



December, 2008

Ms. Glenda Gies
Executive Director
Waste Diversion Ontario
45 Sheppard Avenue East,
Suite 920, North York, ON M2N 5W9

cc: Alena Grunwald, Ministry of the Environment

Dear Ms. Gies:

**Re: Waste Diversion Ontario Consultation Plan to Support a
Review of the Blue Box Program Plan**

York Region is pleased to provide the following staff only comments on Waste Diversion Ontario's Consultation Plan to Support a Review of the Blue Box Program Plan. Due to the timing of the Region's Committee and Council and Waste Diversion Ontario's consultation schedule, these staff comments will be considered by Council in January 22, 2009. We will provide a copy of the Council's recommendations on the report to Waste Diversion Ontario after that date.

York Region Waste Management and Recycling Background:

The Regional Municipality of York is made up of nine local municipalities (Aurora, East Gwillimbury, Georgina, King, Markham, Newmarket, Richmond Hill, Vaughan, and Whitchurch-Stouffville) and provides services to over 983,000 residents, 25,000 businesses and 395,000 employees. The two-tier government structure provides services to residents and some businesses which includes collection and processing of waste and divertible materials. In 2007, the Region generated over 358,000 tonnes of waste, of which 46% was diverted from landfill¹. In 2006, the nine local municipalities and the Region worked together to develop the Joint Municipal Waste Diversion Strategy that has set the target of 65% waste diversion by 2010. Local and Regional staff subsequently formed the Inter-municipal Waste Diversion Committee (IMWDC) which is made up of solid-waste professionals from each of the nine municipalities and Region.

¹ Waste Diversion Ontario, 2007 Datacall.

On December 3, 2008, the IMWDC met to develop comments on the Blue Box Program Plan review. The discussion sessions provided comments under four major themes:

1. Extended Producer Responsibility (EPR) and Program Funding.
2. 3Rs hierarchy in the Act.
3. IC&I Industry Accountability.
4. Governance and Program Delivery.

During the December 3, 2008 IMWDC workshop, it was agreed that all positions expressed would be respected and to the greatest extent possible, extensive effort would be made by the group to define consensus positions among the representatives. On some issues, productive discussions revealed that consensus simply could not be reached. Consistent with the concept of respect for all positions, it was agreed that not only would consensus positions be communicated in the review comments, but differing or dissenting positions would also be conveyed.

IMWDC Comments and Recommendations for WDA Review:

1. Program Performance:

- Standardized definitions are needed in the Plan for what is meant by waste diversion rate and by capture rate.
- Diversion rate has been understood as the percentage of all material taken out of the whole waste stream whereas capture rate has been understood as the percentage of each available material that is actually collected and recycled (the table on page 5 of the backgrounder for the BBPP refers to capture rate as diversion rate with a different meaning highlighting the need for standardized terms).
- Targets should be focused on reaching zero residual waste instead of percentage diverted from the total waste stream as this can be deceiving when generation per household or population is increasing,
- Measurements should be taken on a disposal/household or disposal/capita basis rather than percentage diverted.

2. Material-Specific Performance:

- The IMWDC agreed that material specific diversion targets should be required from industry to address low performance materials like plastics with the intent of continual improvement in diversion..

3. Consistency Across Municipalities:

- The IMWDC reached consensus that once full EPR/Industry funding is in place, standardization of materials collected should be consistent across municipalities.

4. Problematic Waste:

- The group supports tools such as take-back programs and the concept of making producers responsible for products they produce that can not be recycled in the Blue Box. (e.g. 15L PET water bottles).
- There should be a minimum environmental standard established for producers to design packaging that is easily recycled and fits an environmentally sustainable life-cycle assessment framework.
- IC&I producers should be subject to the same standardized requirements for imported products.
- The Ministry of the Environment and the Federal government need to work together to implement packaging regulations and enforcing standards so that municipalities do not allow problematic packaging to enter the system.

5. Blue Box Waste from The IC&I Sector:

- The IMWDC was in agreement that industry stewards and producers need to experience a higher cost for disposal (i.e. added disposal fee) in conjunction with low recycling costs in order to provide financial incentive to encourage businesses to recycle.
- Stronger and ongoing enforcement is needed of Ontario Regulation 103/94.

6. Blue Box Waste Collected Outside The Blue Box:

- The group supports take-back programs as a tool to support extended producer responsibility, making producers responsible for their products.
- The cost of managing packaging and printed paper should also include the cost for what remains in residual waste and litter as well, not only the percentage that gets into the Blue Box.
- There needs to be a system of incentives for desirable behavior and disincentives for undesirable behavior.
- The current waste diversion system does not work as landfilling is cheaper than recycling. The implementation of a landfill fee was suggested to equalize cost of recycling and encourage better environmental management of post consumer material.
- Build program to incorporate alternative system beyond the Blue Box (i.e. Community Environmental Centres, transfer stations, deposit refund and take back programs).

7. Additional Blue Box Wastes:

- Build program to incorporate alternative system beyond the Blue Box (i.e. Community Environmental Centres, transfer stations, deposit refund and take back programs).

8. Environmentally Responsible Management:

- It has been suggested that full cost steward responsibilities might lead to assumption of program delivery and service by the steward organizations.
- Concern was expressed that this could have negative impact on delivery of important waste management services to residents and a loss of accountability.
- If program delivery was to be assumed by industry stewards, municipalities would have to be appropriately compensated for existing long term investments in existing infrastructure along with assurance that level of service and environmentally responsible decision making is not compromised.

9. Stewardship Fees:

- Full EPR was supported by the group whereby steward fees would equal 100% of the Blue Box costs which include collection, processing and capital costs.
- Concern was expressed that ultimately the consumer would incur these costs.
- The cost of managing packaging and printed paper should also include the cost for residual waste, not what gets into the Blue Box.
- There needs to be a system of incentives for desirable behavior and disincentives for undesirable behavior.

10. EPR Funding:

- Full EPR was supported by the group whereby steward's fees would equal 100% of the Blue Box Costs which include collection, processing and capital.
- The cost of managing packaging and printed paper should also include the cost for residual waste and litter, not only what gets into the Blue Box
- Packaging should all be made with material that can be recycled in the Blue Box.
- EPR requires a mixed basket of models/tools. Ultimately we need more standardization and more penalties imposed for difficult materials (i.e. multi-material packaging like Tim Horton's paper cup and plastic lids).
- Waste Management hierarchy should be reflective of product life-cycle and emphasize the impact of waste management choices.

Thank you for providing York Region and its area municipalities with the opportunity to comment on the BBPP review. We hope that comments provided will be helpful in the review process.

Sincerely,

A handwritten signature in cursive script, reading "Laura McDowell", written in black ink.

Laura McDowell, P. Eng.
Director of Environmental Promotion & Protection
Environmental Services Department
Regional Municipality of York

A handwritten signature in cursive script, reading "Brian F. Jones", written in black ink.

Brian F. Jones, P. Eng.
Chair of Inter-municipal Waste Diversion Committee (IMWDC)
Director of Public Works Services
Town of Newmarket