

3

WASTE DIVERSION ONTARIO FUNDING DESIGNATION OF HOUSEHOLD HAZARDOUS WASTE

The Solid Waste Management Committee recommends the adoption of the recommendations contained in the following report, March 7, 2007, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council endorse the designation of Household Hazardous Waste (HHW) by the Province under the *Waste Diversion Act, 2002*; an Act that requires Waste Diversion Ontario (WDO) to develop a waste diversion program.
2. Regional Council request Waste Diversion Ontario to ensure the following issues be included in the HHW diversion program:
 - a) Product stewards establish their own collection and processing facilities to minimize any financial impact on municipalities.
 - b) Collection receiving facilities be located to ensure convenient access in urbanized areas for residential users and small quantity generators.
 - c) Municipal participation in implementing new collection facilities or expanding existing facilities be voluntary.
 - d) Phase 2 materials be immediately designated and require Waste Diversion Ontario to develop a diversion program.
3. The Regional Clerk forward a copy of this report to the Association of Municipalities of Ontario (AMO), the Ministry of the Environment (MOE) and local municipalities.

2. PURPOSE

The purpose of this report is to:

- i) Provide details of York Region's current HHW program.
- ii) Provide an overview of the process to designate HHW under the *Waste Diversion Act, 2002*.
- iii) Review the implications of HHW designation on York Region's current programs.

3. BACKGROUND

Household Hazardous Waste (HHW) consists of household products that are flammable, corrosive, poisonous, and/or explosive, such as all purpose cleaner, motor oil, batteries, and medications. While HHW represents only one to two percent of the residential waste

stream, it can be very hazardous to human and animal health if stored inappropriately and is dangerous to the environment if discarded improperly. The Region is investigating the implementation of an Energy from Waste (EFW) facility to manage a portion of its residual waste and the diversion of HHW is key to minimizing emissions from such a facility.

Municipalities in Ontario have, to date, borne the full cost of operating HHW programs. For years municipalities have, through the Association of Municipal Recycling Coordinators (AMRC) and other organizations, been actively advocating the Provincial government to make product manufacturers responsible for the costs of managing these materials.

In 2002, the Provincial government enacted the *Waste Diversion Act, 2002*. Under the Act, WDO was created as a permanent, non-government corporation, which is run by a Board of Directors comprised of industry, municipal and non-governmental representatives. Once the Minister of the Environment designates a waste, the Industry Funding Organization (IFO) or product stewards, comprised of brand owners or first importers of products, are required to prepare a waste diversion program. The program includes targets, fee collection by the stewards, possible payments to municipalities and other operational and environmental aspects. Once the diversion program is approved by the Minister, the stewards are obligated to collect fees from the manufacturers to pay for the activities contained in the program. The program may require municipalities to participate in the diversion effort and may require payments to municipalities who assist the stewards in implementing the plan.

Blue box recyclables were the first group of materials designated by the Minister of the Environment. Currently, 50 percent of the net cost of the blue box program is funded by WDO.

On December 12, 2006, the provincial government prescribed HHW to be a designated waste under the *Waste Diversion Act, 2002*. Currently WDO is working with product stewards and municipalities to develop the plan.

4. ANALYSIS AND OPTIONS

4.1 York Region's Household Hazardous Waste Program to Date

York Region's HHW program began in the early 1990's with mobile collection events located in different municipalities throughout the Region. Regional Council subsequently approved the construction of permanent depots in East Gwillimbury, Georgina, and most recently in Vaughan. The Region also has a drop-off on leased property in Markham. See *Attachment 1* for depot locations and hours of service.

To date, the program has witnessed an increase in participation of over 190 percent (see Table 1 below) since the year 2000. An estimated 6,300 tonnes of HHW has been diverted between 2000 and 2005. Annual growth has averaged 14% per year.

Table 1
Number of Customers Dropping off Household Hazardous Waste at Depots
Since 2000

Year	East Gwillimbury	Georgina	Markham	Vaughan	Total	Annual Growth
2000	5,372	1,483	5,603	No depot	12,458	-----
2001	6,412	1,556	7,461	No depot	15,429	23.8%
2002	7,154	1,870	9,924	3,018	21,966	42.4%
2003	7,327	1,873	11,252	2,615	23,067	5.0%
2004	8,636	2,080	13,378	No depot	24,094	4.5%
2005	8,655	2,242	15,834	3,031	29,762	23.5%
2006	10,337	2,293	17,409	6,250	36,289	21.9%

In an effort to boost participation rates in the program, the Region embarked on a promotion and education campaign in 2006 working in partnership with local paint stores, real estate agencies and the York Region Welcome Wagon program. Promotional materials involved newspaper advertisements, a brochure, paint can tags, exterior bus advertisements, an article in York Works and special events. As a result of the campaign, the HHW depots in the Region experienced a 12 percent increase in participation during the period April to June 2006 compared to the same period in 2005. The Region is continuing to run the campaign in 2007 in an effort to further increase participation rates.

4.2 Designation of Household Hazardous Waste by Waste Diversion Ontario

4.2.1 Program Details

Prior to the designation of HHW by the Provincial government, efforts were undertaken by the Canadian Standards Association (CSA) and Product Care, a group representing industry, to develop a funding program for HHW and York Region staff were involved in the process. Ultimately, the program was not adopted by the Provincial government.

On December 12, 2006, the provincial government prescribed household hazardous waste to be a designated waste under the *Waste Diversion Act, 2002*. The program will commence with certain materials being funded in Phase 1 such as paints and antifreeze, while other materials, such as aerosol containers and pharmaceuticals, will be included in Phase 2. York Region staff is currently working with AMO and AMRC on committees in an effort to negotiate the implementation of the program with Stewardship Ontario, the program stewards.

The following materials will be introduced in Phase 1 of the program:

- Paints and coatings, and containers in which they are contained.
- Solvent, and containers in which they are contained.
- Oil filters, after they have been used for their intended purpose.
- Containers that have a capacity of 30 litres or less and that were manufactured and used for the purpose of containing lubricating oil.
- Single use dry cell batteries.
- Antifreeze, and containers in which they are contained.
- Pressurized containers such as propane tanks and cylinders.
- Fertilizers, fungicides, herbicides, insecticides or pesticides, and containers in which they are contained.

Other HHW materials that could be included in Phase 2 to be implemented in the future are as follows:

- Batteries (other than single use dry-cell).
- Aerosol containers, such as hair spray containers.
- Portable fire extinguishers.
- Fluorescent light bulbs and tubes.
- Pharmaceuticals.
- Sharps, including syringes.
- Switches that contain mercury.
- Thermostats, thermometers, barometers or other measuring devices, if they contain mercury.

Future phases of the program will be determined as per future program request letters.

The program will provide financial and/or other incentives to encourage reduction, reuse and recycling activities. The program also encourages the implementation of reuse and recycling options where none currently exist to maximize the management of HHW. An approved program may or may not involve the use of existing HHW facilities.

The program will be submitted for approval by WDO to the Minister of the Environment for approval by its mandated timeframe of May 31, 2007.

4.2.2 Funding Rules for Program

The Minister of the Environment has directed that the HHW diversion program comply with a number of conditions. Included in these conditions are the following issues that may impact on York Region's program:

- Potential fees collected from the product stewards can only apply to Municipal Hazardous or Special Material identified under the program and not to a different program developed by WDO. Program stewards are concerned that fees will be applied to programs other than that which is being funded. York Region's HHW program includes more types of materials than that listed in Phase 1 of the program.

- Potential steward fees will be used to pay for program activities after the initial collection of waste at the facilities. Examples of appropriate activities include transportation of waste from collection facilities, processing, recycling and disposal of waste, and other related waste management activities; and promotional and public education activities. There is a potential for significant cost savings to the Region if the product stewards begin paying all costs after the collection of material at our facilities. A requirement in a steward plan to increase our hours of operation or operate additional facilities may increase our costs in excess of the potential cost savings though.
- Potential steward fees also include capital costs to meet Phase 1 program accessibility targets. York Region is currently planning to construct new HHW facilities and under this new program the capital costs could be funded by the product stewards.
- The program is to include waste from small Industrial, Commercial and Institutional (IC&I) businesses. York Region's current program does not include the acceptance of HHW from small IC&I generators. There would be major operational implications on the current facilities to be negotiated.

4.2.3 Advocacy Efforts by the Region

York Region staff is currently represented at AMO and participating in negotiations with WDO and the product stewards. Staff believe it would also be beneficial for Council to identify key issues that should be included in a plan to ensure its success and minimize the cost impact on York Region and other municipalities.

First, it is essential that the Province proceed with the implementation of a HHW diversion program. We support more producer responsibility to manage the wastes that they create as it is only through additional producer efforts that more environmentally friendly products be developed including reduced packaging.

Second, it is imperative that the HHW diversion program does not download additional costs onto municipalities. We suggest that product stewards establish their own collection and processing facilities to minimize any financial impact on municipalities.

Third, to meet diversion and accessibility targets new collection infrastructure needs to be constructed to provide convenient access in urbanized areas for residential users and small quantity generators.

Fourth, that municipal participation be voluntary if product stewards wish to utilize or expand existing municipal HHW facilities. This voluntary nature is important as there will be no financial reimbursement from stewards for collection costs. Each municipality should make their own decision if they have the financial capacity to incur increased costs.

Finally, the Minister's direction to only include Phase 1 materials is insufficient. We believe that Phase 2 materials should be immediately designated and require WDO to develop a diversion program.

5. FINANCIAL IMPLICATIONS

The Region spent \$975,000 to operate the HHW program in 2006. Assuming that the stewardship program would cover promotional and public education activities, along with processing and disposal costs, the Region could have \$825,000 or 85 percent of the costs reimbursed in future years. The program could also fund capital costs associated with the development of new facilities.

6. LOCAL MUNICIPAL IMPACT

The steward plan to improve the HHW program should increase diversion and improve program accessibility. The program may require new facilities to be constructed or include take back programs at local retailers. If this occurs local municipalities will be involved in assisting the Region and/or stewards in finding suitable locations. There will be increased promotion and education of the program and including this message in collection calendars and other local media will need to be coordinated with the local municipalities.

7. CONCLUSION

The Region currently has four HHW depots operating in the Towns of East Gwillimbury, Georgina, Markham and the City of Vaughan. HHW has been designated for funding by the Minister of the Environment and is awaiting the development of a program plan.

The designation of HHW could have numerous benefits to the Region including increased accessibility with new facilities and program cost savings. Regional staff will report back to the Solid Waste Management Committee and Regional Council once the plan and funding model is approved by the MOE to provide an update on required changes to the program including financial implications.

For more information on this report contact Jay Silverstein, Project Coordinator of the Solid Waste Management Branch at extension 5717 in the Transportation and Works Department.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is included with this report.)