

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON JANUARY 10, 2017
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT	COMMENTS ON ENVIRONMENTAL BILL OF RIGHTS REGISTRY – FINAL DRAFT STRATEGY FOR A WASTE FREE ONTARIO: BUILDING THE CIRCULAR ECONOMY

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the following comments and discussion **BE ENDORSED AND SUBMITTED** to the Ministry of Environment & Climate Change's Environmental Bill of Rights Registry posting (EBR 012-9356) titled Proposed Strategy for a Waste-Free Ontario: Building the Circular Economy.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Some relevant reports that can be found at www.london.ca under City Hall (Meetings) include:

- Memorandum of Understanding with the Institute for Chemicals and Fuels from Alternative Resources - University of Western Ontario (December 12, 2016 meeting of the Civic Works Committee (CWC), Item #10)
- Establishment of a Waste Management Working Group (December 5, 2016 meeting of the Strategic Priorities and Policy Committee (SPPC), Item #2)
- Update and Next Steps: London Waste to Resources Innovation Centre and Green Shields Energy (October 4, 2016 meeting of the CWC, Item #10)
- Appointment of Consulting Engineer Long Term Solid Waste Resource Recovery and Disposal Plans (May 24, 2016 meeting of the CWC, Item #10)
- Comments on Environmental Bill of Rights Registry - Proposed Waste free Ontario Act and Draft Strategy for a Waste Free ON - Building the Circular Economy (February 2, 2016 meeting of the CWC, Item #14)
- Individual Environmental Assessment Long Term Solid Waste Resource Recovery & Disposal Plans (October 6, 2015 meeting of the CWC, Item #15)
- Waste Diversion – Update on Examination of Residential Organic Waste (Food Scraps) and Next Steps (April 20, 2015 meeting of the CWC, Item #13)
- Preliminary Concept for a London Waste to Resources Innovation Centre (February 3, 2015 meeting of the CWC, Item #4)
- Garbage and Recycling Collection – Status and Potential Next Steps (December 16, 2014 meeting of the CWC, Item #12)
- Interim Waste Diversion Plan (July 21, 2014 meeting of the CWC, Item #18)
- Waste Diversion and Garbage Collection Updates (November 25, 2013 meeting of the CWC, Item #7)
- Comments on Environmental Bill of Rights Registry – Waste Reduction Act and Waste Reduction Strategy (August 19, 2013 meeting of the CWC, Item #4)

STRATEGIC PLAN 2015-2019

The following report supports the Strategic Plan in the areas of waste diversion, waste management planning, financing, climate change mitigation and adaptation, and job creation. Specifically, the potential changes to waste management locally and provincially address three of the four Areas of Focus from the Strategic Plan:

Building a Sustainable City

- Strong and healthy environment
- Robust infrastructure

Growing our Economy

- Local, regional, and global innovation
- Strategic, collaborative partnerships

Leading in Public Service

- Proactive Financial Management
- Innovative & supportive organizational practices
- Collaborative, engaged leadership
- Excellent service delivery

BACKGROUND

PURPOSE

The purpose of this report is to provide Committee and Council with:

- A summary of the Ministry of Environment & Climate Change (MOECC) Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy (hereafter referred to as the Final Draft Strategy);
- The potential impacts to waste diversion/waste management programs in London; and
- Provide comments on the Final Draft Strategy and forwarding to the Environmental Bill of Rights (EBR) Registry.

CONTEXT

In November 2015, the Minister of the Environment and Climate Change introduced a new legislative framework for managing waste in Ontario under Bill 151, *Waste Free Ontario Act (WFOA)*. The legislation is comprised of two Acts, the *Resource Recovery and Circular Economy Act (RRCEA)*, and the *Waste Diversion Transition Act (WDTA)*. Accompanying the proposed legislation was a draft Strategy for a Waste Free Ontario: Building the Circular Economy to support Ontario in achieving its goals.

Comments on the proposed legislation and draft strategy were approved by Council and submitted to the Environmental Bill of Rights (EBR) Registry in February 2016. Bill 151 received Royal Assent in June 2016 (Appendix A, MOECC media release) and was proclaimed November 30, 2016.

Under the new framework funding to the City of London will increase to potentially 100% of program costs for residential recycling services. How that funding is administered and what recyclable materials it is applied to is unknown along with many other aspects such as the municipal role in recycling services. As is traditionally done, the operational aspects of legislation are contained in regulations still to be written along with future policy documents. In a CWC report on this same Agenda (January 10, 2017), City staff are recommending that a future report to CWC contain additional details (once details from the regulations are known) including the potential impacts on London residents, businesses and the City's waste management system.

Since the WFOA and draft Strategy were made public in November 2015, waste management and other organizations across the province have been reviewing and establishing their positions. City staff is actively involved in several of these organizations:

- Association of Municipalities of Ontario (AMO) – City staff sit on the Waste Management Task Force of AMO (combination of elected officials and municipal staff).
- Regional Public Works Commissioners of Ontario (RPWCO) – City staff sit on the main committee and the Solid Waste Subcommittee.
- Ontario Waste Management Association (OWMA) – City staff sit on the Board of Directors.
- Municipal Waste Association (MWA) and Recycling Council of Ontario (RCO) – receiving updates and comments via general membership.

On December 16 2016, the MOECC posted the Final Draft Strategy for a Waste-Free Ontario: Building the Circular Economy on Environmental Bill of Rights Registry (posting 012-9356). There is a 45 day comment period ending on January 30, 2017.

DISCUSSION

This section is divided into 4 parts:

PART A Summary of how Previous City of London Comments were Addressed (and Appendix B)

PART B Overview of Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy (and Appendices C and D)

PART C How the Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy will Likely Affect London

PART D EBR Comments on the Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy

PART A Summary of how Previous City of London Comments were Addressed

In February 2016, the City of London submitted 31 comments to the EBR (Appendix A) covering both the proposed Waste Free Ontario Act (Bill 151, November 2015) and the draft Strategy for a Waste Free Ontario: Building the Circular Economy. Also listed in Appendix A and summarized below is a City staff comment on how the comment from London (and likely made by many others) has been addressed, at this point in time, in either the Final Draft Strategy or the new WFOA legislation.

Were City of London's Comments Addressed in the Final WFOA or Final Draft Strategy?	Number of Comments in Category	Percentage of Comments Addressed
Yes, Final Draft Strategy reflects London comments	19	61%
No, Final Draft Strategy does not reflect London comments	4	13%
No, <i>Waste Free Ontario Act</i> does not reflect London comments	8	26%
	31	100%

City of London comments that have not been addressed in the Final Draft Strategy will be raised again in this EBR submission. City of London items not included in the WFOA may be addressed in the regulations or action plans that will be developed.

PART B – Overview of the Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy (Appendices B, C and D)

Summary

The Final Draft Strategy is:

- consistent with Council's Strategic Plan 2016-2019;
- consistent with The London Plan;
- reflective of the desire to reduce taxpayer costs, increase producer responsibility, create jobs and stimulate economic activity in Ontario;
- supportive of the direction the City of London has taken over the last five to ten years with respect to waste diversion and overall integrated waste management; and
- likely to impact, to varying degrees, all aspects of waste management in London for the next five to ten years.

The remainder of this section highlights a number of specific items dealing with the Final Draft Strategy.

The MOECC reports that total waste diversion in Ontario is 25% and has been around this number for the last ten years. Residential waste diversion, which has been measured for years, currently sits at an average of 47%. This highlights the lower diversion rates being experienced in the industrial, commercial and institutional (IC&I) sector and the construction, renovation and demolition (CR&D) sector. For comparison, London has a 45% residential waste diversion rate and best estimates suggest a 37% total waste diversion rate.

The MOECC has just released a Final Draft Strategy for a Waste-Free Ontario: Building the Circular Economy (43 page document), a requirement of the WFOA (Appendix C), which outlines a road map for resource recovery and waste reduction for Ontario. It also:

- “sets a vision and goals;
- articulates key government actions to support implementation of the vision and goals; and
- identifies performance measures to measure progress towards achieving the vision and goals.”

The Final Draft Strategy focuses on moving Ontario towards a circular economy described as “a system where nothing is wasted and valuable materials destined for landfill are put back into the economy without negative effects on the environment.” This approach – a circular economy – has the potential to reduce greenhouse gas emissions, save and better utilize scarce resources, create jobs and financial opportunities. The Final Draft Strategy lays out a vision for Ontario “where waste is seen as a resource that can be recovered, reused and reintegrated to achieve a circular economy.” To fulfil the vision, the Final Draft Strategy has two broad goals:

- a zero waste Ontario; and
- zero greenhouse gas emissions from the waste sector.

To achieve these goals, the Final Draft Strategy identifies four objectives and 15 actions over a ten year timeframe (Appendix D). After ten years a comprehensive review of the final approved Strategy would be undertaken.

PART C - How the Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy will Likely Affect London

Waste diversion for materials generated by single family and multi-family households has been a Municipal Council responsibility for about 30 years. In many cases, the City of London must follow a series of regulations prescribed by the province. In other cases, Municipal Council has implemented its own policies to increase waste diversion. Jurisdiction for waste diversion in the IC&I sector has always been with the Provincial Government. Identified on the table below is an overview of waste diversion programs that are regulated by the Provincial Government including how financing works.

Waste Diversion Program	2015 City Responsibility (including approximate percentage of residential waste stream managed, by weight)	2015 WDO Funded Program Costs			Net Operating Cost ^(c) to London Taxpayers
		Program Cost ^(a) After Revenue and Direct EPR ^(b)	% of Program Costs Covered by (EPR) Producers	Cost to City Including Amortized Capital Costs	
Blue Box Recycling	<ul style="list-style-type: none"> • 25% by weight • Comprehensive delivery with contracted services for collection, processing, and marketing of recyclables • Program promotion, customer service and public reporting 	\$6,600,000	47%	\$3,500,000	\$1,400,000

Waste Diversion Program	2015 City Responsibility (including approximate percentage of residential waste stream managed, by weight)	2015 WDO Funded Program Costs			Net Operating Cost ^(c) to London Taxpayers
		Program Cost ^(a) After Revenue and Direct EPR ^(b)	% of Program Costs Covered by (EPR) Producers	Cost to City Including Amortized Capital Costs	
Municipal Hazardous & Special Waste (MHSW)	<ul style="list-style-type: none"> • 1% by weight • Operate comprehensive drop-off depot • Program promotion, customer service and public reporting • Banned from collection 	\$420,000	40%	\$250,000	\$200,000 ^(d)
Used Tires	<ul style="list-style-type: none"> • 1.5% by weight • Operate drop-off depots • Program promotion, customer service and public reporting • Banned from collection 	Minimal (not broken out in budget)	Payment to City based on quantity collected	\$0	(\$5,000)
Electronics	<ul style="list-style-type: none"> • 2% by weight • Operate drop-off depots • Program promotion, customer service and public reporting • Banned from collection 	Minimal (not broken out in budget)	Payment to City based on quantity collected	\$0	(\$130,000)

(a) Includes annual amortization capital cost (e.g., \$1,200,000 for Manning Drive MRF), indirect overhead, etc.

(b) 'Direct EPR' refers to payments made by Producers that cover program costs without being paid to the City of London.

(c) Excludes annual amortization capital cost, indirect overhead, etc. Includes net revenue (profit) from providing service to other municipalities.

(d) Includes cost to manage materials received at the HSW Depot that are not part of the MHSW program.

Waste Diversion Programs in London - Operations

Currently the WFOA and Final Draft Strategy do not prescribe a municipal role once fully implemented; however, they fully acknowledge municipal involvement to date, the nature of integrated waste management systems and the need to have municipalities very involved.

The new legislation identifies the need for waste diversion and reduction targets and outcomes for owners and manufacturers of products (i.e., producers) for which they would be responsible for achieving. It is likely that existing municipal recycling systems and infrastructure and related integrated systems will be used by producers at different levels to achieve these targets and objectives. The level and types of activities between producers, municipalities and contractors will not be prescribed in the legislation; rather it will be negotiated.

There are potential risks to London in the new producer responsibility regime that some producers could look for options to manage their packaging or products that might not include City diversion programs and infrastructure. Details on specific potential relationships between producers, municipalities and contractors have not been examined and will not be established until the province establishes a regulation. This regulation and the development of potential relationships will be a high priority for all municipalities in 2017 and beyond.

As noted, under the WFOA, producers will assume all responsibility for collection, processing and marketing of Blue Box materials and MHSW. Given London's Regional Material Recovery Facility's (MRF) location and capabilities it is likely to play an increased role in processing recyclable materials and other compatible materials. It should be noted however the decision on what role it would eventually play would be based on a negotiation with producers and London.

The RRCEA established the Resource Productivity & Recovery Authority (Authority) to replace Waste Diversion Ontario (WDO). The role of the Authority and the province with respect to major recycling infrastructure is not clear at this time. For example, if the London MRF is not used by the producers for residential recyclables from the Blue Box program, it is not clear how the residual value of a potentially 'stranded asset' would be addressed.

In the interim, it is key that London continues to provide responsive and cost effective recycling systems that meet and exceed the needs of our customers and the expectations of producers. This has been demonstrated in the last two and half years on four occasions:

- PWC audit of recycling processes in the summer of 2014. Reported to the Audit Committee and Civic Works Committee in late 2014.
- Customer satisfaction survey in June 2015. Eighty-nine percent (89%) are satisfied with recycling services including 54% being very satisfied.
- Waste Diversion Ontario (WDO) 2015/2016 audit of recycling system performance and financial accounting for 2014. The audit resulted in minor adjustments representing about 1% of net costs and within acceptable limits established by WDO.
- Customer satisfaction survey in June 2016. Eighty-eight percent (88%) are satisfied with recycling services including 54% being very satisfied.

Within the proposed WFOA and Final Draft Strategy, the province appears to be taking a very action oriented role in waste diversion. This proposed level of involvement has not been experienced since the early 1990s. However, it is unclear how much provincial responsibility will be passed to the Authority. In addition, the province has provided little insight of how it will fulfill its proposed mandate including how it will transition from the existing regulatory and operating practice relationship it has with municipalities (e.g., Ontario Regulation 101/94, Recycling and Composting of Municipal Waste). The province may not fully appreciate or be aware of the level of municipal and community effort that has developed over 30 years to deliver waste diversion systems.

Some of the proposals brought forward in the Final Draft Strategy could have impacts on the City of London. Disposal bans, generator requirements, additional requirements for data reporting, tracking, promotion and education requirements could all place additional costs on the City. For example, the City may be required to implement, enforce and monitor disposal bans on some designated materials. The enforcement of disposal bans can be very difficult therefore significant care and understanding must go into their establishment. London and municipalities with close proximity to the United States, where cheaper landfill rates are available, can face greater challenges than those further from the border. The City's role is unclear in this regard including how (if) funding would be provided.

The province has increased its emphasis in the Final Draft Strategy with respect to recyclables and other materials from the IC&I sector. The estimated diversion rate is about 12% in this sector. This sector is currently regulated by the province. The IC&I sector represents the greatest opportunities for economic benefit, job creation and environmental benefit in Ontario versus the residential sector.

The challenges in the IC&I sector are generally known. The stagnation of waste diversion in the IC&I sector is due to a combination of low disposal costs, fluctuating commodity markets, lack of producer participation, lack of monitoring and enforcement, and the long-term confidence that the private sector needs to build infrastructure.

The role of organics in the Final Draft Strategy is addressed by proposing to develop an Organics Action Plan steered by a stakeholder working group. This process has started with the initial selection of members for the working group. The Final Draft Strategy envisions developing a plan to address organic wastes throughout the supply chain (i.e. not only post-consumer organics, but pre-consumer as well). Given the unique considerations inherent to organic wastes and the likely extensive consultation required, the development of an action plan may be a long-term initiative and may not have any immediate impact on London.

It is important to note that increased rates of waste diversion and resource recovery will have local, regional, national and global environmental benefits. For example, as noted by MOECC in 2013, “Recycling uses less energy, produces fewer greenhouse gas (GHG) emissions (e.g., in 2007 our diversion programs avoided 2.2 million tonnes of GHG emissions annually) and has less environmental impact than the extraction of raw materials” (MOECC, Waste Reduction Strategy, 2013).

As noted previously, the WFOA allows the province to make policy statements with respect to resource recovery and waste management. London would have to ensure that its Official Plan (OP) is consistent with the province’s resource recovery and waste reduction policy statements that apply to the municipality and may need to amend the OP, if necessary, to achieve consistency.

Similarly, no later than three years after an amendment comes into effect, London will need to amend the zoning by-laws that are in effect that relate to resource recovery or waste reduction to ensure conformity with the OP.

The Final Draft Strategy highlights that the future role of waste diversion and resource recovery will have an impact on the need for disposal facilities in Ontario. MOECC will be actively involved in determining the right balance for waste disposal. It is unclear in the Final Draft Strategy how this is different than the current processes and prescriptive requirements under the provincial *Environmental Assessment Act*, *Environmental Protection Act* and the *Ontario Water Resources Act*. For example, the *Environmental Assessment Act* for waste disposal facilities is already one of the most rigorous processes in North America for obtaining the necessary approvals. The Final Draft Strategy recognizes the need for landfill space and suggests there should be fewer landfills serving larger areas.

Waste Diversion Programs in London - Funding

The City would benefit financially from the proposed WFOA and Final Draft Strategy as two existing programs – Blue Box and MHSW - will receive more funding. It is possible that funding could increase between \$1.6 million and \$3.75 million, the later if all current amortized capital costs are funded. Alternatively, these same amounts may be paid directly by the producers rather than flow through the municipality.

During the transition period to full implementation, existing systems will be maintained and it is likely that municipal programs diverting designated materials will receive compensation at or above current levels (e.g., there is a mechanism for the Minister to increase producer’s funding of the Blue Box program beyond the current 50% funding cap). Any improvement in funding will be a benefit to London taxpayers. The current funding cap has been problematic in both definition and application. The WFOA language has not improved this situation at this time.

Impact on Local, Regional and Ontario Businesses

The financial impact to Ontario businesses and importers of products and packages will be dependent on how the regulations are written for each specific designated material. It is worth noting that many Ontario businesses have expressed support for the proposed changes. The largest concern will likely come from small businesses which have in the past typically been excluded from the requirements.

It is important to note that the cost of recycling is to be placed in the retail price of the products and packages. How much of an increase is not known as businesses also need to remain competitive. Depending on the product or package, the consumer (not taxpayer) will pay for none, some or all of the increase. These funds will be used to pay for the costs of recycling programs. What is paramount in these discussions is that we must balance various interests: municipal, provincial, business, taxpayers and consumers; and fully recognize that the Ontario and Canadian economy has not fully recovered from the last downturn and some areas of our business community remain fragile.

Equally important is to recognize the potential economic benefits (local, regional, national) from increased rates of waste diversion and resource recovery. MOECC notes in its 2013 Waste Reduction Strategy that:

“Recycling creates new jobs, fosters innovation, conserves resources and reduces environmental impacts. The province recognizes that there are significant economic, environmental and innovative opportunities to increase recycling. In particular:

- *7 jobs are created for every 1,000 tonnes of waste recycled.*
- *Recycling creates 10 times more jobs than disposal.*
- *The market value of wastes that are currently landfilled in Canada is estimated at over \$1 billion annually.*
- *The waste management sector currently contributes annually over \$3 billion to GDP and \$300 million in capital expenditures (MOE: Waste Reduction Strategy, 2013).”*

There are local private sector waste diversion companies that may play an increased role in processing additional recyclables and/or establishing new facilities in London or southwestern Ontario. In addition, local manufacturers and the agricultural community may benefit from a supply of secondary materials as feedstock. It is also worth noting that recycling of CR&D waste receives minimal attention in the Final Draft Strategy. City staff are surprised by this as CR&D recycling is well-established in some parts of Ontario, notably London.

It is likely that during the development of the Organics Action Plan, the province would consider the established voluntary initiatives already in place by municipalities and the private sector. Several London companies that manage organics are likely to be supportive of the development of an Organics Action Plan. However, a prolonged timeframe is unlikely to be supported.

Economic Development Opportunities for London and Region

The Final Draft Strategy will also provide opportunities for business investment to utilize and manufacture new products from a sustainable stream of feedstocks. London staff have been examining a number of opportunities prior to the WFOA being approved and the Final Draft Strategy being released. Areas that are being explored at different levels of examination are:

- Advanced electronics processing
- Tire recycling
- Plastics washing, pelletizing and/or extruding
- Mattress deconstruction and recycling
- Carpet deconstruction and recycling
- Furniture and bulky item collection, reuse, recycling and recovery
- Automotive end of life management; from reuse to recycling and recovery
- Solid recovered fuel and related energy recovery opportunities (waste conversion technologies)
- Recyclable materials from un-serviced small and medium sized businesses
- Value-added opportunities to increase market value of materials

These areas will continue to be examined by London staff.

PART D – EBR Comments on the Final Draft Strategy for a Waste Free Ontario: Building the Circular Economy

General Comments

1. The City of London supports the Final Draft Strategy and its long-term vision of a circular economy with zero waste and zero greenhouse gas emissions from the waste sector and where all resources, organic and non-organic, are used and reused productively, maximizing their potential and reintegrating recovered materials back into the economy. London has demonstrated this support most recently through a community engagement process in 2014 called; Road Map 2.0: The Road to Increased Resource Recovery and Zero Waste and is the foundation of the development of London's long-term Resource Recovery Strategy started in 2016.
2. The City of London supports a sustainable resource recovery and waste management system ("*integrated waste management system*", page 8) that wisely balances environmental responsibilities, financial requirements and is socially acceptable for all participants (e.g., consumers, taxpayers, generators, collectors, processors, municipalities, producers, regulators).

Objective 1: Enhance Provincial Direction and Oversight

3. The City of London strongly encourages the province to renew its working relationship with Ontario municipalities with respect to waste diversion if it wishes to take a significant role as contemplated in the Final Draft Strategy. Since the early 1990s, the province has had limited direct involvement in implementing waste diversion policy, performance review of waste diversion programs, environmental impacts of waste diversion programs and the economic benefits of waste diversion systems. This work has been largely undertaken by municipalities, associations containing municipal membership, and industry. This would be the ideal time for the province to prepare its implementation plans in full recognition of the regulated and policy roles it has assigned to municipalities over the last 30 years. It is imperative that duplication be avoided, transparency and accountability remain high and that challenges and opportunities be understood including the potential for unintended consequences.
4. The City of London recommends that the Association of Municipalities of Ontario (AMO), representing over 444 municipalities and the Regional Public Works Commissioners of Ontario (RPWCO) participate directly in a working group with the province to ensure that the province has timely access to waste diversion information, data and operational experience. ("*The data will help the government make informed policy decisions, and help municipalities and businesses determine their resource recovery efforts*", page 14).
5. The City of London supports the work being done by AMO to represent the best interest of municipalities and all their taxpayers (e.g., citizens, businesses) and recommends that AMO, supported by municipal staff, have a provincially directed role with the province and the Authority in upcoming discussions, assessments, program design and implementation with respect to Policy Statements and building data capacity to provide for evidence based decision-making. ("*Policy statements will be developed using an evidence-based approach, with extensive consultation, including posting on the Environmental Registry and collaboration with stakeholders*", page 16).
6. The City of London recommends that the province provide a further breakdown, by sector, for the over all total solid waste diversion rate of 30% by 2020, 50% by 2030 and 80% by 2050. Currently the blended rates noted in the Final Draft Strategy provide no indication of the contribution expected by waste generating sector: residential; industrial, commercial & institutional (IC&I); and construction, renovation & demolition (CR&D). ("*To mark our progress and keep on track, we have set three interim goals*", page 10 and referred to throughout the Final Draft Strategy).

Objective 2: Enable Efficient and Effective Recovery Systems

7. The City of London supports the increasing role for producer responsibility for the products and packages producers create. This role includes financial, social and environmental responsibility.
8. The City of London acknowledges that with increasing producer responsibility, producers must be provided a much greater say in how its products and packages are managed. In many cases, the producers are best positioned for the lead role and need to demonstrate the leadership with few constraints.
9. The City of London recommends that during the transition period timely reviews, assessments, milestones and/or pauses occur to identify and assess the impacts or potential impacts. This could result in a shorter or a longer transition period for designated materials. Fundamental in the transition phase should be the understanding that a new balance of responsibilities and actions could occur that represent an ideal outcome for the province, consumers, taxpayers, businesses, municipalities and the environment. The transition period must be used to gather further evidence and details to ensure that regulations are in the best interest of all parties as successful waste diversion programs have numerous participants. (*“Each waste diversion program will be directed by the Minister to transition in a manner that effectively addresses the unique considerations of each program”* and *“Under the producer responsibility framework, consumer convenience will be maintained or improved, such as curbside collection of Blue Box materials,”* page 19).
10. The City of London acknowledges that the success of the WFOA will depend on the regulations to support them and how these regulations are implemented. These regulations will need to set rigorous service levels to provide accessibility and convenience for residents to divert designated materials and recycling targets. The province needs to ensure municipalities are fully engaged in this consultation. Currently it is difficult for municipalities to provide more detailed comments as the proposed legislation and Final Draft Strategy are very high level.
11. The City of London supports reducing the *“administrative or regulatory burden on service providers in order to facilitate resource recovery”*, page 23 and recommends that the province establishes a streamlined approvals and reporting system that clearly matches the risks associated with different technologies and materials being handled. As is the case now, lower impacts are achieved when facilities are located as far from residents and businesses (i.e., sensitive land uses) as possible.
12. The City of London supports the province’s implementation of end-of-life vehicle standards through new regulations including a new focus on the potential impacts from vehicle processing sites (page 23).
13. The City of London supports the desire to *“ensure that landfills are well planned and managed to minimize the need for them and reduce greenhouse gas emissions,”* page 24. Landfill design and operation is a complex activity and its role in an integrated waste management system is not always well understood. For example, a landfill is different compared with other waste disposal technologies such as energy-from-waste (EFW). A landfill is built in stages (i.e., cells for waste placement) that last 3 to 5 years. The cost to build the cell occurs when the previous cell is nearing completion (about one year before). If there is less garbage than anticipated the construction of the next stage can be delayed. This is different than an EFW that must be built in its entirety and requires a minimum tonnage commitment to operate the facility.

Objective 3: Increase Waste Reduction and Resource Productivity

14. The City of London recommends the province require that producer responsibility be extended to designated materials that are not diverted or reduced, to include the designated products and packaging that are landfilled, become litter, or end up in the organics stream (e.g., Green Bin program) and that municipalities be compensated for these services.

15. The City of London recommends that the Final Draft Strategy include information and discussion on the diversion of construction, renovation and demolition (CR&D) waste materials as designated materials as they represent a significant portion of the waste generated in Ontario.
16. The City of London supports the new emphasis in the Final Draft Strategy for the diversion of more IC&I materials and the potential synergies with the diversion of residential materials. The province has addressed what is clearly a major issue; the IC&I sector sends over 80% of its materials to disposal facilities.
17. The City of London notes that municipalities across Ontario have demonstrated their commitment to waste diversion with an impressive waste diversion rate of between 40% and 55%. This has come with a tremendous amount of work with our citizens, contractors, the province and producers. This operational know-how and proven experience must be tapped into by the province for both the future residential diversion system and advancing the low diversion rate of 12% in the IC&I sector.
18. The City of London strongly encourages that the province make available additional background details, environmental impact (benefit) data and financial data to support the changes contemplated in the Final Draft Strategy. The Final Draft Strategy is light on details that support and provide evidence that these changes will have the intended outcomes at an affordable price for consumers, taxpayers and businesses. The Final Draft Strategy should contain more financial and other impact details to support major changes in direction. Data of this nature is essential to decision makers and those being impacted. Part of the analysis would be a clear indication of what the current waste diversion system costs and the environmental impact (benefit). Comparisons to the existing system provide an excellent indication of how significant the changes have to be to achieve the outcome and what financial and human resources will be required.
19. The City of London supports that the province establish a financial policy that addresses the residual value of unused (redundant) municipal waste diversion infrastructure that was built to assist municipalities in meeting the requirements of regulations imposed by the province. (*“Consultations will include considerations of potentially stranded assets and liabilities of programs, industry funding organizations and/or municipalities,”* page 21).
20. The City of London supports the development of an Organics Action Plan (page 29) noting that it is key that the Action Plan and potential regulations stay flexible enough to permit all technologies that maximize waste diversion and reduce greenhouse gases and look at multiple end products including compost, energy, biochar and other value added end products. The Action Plan needs to address financial requirements of food and organic waste recovery through producers, consumers, taxpayers and municipalities.
21. The City of London recommends that the province increase its activities and financial investment in waste diversion, resource recovery and waste management research and pilot projects. The actions required to make the Final Draft Strategy a reality require more programs, facilities and technologies, some of which are not proven on the scale being contemplated.
22. The City of London recommends that the province take an independent look at waste conversion technologies (e.g., gasification, pyrolysis, gas phase reduction, other mechanical-biological treatment, etc.) to determine where advanced technologies have a place in greenhouse gas reduction and waste diversion. These technologies do not ‘burn’ materials and must not be classified with incineration. (*“The province will continue to move forward with regulatory modernizations efforts by reviewing existing regulations, policies and approaches, including consideration of developing resource recovery infrastructure and innovative and emerging technologies”*, page 32).

Objective 4: Create Conditions to Support Sustainable End-Markets

23. The City of London supports the need to have strong and sustainable end-markets and for reducing/removing impediments that are slowing down and/or preventing private sector investment in resource recovery programs and technologies. (*“The province is considering the role of modern environmental standards in providing greater certainty to markets, leveling the playing field, and supporting producer responsibility, generator responsibility, and service provider requirements to increase resource recovery,”* page 33).
24. The City of London recommends that the province, industry and municipalities develop incentive-based support programs for products and packages that contain recyclable or organic materials through procurement policies and other economic mechanisms.
25. The City of London recommends that the province ensures that Ontario’s Cap & Trade Program links directly to waste diversion and resource recovery efforts by recognizing and encouraging activities in the waste management sector that drive greenhouse gas emission reductions.
26. The City of London recommends that the province establish a financial policy that directs a portion of the fines imposed on producers for missing targets to municipalities as the impact of missing a target will impact local waste management programs. For example, currently municipalities are not entitled to unredeemed deposits on alcohol beverage containers that end up in the recycling system.
27. The City of London recommends that the province immediately start a process to address the transboundary flow of garbage and resources to the United States as this may be a very difficult challenge to resolve and sufficient time will be required. Estimates suggest between 3 and 4 million tonnes are shipped outside of Ontario annually, or about 25% to 30% of Ontario’s garbage and resources.
28. The City of London recommends the province accelerate and lead the role of green procurement practices and strategies at all levels of government. Canada-wide governments procure about \$200 billion in goods and services each year with about half of that the municipal level. Collaborative and coordinated green procurement can create a significant market opportunity in Ontario and across Canada for goods and services as part of the circular economy. Green procurement and strong end markets are fundamental to the success of the Final Draft Strategy. (*“We need to learn more about how our policies, programs and decisions can help send the right signals to shift the market toward greater recovery and reintegration of resources into new products and services,”* page 34.)
29. The City of London supports the implementation of disposal bans at the provincial level (province-wide bans) however the Final Draft Strategy does not recognize the operational complexity and cost associated with enforcing the bans. Both these items must become a priority in further dialogue with waste transfer and waste disposal facility operators. (*“The province will consult in advance of proposing regulations with respect to disposal bans to determine prospective materials and to identify implementation and operational considerations,”* page 35).

ACKNOWLEDGEMENTS

This report was prepared with the assistance of Jana Corby, Solid Waste Planning Coordinator and Wesley Abbott, Project Manager.

PREPARED BY:	PREPARED BY:
ANNE BOYD, B.A., B.E.Sc. MANAGER, WASTE DIVERSION	MIKE LOSEE, B.Sc. DIVISION MANAGER, SOLID WASTE MANAGEMENT
PREPARED AND RECOMMENDED BY:	RECOMMENDED BY:
JAY STANFORD, M.A., M.P.A. DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER

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- Appendix A Ministry of Environment & Climate Change Media Release for *Waste Free Ontario Act*
- Appendix B Summary of how Previous City of London Comments were Addressed
- Appendix C *Waste Free Ontario Act* – Legislative Requirements for the Strategy
- Appendix D Key Elements of the Final Draft Strategy

APPENDIX A

**Ministry of Environment & Climate Change Media Release for
Waste Free Ontario Act**



NEWS

Ministry of the Environment and Climate Change

Ontario Passes New Waste-Free Ontario Act

Province Brings in Legislation to Increase Recycling, Create Jobs, Fight Climate Change

June 1, 2016 12:53 P.M.

Today, Ontario passed legislation that will divert more waste from landfills, create jobs and help fight climate change.

Currently, Ontario is producing too much waste, and not recycling enough. Over eight million tonnes of waste is sent to landfill each year. Absolute greenhouse gas emissions from Ontario's waste have risen by 25 per cent between 1990 and 2012 as the amount of waste disposed in landfills has increased.

To help divert more waste from landfill, the province has passed the Waste-Free Ontario Act that will:

- encourage innovation in recycling processes and require producers to take full responsibility for their products and packaging
- lower recycling costs and give consumers access to more convenient recycling options
- help fight climate change by reducing greenhouse gas pollution that results from the landfilling of products that could otherwise be recycled or composted
- overhaul [Waste Diversion Ontario](#) into the Resource Productivity and Recovery Authority, a strong oversight body with new compliance and enforcement powers that will oversee the new approach and existing waste diversion programs until transition is complete.

The province will also be finalizing its draft [Strategy for a Waste-Free Ontario: Building the Circular Economy](#) within three months of the legislation coming into effect. The strategy outlines Ontario's vision for a zero waste future and proposed plan to implement the legislation.

Harnessing the value of waste as a resource is part of the government's economic plan to build Ontario up and deliver on its number-one priority to grow the economy and create jobs. The four-part plan includes investing in talent and skills, including helping more people get and create the jobs of the future by expanding access to high-quality college and university education. The plan is making the largest investment in public infrastructure in Ontario's history and investing in a low-carbon economy driven by innovative, high-growth, export-oriented businesses. The plan is also helping working Ontarians achieve a more secure retirement.

QUOTES

" Ontario is moving in an exciting new direction for managing waste in the province. The Waste-Free Ontario Act is an important step in creating Ontario's circular economy — a system in which products are never discarded, but reintroduced and reused or recycled into new products. Managing our resources more effectively will benefit Ontarians, our environment and economy and support our efforts to fight climate change."

- Glen Murray

Minister of the Environment and Climate Change

QUICK FACTS

- Every 1,000 tonnes of waste diverted from landfill generates seven full-time jobs, \$360,000 in wages (paying above the provincial average) and \$711,000 in GDP.
- Every year in Canada, an estimated \$1 billion in valuable resources is lost to landfill.
- Eventually the Waste-Free Ontario Act will eliminate industry funding organizations such as the Ontario Tire Stewardship and Ontario Electronic Stewardship.
- The Blue Box program is available in about 95 per cent of Ontario households and keeps approximately 65 per cent of residential printed paper and packaging from landfills.

LEARN MORE

- Read about the draft [Strategy for a Waste-Free Ontario: Building the Circular Economy](#)
- Learn more about [Ontario's current waste programs](#)

David Mullock Minister's Office
david.mullock@ontario.ca
416-212-7307
Gary Wheeler Communications Branch
gary.s.wheeler@ontario.ca
416-314-6666

[Available Online](#)
[Disponible en Français](#)

The new WFOA legislation includes a new *Resource Recovery and Circular Economy Act* (RRCEA) that:

- Establishes the provincial interest in resource recovery and waste reduction and enables the government to issue policy statements to provide further direction on the provincial interest. The RRCEA structure is similar to the *Planning Act* which enables the government to provide clear direction and help guide decision making. The policy statements will be developed in consultation with key stakeholders and the public.
- Establishes a new outcomes-based producer responsibility regime that holds responsible persons accountable for recovering resources and reducing waste associated with their products and packaging. The current stewardship programs (e.g., Blue Box, Electronics, Tires, Municipal Hazardous and Special Waste) will be transitioned to an individual producer responsibility approach. The province will set outcomes/targets for existing and new diversion programs.

Producers (and other 'responsible persons' such as product brand owners and first importers), will bear full responsibility, both financially and physically, for meeting these goals aimed at recovering resources and reducing waste associated with their products and packaging. Producers would have flexibility in how outcomes are met and may fulfil their obligations either collectively or individually. Producers would not be able to transfer their liability. The outcomes/target may include recovery targets, accessibility, and promotion and education. Roles and responsibilities are stated clearly.

- Overhauls Waste Diversion Ontario, the existing oversight body under the *Waste Diversion Act, 2002*, as the Resource Productivity and Recovery Authority ('Authority') with responsibility to oversee the new producer responsibility regime and existing waste diversion programs and their transition. Other key functions of the Authority will be receiving and storing data from producers, collectives, municipalities and others who conduct resource recovery or waste reduction activities as well as compliance and enforcement under both the new and old producer responsibility regimes.

- Establishes the *Strategy for a Waste-Free Ontario: Building the Circular Economy*, which will outline a vision and goals for resource recovery and waste reduction and identify actions under the RRCEA and other acts (e.g., the *Environmental Protection Act*).
- Provides the government with various regulation making powers to:
 - designate materials for collection and management under the new circular economy framework;
 - identify persons responsible for meeting obligations with respect to products and packaging sold to consumers in Ontario;
 - require the persons responsible to meet clear outcomes and be accountable for recovering resources and reducing waste associated with the designated materials;
 - set obligations such as registration, promotion and education, reporting and record-keeping, and other activities that relate to resource recovery and waste reduction; and
 - oversee the Authority.
- Allows municipalities to be service providers to assist producers in fulfilling their obligations and would have to negotiate a fair price for these services. There is no legislative role for municipalities in the new legislation.

The new WFOA also includes the *Waste Diversion Transition Act* (WDTA) that:

- Replaces the *Waste Diversion Act, 2002* to enable the smooth transition of existing programs to the new producer responsibility regime.
- Allows for the wind-up of the existing waste diversion programs and the Industry Funding Organizations (IFO) that operate these programs. It will transition the wind-up of the existing waste diversion programs and their IFOs (e.g., Stewardship Ontario, Ontario Tire Stewardship, Ontario Electronic Stewardship). Extensive consultation would take place with stakeholders. Tires, WEEE and MHSW are proposed to transition in the first 2-3 years and Blue Box after 4 years of the new legislation. After the wind-up of existing programs, the WDTA will be repealed. Changes to Ontario Regulation 101/94 to remove requirements for municipalities to collect materials at the curb will be part of Blue Box consultation

Current waste diversion programs such as the Blue Box program will be continued under the *Waste Diversion Transition Act* until they are transitioned to the new individual responsibility framework.

APPENDIX B

Summary of how Previous City of London Comments were Addressed

In February 2016, the City of London submitted 31 comments to the EBR covering both the proposed WFOA (Bill 151, November 2015) and the draft Strategy for a Waste Free Ontario: Building the Circular Economy. The table below provides a summary comment as to how the comment from London (and likely made by many others) has been addressed, at this point in time, in either the Final Draft Strategy or the new WFOA legislation.

EBR Comment Submitted by City of London on the Draft Strategy (February 2016)	Were City of London's Comments Addressed?
1. The City of London supports a long-term vision of a circular economy with zero waste and zero greenhouse gas emissions from the waste sector and where all resources, organic and non-organic, are used and reused productively, maximizing their potential and reintegrating recovered materials back into the economy. It has demonstrated this support most recently through a community engagement process in 2014 called; Road Map 2.0: The Road to Increased Resource Recovery and Zero Waste.	Yes, Final Draft Strategy reflects London comment
2. The City of London supports a sustainable resource recovery and waste management system that wisely balances environmental responsibilities, financial requirements and is socially acceptable for all participants (e.g., consumers, generators, collectors, processors, municipalities, producers, regulators).	Yes, Final Draft Strategy reflects London comment
3. The City of London supports the increasing role for producer responsibility for the products and packages producers' create. This role includes financial, social and environmental responsibility.	Yes, Final Draft Strategy reflects London comment
4. The City of London acknowledges that with increasing producer responsibility, producers must be provided a much greater say in how its products and packages are managed. In many cases, the producers are best positioned for the lead role and need to demonstrate the leadership with few constraints.	Yes, Final Draft Strategy reflects London comment
5. The City of London does not support the lack of clarity and/or the general re-alignment and/or removal of municipal responsibility throughout the Resource Recovery and Circular Economy Act, 2015 (RRCE, 2015) and the draft Strategy. The draft Strategy largely ignores the integrated nature of waste (curbside collection of Blue Box materials are integrated with collection schedules for garbage, Green Bin and yard materials); municipal presence and responsibility at the curb and other public properties; existing municipal promotion and awareness; complaint resolution mechanisms; and a successful track record by municipalities in recycling operations, management and logistics dating back over 30 years in Ontario.	Yes, Final Draft Strategy reflects London comment
6. The City of London recommends that the province review the proposed RRCE 2015 and determine where a legislative role for municipalities should be specifically listed which harnesses the benefits of the current powers assigned to municipalities through the Municipal Act and other legislation, the benefits of local government accountability and transparency to taxpayers and consumers, and the increased legislative requirements proposed for producers. This action would ensure that municipalities continue to operate in a consistent manner and continue to provide a collaborative leadership role in environmental and financial sustainability for all Ontarians and businesses.	No, <i>Waste Free Ontario Act</i> does not reflect London comment

EBR Comment Submitted by City of London on the Draft Strategy (February 2016)	Were City of London's Comments Addressed?
7. The City of London strongly encourages that the province make available additional background details, environmental impact (benefit) data and financial data to support the changes contemplated in the draft Strategy. The draft Strategy is light on details that support and provide evidence that these changes will have the intended outcomes at an affordable price for consumers, taxpayers and businesses. The draft Strategy should contain more financial and other impact details to support major changes in direction. Data of this nature is essential to decision-makers and those being impacted. Part of the analysis would be a clear indication of what the current waste diversion system costs and the environmental impact (benefit). Comparisons to the existing system provide an excellent indication of how significant the changes have to be to achieve the outcome and what financial and human resources will be required.	No, Final Draft Strategy does not reflect London comment
8. The City of London strongly encourages the province to renew its working relationship with Ontario municipalities with respect to waste diversion if it wishes to take a significant role as contemplated in the draft Strategy. Since the early 1990s, the province has had limited direct involvement in implementing waste diversion policy, performance review of waste diversion programs, environmental impacts of waste diversion programs and the economic benefits of waste diversion systems. This work has been largely undertaken by municipalities, associations containing municipal membership and industry. This would be the ideal time for the province to prepare its implementation plans in full recognition of the regulated and policy roles it has assigned to municipalities over the last 30 years. It is imperative that duplication be avoided, transparency and accountability remain high and that challenges and opportunities be understood including the potential for unintended consequences.	Yes, Final Draft Strategy reflects London comment
9. The City of London does not support the reduced emphasis in the draft Strategy for the diversion of more IC&I materials and the potential synergies with the diversion of residential materials. The province has not addressed what is clearly a major issue; the IC&I sector sends over 80% of its materials to disposal facilities.	Yes, Final Draft Strategy reflects London comment
10. The City of London recommends that the draft Strategy include information and discussion on the diversion of construction and demolition (C&D) waste materials as designated materials as they represent a significant portion of the waste generated in Ontario.	No, Final Draft Strategy does not reflect London comment
11. The City of London generally supports the Waste Diversion Transition Act, 2015 (WDTA, 2015) as it reflects both the challenges and opportunities that lie ahead for all parties.	Yes, Final Draft Strategy reflects London comment
12. The City of London recommends that municipalities have a provincially directed or legislated role with the province and the proposed Authority in the transition of waste diversion programs to ensure that programing, operational matters, policy changes and other key transition details are done in cooperation and collaboration with municipalities and in the best interest of taxpayers.	No, <i>Waste Free Ontario Act</i> does not reflect London comment
13. The City of London recommends that during the transition period timely reviews and pauses occur to identify and assess the impacts or potential impacts. This could result in a shorter or a	Yes, Final Draft Strategy reflects

EBR Comment Submitted by City of London on the Draft Strategy (February 2016)	Were City of London's Comments Addressed?
longer transition period for designated materials. Fundamental in the transition phase should be the understanding that a new balance of responsibilities and actions could occur that represent an ideal outcome for the province, consumers, taxpayers, businesses, municipalities and the environment. The transition period must be used to gather further evidence and details to ensure that regulations are in the best interest of all parties as successful waste diversion programs have numerous participants.	London comment
14. The City of London recommends that the Association of Municipalities of Ontario (AMO), representing over 444 municipalities and the Regional Public Works Commissioners of Ontario (RPWCO) participate directly in a working group with the province to ensure that the province has timely access to waste diversion information and operational experience.	Yes, Final Draft Strategy reflects London comment
15. The City of London supports the work being done by the Association of Municipalities of Ontario (AMO) to represent the best interest of municipalities and all their taxpayers (e.g., citizens, businesses) and recommends that AMO, supported by municipal staff, have a provincially directed or legislated role with the province and the proposed Authority in upcoming discussions, assessments, program design and implementation.	No, <i>Waste Free Ontario Act</i> does not reflect London comment
16. The City of London acknowledges that the success of the proposed RRCE 2015 and the WDTA 2015 will depend on the regulations to support them and how these regulations are implemented. These regulations will need to set rigorous service levels to provide accessibility and convenience for residents to divert designated materials and recycling targets. The province needs to ensure municipalities are fully engaged in this consultation. Currently it is difficult for municipalities to provide more detailed comments as the proposed legislation and draft Strategy are very high level.	Yes, Final Draft Strategy reflects London comment
17. The City of London notes that RRCE 2015, WDTA 2015 and the draft Strategy have numerous positive aspects. It is imperative that further discussion examine the costs and benefits of key actions. Consequences and unintended consequences must be better understood. At the same time, this must not be used as an excuse for not moving to more sustainable, cost effective and environmentally sound approaches of waste diversion and waste management.	Yes, Final Draft Strategy reflects London comment
18. The City of London notes that municipalities across Ontario have demonstrated their commitment to waste diversion with an impressive waste diversion rate of between 40% and 55%. This has come with a tremendous amount of work with our citizens, contractors, the province and producers. This operational know how and proven experience must be tapped into by the province for both the future residential diversion system and advancing the low diversion rate of 12% in the IC&I sector.	Yes, Final Draft Strategy reflects London comment
19. The City of London supports the development of an Organics Action Plan noting that it is key that the Action Plan and potential regulations stay flexible enough to permit all technologies that maximize waste diversion and reduce greenhouse gases and look at multiple end products including compost, energy, biochar and other value added end products.	Yes, Final Draft Strategy reflects London comment
20. The City of London recommends early in the transition period, the province produce peer reviewed assessments of extended	No, Final Draft Strategy does

EBR Comment Submitted by City of London on the Draft Strategy (February 2016)	Were City of London's Comments Addressed?
producer responsibility programs (EPR) in other jurisdictions from an operational perspective. What has worked? What has not? When has a change just shifted versus actually been proven to be better? Under what conditions will another system work in a different jurisdiction? etc.	not reflect London comment
21. The City of London recommends that the province immediately start a process to address the transboundary flow of garbage and resources to the United States as this may be a very difficult challenge to resolve and sufficient time will be required. Estimates suggest between 3 and 4 million tonnes are shipped outside of Ontario annually, or about 25% to 30% of Ontario's garbage and resources.	No, Final Draft Strategy does not reflect London comment
22. The City of London recommends that the province increase its activities and investment in waste diversion and waste management research and pilot projects. The actions required to make the draft Strategy a reality require more programs, facilities and technologies, some of which are not proven on the scale being contemplated.	Yes, Final Draft Strategy reflects London comment
23. The City of London recommends that the province take an independent look at waste conversion technologies (e.g., gasification, pyrolysis, gas phase reduction, other mechanical-biological treatment, etc.) to determine where advanced technologies have a place in greenhouse gas reduction and waste diversion. These technologies do not 'burn' materials and must not be classified with incineration.	Yes, Final Draft Strategy reflects London comment
24. The City of London recommends that the province use the Blue Box Cost Arbitration decision for 2014 as the basis for 2015 payments and the starting point for the discussion as part of the WDTA 2015. Based on all the resource time, financial payments and legal participation, the Arbitrator's decision was a very accountable and transparent process. It is imperative that this rigorous analysis of Blue Box recycling costs be used again rather than spending time and resources for another arbitration.	No, <i>Waste Free Ontario Act</i> does not reflect London comment
25. The City of London recommends that the province establish in the WDTA 2015 specific percentages for Blue Box payments directly to municipalities based on the net cost of recycling. For example, 2016 (50% payment of net recycling costs) with subsequent years including defined percentages. During this period municipalities and their contractors would continue to use and implement best practices for recycling.	No, <i>Waste Free Ontario Act</i> does not reflect London comment
26. The City of London recommends the province establish a regulation under the WDTA 2015 to address the impacts of new products and packages that are problematic for recycling systems including increased costs. During the transition period, these additional costs should not be paid for by municipalities.	No, <i>Waste Free Ontario Act</i> does not reflect London comment
27. The City of London recommends that the province establish a financial policy that addresses the residual value of unused (redundant) municipal waste diversion infrastructure that was built to assist municipalities in meeting the requirements of regulations imposed by the province.	Yes, Final Draft Strategy reflects London comment
28. The City of London recommends the province require that producer responsibility be extended to designated materials that are not diverted or reduced, to include the designated products and packaging that are landfilled, become litter, or end up in the	No, <i>Waste Free Ontario Act</i> does not reflect London comment

EBR Comment Submitted by City of London on the Draft Strategy (February 2016)	Were City of London's Comments Addressed?
organics stream (e.g. green bin program) and that municipalities be compensated for these services.	
29. The City of London recommends that the province establish a financial policy that directs a portion of the fines imposed on producers for missing targets to municipalities as the impact of missing a target will impact local waste management programs. Currently municipalities are not entitled to unredeemed deposits on alcohol beverage containers that end up in the recycling system.	No, <i>Waste Free Ontario Act</i> does not reflect London comment
30. The City of London recommends that the province, industry and municipalities develop incentive-based support programs for products and packages that contain recyclable or organic materials through procurement policies and other economic mechanisms.	Yes, Final Draft Strategy reflects London comment
31. The City of London recommends that the province ensures that Ontario's Cap & Trade Program links directly to waste diversion and resource recovery efforts by recognizing and encouraging activities in the waste management sector that drive emission reductions.	Yes, Final Draft Strategy reflects London comment

APPENDIX C

Waste Free Ontario Act – Legislative Requirements for the Strategy (extracted from the Act)

Strategy

3. (1) In order to support the provincial interest, the Minister shall, no later than 90 days after the day this section comes into force,

(a) develop a strategy entitled *Strategy for a Waste-Free Ontario: Building the Circular Economy* in English and *Stratégie pour un Ontario sans déchets : Vers une économie circulaire* in French; and

(b) publish it on a website of the Government of Ontario.

Same

(2) The Minister shall maintain the Strategy that is developed under subsection (1) and shall ensure that it remains available to the public on a website of the Government of Ontario.

Review

(3) Within 10 years after the Strategy is developed and at least every 10 years thereafter, the Minister shall cause a review of the Strategy to be undertaken.

Same

(4) As part of a review of the Strategy, the Minister shall,

(a) consult on the Strategy, in the manner the Minister considers appropriate, with any person or entity the Minister considers may have an interest in the Strategy, including the public; and

(b) based on the consultation, amend the Strategy, as he or she considers advisable.

Amendments

(5) In addition to making amendments as part of a review described in subsection (4), the Minister may, as he or she considers advisable, make amendments to the Strategy from time to time in between reviews.

Contents

4. The Strategy shall set out the following:

1. The Strategy's goals.

2. A summary of actions that may be taken under this Act or any other Act, and any non-legislative actions that may be taken, to support the Strategy's goals.

3. The performance measures by which progress in achieving the Strategy's goals can be assessed.

4. Such other matters as the Minister considers advisable.

Progress reports

5. At least once every five years, the Minister shall prepare a report setting out the following and publish it on a website of the Government of Ontario:

1. A description of actions that have been taken during the period covered by the report to address the Strategy's goals.

2. A description of progress made in achieving the Strategy's goals, as assessed by the performance measures established under paragraph 3 of section 4.

APPENDIX D

Key Elements of the Final Draft Strategy

The four objectives outlined in the Final Draft Strategy, re-printed below from the Final Draft Strategy, are critical to achieving these two goals; a zero waste Ontario; and zero greenhouse gas emissions from the waste sector, over a long period of time leading to 2050 (see next page for timeline).

1. “Enhance Provincial Direction and Oversight

Striving for a waste-free Ontario will require transformation and sustained leadership through broad, cross-cutting direction. This direction is critical for communicating requirements, priorities, goals, principles, best practices and desired outcomes. We will also need to enhance oversight in resource recovery and waste reduction systems.

To provide strong leadership, the government will also need to better understand how we can build a circular economy in Ontario. Data gathering, analysis and communication will help us understand how far we have come and what else is needed to achieve our goals in order to make better evidence-based decisions.

2. Enable Efficient and Effective Recovery Systems

As we move towards full producer responsibility and a zero-waste future, we need to make sure that we have the necessary building blocks in place for an efficient and effective resource recovery system that will save taxpayers money, reduce emissions from waste and reduce costs for companies and consumers, all while protecting environmental and human health. We also need to strengthen generator responsibility as set out under the Environmental Protection Act.

3. Increase Waste Reduction and Resource Productivity

Resource recovery and waste reduction contribute to economic development and job creation in a variety of ways. If we are to build a circular economy and reap its benefits, it is critical that we minimize raw materials use, maximize reuse of products and packaging and recycle a wider range of materials. Ontario will also use a variety of tools and take actions to incent businesses to show leadership and demonstrate efforts to increase resource productivity by reducing the use of raw materials and avoiding waste to maximize the recovery of materials at their end-of-life.

4. Create Conditions to Support Sustainable End-Markets

Given the right conditions, materials can be recovered and re-integrated into the economy. For this to happen, the cost to recycle must be more viable than the low cost of sending materials to landfill. More emphasis needs to be placed on stimulating the development of markets for these products to help close the resource loop. Taking action to foster a supportive business environment for companies that utilize recovered resources within Ontario will help drive additional recycling, create more jobs, reduce greenhouse gases and extend the life of existing landfills.”

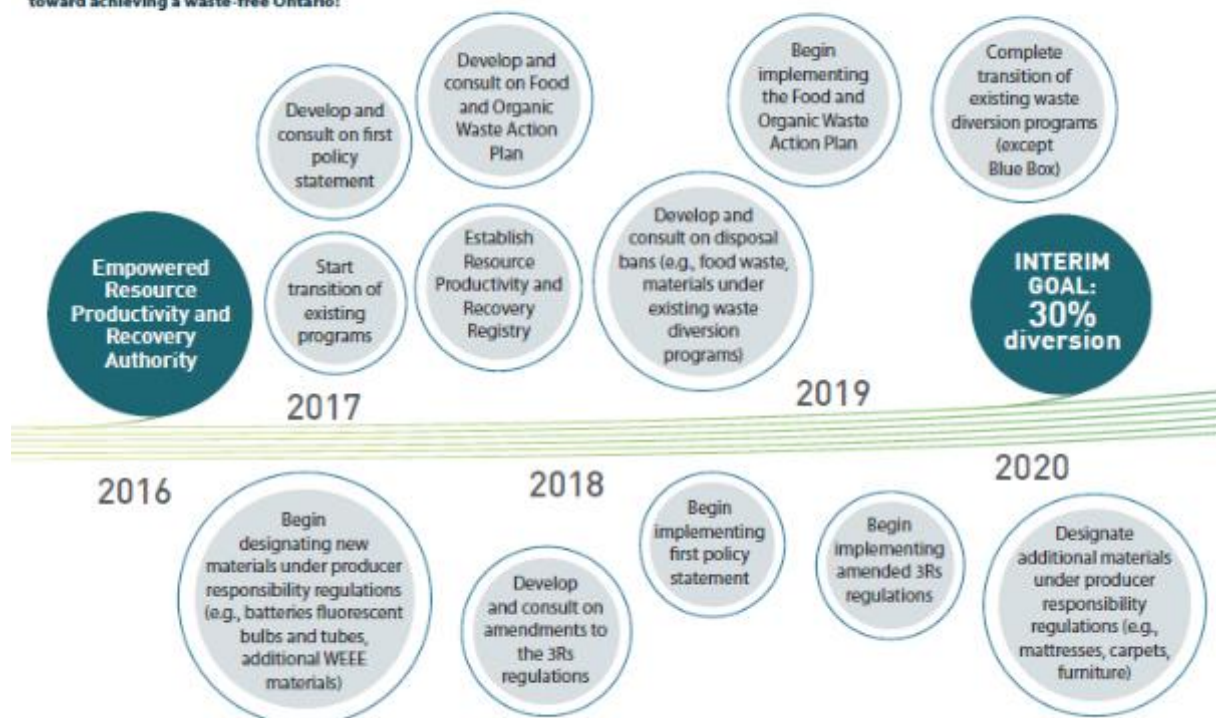
To meet these objectives, the following actions are identified in the Final Draft Strategy:

1. *“Empower the Resource Productivity and Recovery Authority*
2. *Issue policy statements to provide clear direction on the provincial interest*
3. *Establish a data clearinghouse and build data capacity to provide for evidence based decisions*
4. *Transition existing waste diversion programs smoothly to new producer responsibility framework without disruption of services*
5. *Amend the 3Rs regulations to increase resource recovery across all sectors*
6. *Establish service provider requirements to protect the environment while promoting resource recovery*
7. *Ensure landfills are well planned and well managed to minimize their need and reduce greenhouse gas emissions*
8. *Establish promotion and education requirements to support public participation in resource recovery*
9. *Designate new materials to ensure producers are fully responsible for recovering more materials associated with their products and packaging*

10. Implement a framework to reduce the volume of food and organic waste going into landfill
11. Implement an excess soil management framework to increase the re-use of excess soil, while protecting human health and the environment
12. Adopt and implement modern regulatory approaches to build on and promote innovative best practices
13. Improve and establish environmental standards to provide for a level playing field and a strong foundation for markets
14. Use green procurement practices to build market demand for recovered materials
15. Implement disposal bans to direct materials to end-markets”

Transforming Ontario into a Leader

The following timeline will guide our path toward achieving a waste-free Ontario:



12 Proposed Strategy for a Waste-Free Ontario

