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Ms. Acab:

**RE: York Region Response – Reducing Litter and Waste in Our Communities  
Discussion Paper – ERO 013-4689**

York Region thanks the Province for consulting with stakeholders on the Reducing Litter and Waste in Our Communities Discussion Paper and welcomes the opportunity to provide a municipal perspective. Due to the short timeframe provided, it was not possible to bring the response to Regional Council for endorsement prior to submission, however should Council have any additional comments staff will forward them to the Province.

**Staff appreciates efforts to address a number of key municipal issues in the discussion paper**

The discussion paper addresses a number of key municipal concerns including the benefits and need for extended producer responsibility, action on single-use plastics, action on organics and compostable products, and support for thermal treatment. Staff were also pleased to see a greater focus on improving lagging diversion rates in the industrial, commercial and institutional (IC&I) sector. Municipalities have been on the leading edge of waste management, with diversion rates that prove it. The IC&I sector now represents the greatest opportunity to increase diversion rates in Ontario, and mandatory waste diversion targets for this sector will help drive the highest increases in Ontario-wide diversion per dollar spent.

**Ministry staff should leverage municipal sector including York Region's industry leading expertise in waste management**

York Region has demonstrated leadership in waste management, ranking number one in the large urban category consistently for the past five years. The Region was one of

the first adopters of the Green Bin program, has actively supported energy recovery from residual waste by sending materials for recovery for more than 10 years, and has taken a leading edge approach to master planning to address core challenges associated with waste generation. Many aspects of the discussion paper align with York Region's SM4RT Living waste management master plan, which was adopted by Regional Council in 2013. Region staff raised many of the priorities outlined in this response to Minister Phillips on March 22, 2019 and welcome additional opportunities to further this discussion. This response is intended to provide more detailed information to assist Ministry staff in developing feasible options for waste management policy in the Province. This letter highlights the Region's top five priorities for action, and the accompanying detailed response addresses the specific questions posed in the discussion paper.

### **Priority 1: Begin implementation of extended producer responsibility for Blue Box to make producers responsible for their waste**

Discussions on how to implement extended producer responsibility have been ongoing for more than 10 years. Municipalities and producers are ready to transition through the *Resource Recovery and Circular Economy Act, 2016*. Transitioning provides an opportunity to re-energize recycling markets and capitalize on the existing province-wide Blue Box program. **Now is the time for the Province to take action and issue the directive to transition the Blue Box program to an extended producer responsibility model.** Municipalities (via the Municipal Collaborative M3RC) have proposed a timeline to address the transition process, which has also been provided.

### **Priority 2: Include the 4<sup>th</sup> R (Recovery) in diversion calculations to recognize the benefits of recovering the value of resources**

Generating electricity through thermal treatment of waste provides a beneficial use for materials that would otherwise need to be landfilled and helps achieve Provincial greenhouse gas reduction goals, this should be formally encouraged by Provincial policy. In the Ontario context, when electricity generation is taken into account, energy from waste offsets approximately 0.8 tonnes of carbon for every tonne of waste processed, as compared to landfill. York Region recognizes the 4<sup>th</sup> R and in 2018 diverted 94% from landfill through the Durham York Energy Centre and other Energy from Waste contracts. **Energy generation provides a beneficial use and should be recognized as such under Provincial diversion calculations similar to other beneficial uses such as Green Bin programs.** Incorporation of the 4<sup>th</sup> R as diversion must only be considered for materials that cannot be recycled. Similar to York Region's SM4RT Living Program, the first 3Rs (Reduction, Reuse, Recycling) must be prioritized before Recovery.

### **Priority 3: Develop Green Bin compostable standards that align with existing processing systems to provide clear rules**

There has been a significant increase in the products marketed as compostable over the last several years but many of these products do not effectively break down in

municipal Green Bin systems. **“Green Bin compostable” standards must be developed to align with the majority of Green Bin processing technology currently in place in Ontario. Significant municipal tax dollars have been invested in Green Bin facilities and programs, Green Bin compostable standards need to be clear and ensure compatibility with this existing infrastructure.** Development of these standards will need to be supported with an education campaign for Ontario consumers identifying that only “certified compostable” products that meet the standard are suitable for Green Bin programs, along with clear and consistent labelling requirements to reduce consumer confusion.

It is also critical that the Green Bin program not be used by producers as a means to avoid their requirements under a transitioned Blue Box program. The cost per tonne to manage Green Bin materials is more than double the cost per tonne of managing Blue Box materials. Any producer who creates a compostable alternative or new product must be required to pay 100% of costs associated with Green Bin collection and processing.

#### **Priority 4: Provincial or Federal action on single-use plastics and other problematic materials will help reduce plastic waste going into landfills and waterways**

There is significant public concern regarding single-use plastics. This has led to some municipalities considering taking action to ban or restrict the use of these materials. While Region staff support reducing single-use plastics, efforts at the local level should be driven through Provincial and Federal policies as these levels of government are in the best position to ensure a more coordinated and effective strategy is implemented. Provincial and Federal governments have greater legislative authority and would be able to provide a consistent set of rules for single-use plastics across large jurisdictions. For example, it may not be necessary to ban black plastics which typically enter the market as food trays if manufacturers agreed to produce these food trays using a different color or material to make them compatible with most blue box sorting facilities. In addition, producers of these materials are generally large multi-national companies, who require a consistent approach to make effective change.

**Staff recommend the Province work with its Federal counterparts to take coordinated action on single-use plastics to ensure consistency across jurisdictions, which will provide clarity for both manufacturers and residents.** It is recommended this review also include other problematic products such as ‘flushable’ wipes, which have significant impacts on municipal wastewater infrastructure because they don’t break down and impair pumps, resulting in millions of dollars in maintenance and repair costs to municipal ratepayers.

**Priority 5: Ensure extended producer responsibility requirements include public spaces and IC&I sectors to help prevent and reduce litter in neighbourhoods and parks**

Regional and local municipal staff support litter reduction initiatives. Litter is an issue that is best addressed at its source, which can be addressed in two key ways. First, **designate common/branded litter items under extended producer responsibility with ambitious targets that include public spaces and the IC&I generators.** The Province should consider expanding the list of designated items to include materials commonly found in litter, such as coffee cups, to help drive greater reductions in litter. Many of the common sources of litter are branded, meaning their source can easily be identified. Producers of these designated litter materials can then drive innovative solutions to meet targets as these materials are generally not well managed via Blue Box systems. Incentives like deposit-return in public spaces and IC&I locations under extended producer responsibility could result in reduced litter in these areas. Second, **develop Ontario-wide communications to educate Ontarians on litter and maximize clean-up efforts.**

The leadership demonstrated by the Province in driving forward innovative solutions in a complex integrated waste management system while leveraging the experience of the municipal sector is critical to achieving efficiencies while meeting the needs of Ontarians. Region staff are encouraged to see the Ministry has listened to the concerns of stakeholders across the industry to advance the system in a manner that demonstrates life-cycle thinking and respect for taxpayers.

If you have questions regarding this response or would like to further discuss these recommendations, please contact Laura McDowell, Director of Environmental Promotion and Protection at [Laura.McDowell@york.ca](mailto:Laura.McDowell@york.ca) or Brent Marissen, Policy and Advocacy Senior Program Analyst at [Brent.Marissen@york.ca](mailto:Brent.Marissen@york.ca).

Yours truly,

*Original signed*

Erin Mahoney, M. Eng.  
Commissioner  
Environmental Services  
The Regional Municipality of York

Attachments (2):

- [YORK-#9336862-York Region Detailed Comments – Reducing Litter and Waste in Our Communities Discussion Paper – ERO 013-4689](#)
- [YORK-#9341428-ES:C02.\(3\) ERO 013-4689 - M3RC Proposed Blue Box Transition Timeline](#)

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