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## Thinking about Ontario's breakneck waste shift

by [Maria Kelleher](#) March 10, 2018

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Waste management in Ontario is going through a tectonic shift as a result of the *Waste-Free Ontario Act, 2016* (WFOA), which incorporates two separate acts: *The Waste Diversion Transition Act* and *The Resource Recovery and Circular Economy Act (RRCEA)*.

This is a very ambitious plan for the Ontario Ministry of the Environment and Climate Change (MOECC). It's moving along at breakneck speed and everyone in the business is very happy to now see a clear direction and action plan.

A separate document - *Strategy for a Waste-Free Ontario: Building the Circular Economy* - lays out the framework for the elements of both transitioning to an individual producer responsibility (IPR) system for managing and paying for the management of products in the waste stream. It's designed to identify producers, as well as a way for Ontario to move towards a circular economy and reduce waste. Both acts will have a significant impact on how waste is managed in Ontario over the short, medium and long term, and the impacts on municipalities, as well as producers, and likely consumers, should be profound.

Under the *Waste Diversion Transition Act*, four programs (Blue Box, Waste Electronics and Electrical Equipment, tires and Municipal Hazardous or Special Waste) will be transitioned from the *Waste Diversion Act* (WDA) to the RRCEA over time. When fully transitioned, the existing IFOs (industry funding organizations) will be wound up, and the programs will be managed by one or more PROs (producer responsibility organizations). One of the objectives of the WFOA was to introduce competition into the stewardship/EPR marketplace in Ontario. Under the WDA stewards and producers had to join the IFO (industry funding organization) designated in the legislation. Many producers did not like the lack of choice for their service provider in a business which is getting more expensive for them. It is hoped that introducing competition and choice into the Ontario marketplace will resolve this concern over time.

Transitioning the Municipal Hazardous and Solid Waste (MHSW) program mostly involves primary batteries and a few other materials. Paint, the biggest part of the MHSW Phase 1 program under the *Waste Diversion Act* (WDA) is managed under an ISP (industry stewardship plan), which will remain in place under grandfathering provisions in the *Waste-Free Ontario Act*.

While municipalities have had some role in management of Waste Electronics and Electrical Equipment (WEEE), tires and MSHW, the program with by far the biggest impact on municipalities in Ontario on a go forward basis will be what happens to the Blue Box program. A joint agreement between Stewardship Ontario (SO) and the Association of Municipalities of Ontario was announced in summer 2017 to move Blue Box contracts over a 5-10 year period (depending on contract expiry dates), to Stewardship Ontario through an amendment to the Blue Box Plan under the WDA.

On Feb. 15, both Stewardship Ontario and the Resource Productivity and Recovery Authority announced that a proposal for an amended Blue Box Plan would not be submitted to MOECC, and that Ontario municipalities and SO would continue to work together to find an acceptable long-term arrangement for the Blue Box program. Since 2004, producers of printed paper and packaging in Ontario have paid about half of the Blue Box programs annual costs. The relationship between municipalities and SO has not been perfect, and a disagreement over funding lead to an arbitration in 2014. The costs of the Blue Box program have increased over time for many reasons, including a changing mix of materials and less newspaper in the Blue Box.

Blue Box program concerns that need to be worked out through the transition, as well in new regulations, include: longer-term service standards that will be imposed across Ontario as a condition of funding collection programs; diversion targets to be reached; acceptable contamination rates; materials included in the standard provincial list of materials to be funded in the future Blue Box program; the municipal role in processing (likely to transition to stewards/producers over time, like in B.C.), and many others.

The wind-up letters for the tires and WEEE programs have been sent by MOECC to the current IFOs managing these programs. The tire program will transition to full IPR on Jan. 1, 2019, with the transition of the WEEE program scheduled for July 1, 2020. These programs will be run by competitive PROs (producer responsibility organizations). It is anticipated that high diversion targets will be set for these materials and they will no longer be disposed of in the residual Ontario waste stream if the programs are successful, thus lowering the demand for landfill and other disposal over time.

The Strategy that accompanies the Act lays out an ambitious agenda. The most significant are:

A food and organic waste action plan aimed at reducing food waste production in the first place, and then directing food waste to its highest and best use;

A food waste and organic waste ban at disposal sites, likely starting with larger communities and landfills (most of Ontario's waste is landfilled) and other disposal sites, and progressively being expanded to cover the whole province. A number of studies are underway on different aspects of the food waste ban at this time;

Designating regulations for a larger list of materials (the list in the Strategy includes mattresses, carpets, furniture, textiles, paper products and packaging, batteries, tires, etc.) meaning that over time they will be removed from the waste stream, and the cost of managing these materials will be absorbed by producers and stewards;

Disposal bans on a list of materials designated under IPR regulations (WEEE such as household appliances, power tools, lighting, electronics, etc. mattresses, carpets, furniture, textiles, paper products and packaging, batteries, tires, etc.)

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by [Maria Kelleher](#) March 10, 2018

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