized by the federal government as a model for the rest of Canada to follow. Reducing wasted food and organic waste will also establish Ontario as a leader. Moving forward with programs to divert more waste in the IC&I sector is critical to address a growing diversion gap between the residential sector and IC&I generators. The anticipated gains in diversion from this sector will be required to have our Province once again be a leader in waste reduction and diversion.

We thank you for the opportunity to comment on this Discussion Paper.

Sincerely,

Melissa Kovacs-Reid, Chair  
Municipal Waste Association