Ministry of the Environment,
Conservation and Parks

Reducing Litter and Waste in Our Communities: Discussion Paper

Delivering on the Made-in-Ontario Environment Plan

Ontario

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1.0 INTRODUCTION

On November 29, 2018 the Ministry of Environment, Conservation and Parks released Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan to help protect and conserve our air, land and water, address litter and reduce waste, increase our resilience to climate change and help all of us do our part to reduce greenhouse gas emissions.

Recognizing that true environmental stewardship starts with real action on the environmental challenges we face close to home, the Made-in-Ontario Environment Plan outlined a number of commitments aimed at reducing litter and waste in our communities including:

- Reducing and diverting food and organic waste from households and businesses.
- Reducing plastic waste.
- Reducing litter in our neighbourhoods and parks.
- Increasing opportunities for the people of Ontario to participate in waste reduction efforts.

We are committed to make producers responsible for the waste generated from their products and packaging, and to outline actions to explore how to recover the value of resources in waste, provide clear rules for compostable products and packaging, and support competitive and sustainable end-markets for Ontario's waste.

These changes will enable the province to move forward with a clear, comprehensive and outcome-based approach to reducing litter and waste in our communities and increase recycling, while keeping this province clean and beautiful for future generations. It will not only allow the province to build on progress that has already been made but provide for real and practical solutions that are aligned with a new vision for Ontario; one where hardworking taxpayers are protected and respected, and where our actions produce concrete and tangible results for Ontarians in their every day lives.

Through this discussion paper, we intend to show the steps we will take to make waste reduction, reuse, and recycling easier for the people of Ontario, not only at home or at work, but also throughout our communities.

2.0 MOVE ONTARIO TOWARDS A MORE SUSTAINABLE FUTURE

The people of Ontario have long-embraced opportunities to reduce and recycle waste both at home and on the go. Many of Ontario's municipalities and businesses have also shown leadership in finding innovative ways to reduce the waste they send to landfill.

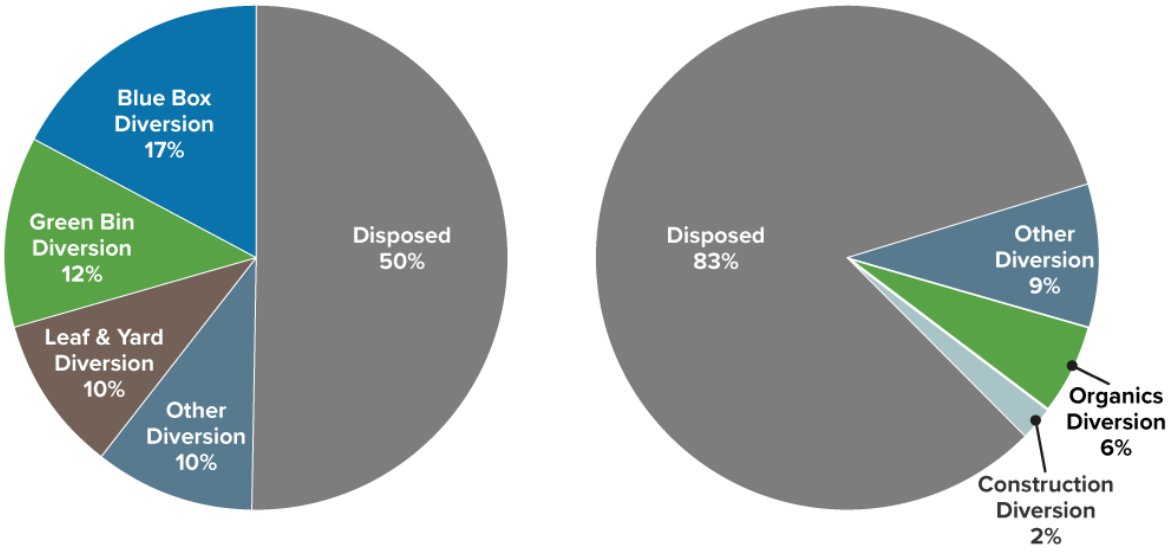
Ontario is a leader in recycling, being the birthplace of the Blue Box Program. Ontario offered the first curbside recycling program in the world, beginning in its infancy in Kitchener in 1981, and growing into a world class system that is now replicated in hundreds of jurisdictions around the world.

We have made progress, but we still have a long way to go.

Ontario generates nearly a tonne of waste per person each year. Our overall diversion rate has stalled at 30 per cent over the past 15 years. This means that 70 per cent of our waste materials continue to end up in landfills.

Ontario's waste stream is composed of 4.7 million tonnes of residential waste and 6.9 million tonnes of Industrial, Commercial and Institutional (IC&I) waste. This means that residential waste makes up 40 per cent of the waste stream while 60 per cent of Ontario's waste comes from the IC&I sector. The residential sector does a better job of diverting waste at nearly 50 per cent while the IC&I sector diverts just 17 per cent.

Ontario's Residential and IC&I Waste Management



Residential Waste (left): Managed by municipalities and includes waste generated by residents in single-family homes, some apartments and some small businesses. Mix of mandatory and voluntary diversion programs.

Business Waste (right): Managed by the private sector and includes food processing sites, manufacturing facilities, schools, hospitals, offices, restaurants, retail sites and some apartments. These diversion programs are largely voluntary.

Sources: Statistics Canada, Waste Management Industry Survey 2017 for non-residential data; Resource Productivity and Recovery Authority, Datacall data and residential diversion rates for residential data. Data on IC&I organic waste from 2018 study prepared for MECP by 2cg.

Sending waste to landfill is economically inefficient and unsustainable. It puts a strain on our environment by taking up valuable land resources that could be used more productively. When we create waste, in our manufacturing processes and in the services we deliver and in our homes, we're not making full use of the scarce natural resources that power our economy. By reducing and diverting waste from landfill we can make our economy more productive. We know that every 1,000 tonnes of waste diverted from landfill generates seven full-time jobs, $360,000 in wages and more than $700,000 in Gross Domestic Product (GDP).[1]

Furthermore, landfills release methane, a potent greenhouse gas. Reducing our reliance on landfills is an important part of meeting the greenhouse gas emission target outlined in our Made-in-Ontario Environment Plan.

Sending waste to landfill also impacts local communities. Municipalities, often in rural areas, are hosting landfills that accept waste from locations far beyond their communities, often with limited say in their approvals.

The people of Ontario are on board with these changes. Residents, businesses, institutions and governments alike are moving towards viewing waste as a resource that has value and can be integrated back into the economy. This mindset recognizes the need to manage our resources more effectively to build Ontario's competitiveness and protect our environment.

To achieve this change, we need to reduce waste before it is made, increase the range of materials we divert from landfill, and make diversion and recycling easier for the people of Ontario. This will require affordable solutions, both provincial and local, that create economic benefits and jobs, allow us to use our natural resources more efficiently, and increase the competitiveness and productivity of our businesses and industries.

We want to move towards an Ontario where we produce less waste, maximize the resources from waste through reuse, recycling, or other means such as thermal treatment, and ultimately send less of our waste to landfill. Less waste means more sustainable use of our resources, less litter in our communities, parks and urban spaces, and a cleaner, healthier environment for all Ontarians to enjoy now and for years to come.

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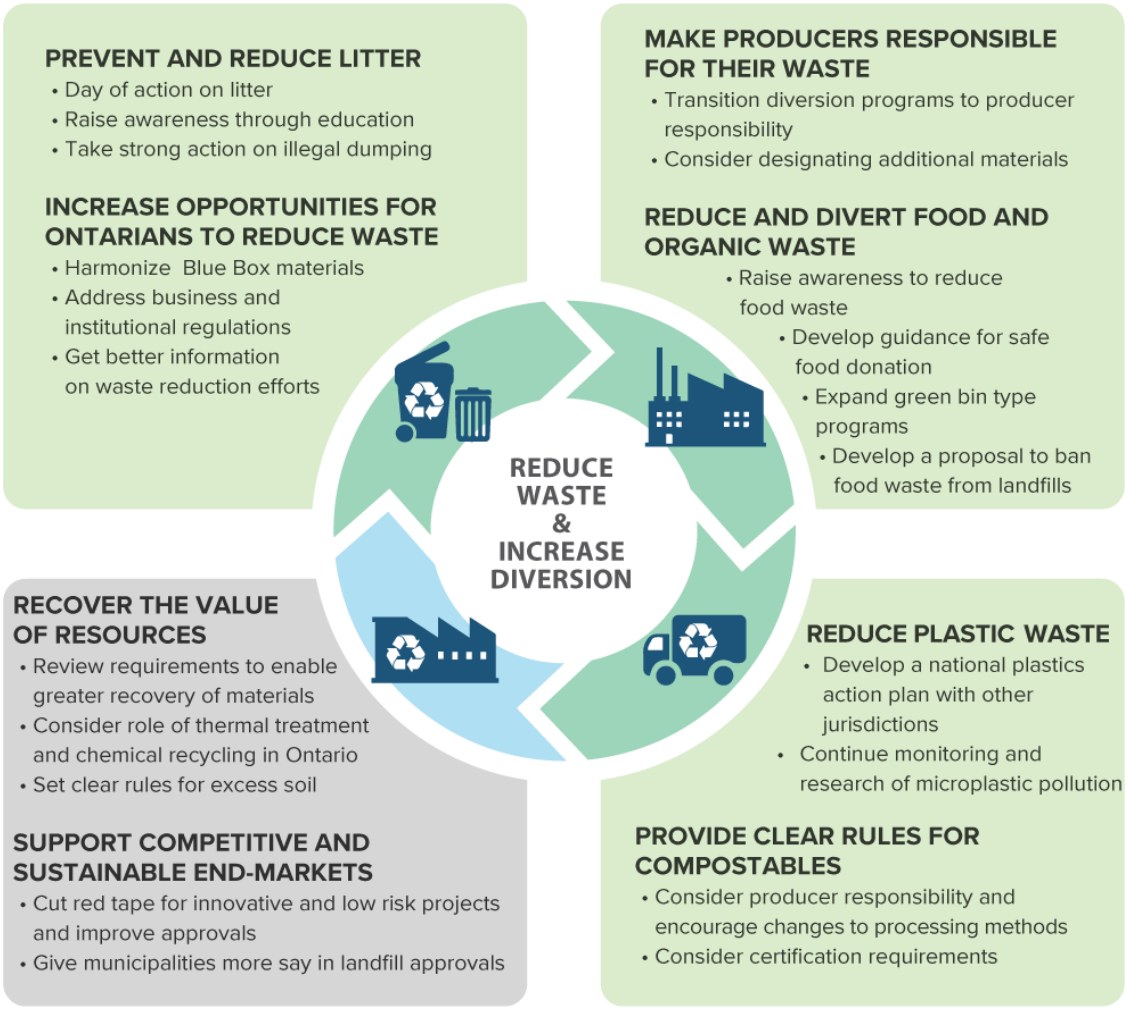
[1] Conference Board of Canada, The Value of Garbage Greater Waste Diversion Would Boost Ontario's Economy, May 29, 2014 and Ministry of the Environment, Conservation and Parks.

Our goal is for an Ontario where we strive to decrease the amount of waste going to landfill, increase the province's overall diversion rate, and reduce greenhouse gases from the waste sector. This goal will guide our work over the next four years. The province will continue to mark its progress towards the aspirational interim targets of 30 per cent diversion by 2020, which has now been achieved, 50 per cent diversion by 2030, and 80 per cent diversion by 2050.

Below are the proposed steps we will take to meet our goal. We need to reduce the amount of waste we generate, divert more waste from landfill and better recover and manage the remaining waste so it can be integrated back into the economy, which will support the health of both Ontario's environment and communities.



2.1 PREVENT AND REDUCE LITTER IN NEIGHBOURHOODS AND PARKS

The prevalence of litter in our streets, green spaces and along our shorelines is a growing blight that threatens the quality of life in many Ontario communities and

neighbourhoods. Litter can have negative impacts for wildlife, spill into our waterways, and interfere with the enjoyment of our parks. Illegal dumping in rural communities burdens local landowners and can have negative effects on farmland.

While many organizations, volunteers and communities have mobilized to hold clean-up days and take other initiatives to combat litter, we recognize that there is much more that can be done to engage our citizenry and keep our communities clean and free of litter and waste.

The province will take a number of actions to support these efforts. We will announce a day of action on litter in Ontario, coordinating with municipalities, schools, organizations and businesses who have been leading efforts to clean-up litter in Ontario. We will work with partners to sponsor events across the province to keep Ontario clean.

We will develop future conservation leaders through supporting programs that will actively clean up litter in Ontario's green spaces, including provincial parks, conservation areas and municipalities. We will connect students with recognized organizations that encourage local environmental stewardship, so they can earn valuable, lasting experiences by cleaning up parks, planting trees and participating in other conservation initiatives.

But the best way to clean up our communities is to avoid litter in the first place. The people of Ontario have shown that when given the opportunity, they will do the right thing and divert or dispose of their waste properly. By and large, we see litter in our public spaces mainly when people lack convenient, accessible and effective diversion and disposal access.

That's why, as we move to a full producer responsibility approach, we will look for opportunities to support our communities by promoting better access to diversion and disposal in our neighbourhoods, parks, and public spaces.

We will also look for opportunities, where feasible, to give producers responsibility for the collection and diversion of recyclables in parks and public spaces. We will explore options for producer responsibility in this area as we move towards transitioning our existing waste diversion programs to producer responsibility. We will look at ways to harmonize what is collected across the province which will help reduce the chance of litter and dumping in rural, remote and northern communities.

Education and awareness around the impacts of litter and waste is also imperative. In all our efforts we intend to work with municipal, non-profit and private partners to raise awareness of the impacts of litter and waste on our shorelines, green spaces and streets through public education campaigns.

We will also work with our municipal partners to take strong actions against those who illegally dump waste or litter in our neighbourhoods, parks and coastal areas. We will

review enforcement tools, including the fines for littering in the *Environmental Protection Act* to ensure they are adequate and incorporate the appropriate level of polluter pays.

Ultimately, litter-reduction efforts hinge on fostering a greater sense of personal responsibility for the people of Ontario. It begins with recognizing that true environmentalism begins with a sense of civic responsibility and meaningful action close to home. By making a concerted effort to not litter and to pick up the litter of others we can all make a lasting difference in ensuring Ontario's environment is protected.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. How best can the province coordinate a day of action on litter?
2. What do you or your organization do to reduce litter and waste in our public spaces? What role should the province play to facilitate this work?
3. What and where are key hotspots for litter that you think should be addressed?
4. How do you think litter can best be prevented in the first place? Where is access to diversion and disposal particularly limited?

2.2 INCREASE OPPORTUNITIES FOR ONTARIAN'S TO REDUCE WASTE

Through municipal programs such as the Blue Box and the green bin, the people of Ontario have made a lot of progress in reducing and diverting their waste at home.

But more needs to be done to enable the people of Ontario to continue to do the right thing, whether at home, at work or on the go. In fact, some of greatest opportunities for improvement in the reduction and diversion of waste in Ontario lie with the businesses and institutions in this province.

Ontario's diversion rate in the IC&I sectors has been stagnant for years. Ontario's regulatory framework for the IC&I sectors is over 20 years old and largely ineffective. We have heard from stakeholders that the regulations are cumbersome and focused on process rather than progress. We also need better and more reliable data on the types of waste reduction and diversion efforts that are currently underway in the private sector. As we move forward, we need to focus on getting results, reducing burden on Ontario's businesses and taking the right action to reduce and divert even more of our waste in Ontario's businesses, institutions and places of commerce.

The province intends to take several actions that will enable businesses to innovate and apply their expertise to get our diversion rate moving in the right direction again. We will also take steps to avoid regulatory burden and maintain competitiveness.

Help people reduce and divert more waste

The patchwork of materials collected by Blue Box programs across the province can be confusing, often resulting in reduced recycling rates. What is acceptable in a Blue Box

program in one municipality may not be acceptable in another, and for some small or remote municipalities there is no program at all.

This results in non-recyclable materials contaminating diversion streams, costing municipalities money when they sort out unrecyclable materials or sell processed materials of lower quality.

We can do better in making diversion consistent across the province. To reduce confusion, we will work with producers and municipalities to harmonize the list of materials accepted in Blue Box programs across the province. We also intend to consult on the collection and diversion of additional materials for the Blue Box Program. This will be accomplished by transitioning the existing Blue Box Program to full producer responsibility.

We may also designate new materials that are currently not covered under any of our diversion programs. We know that more materials can and should be diverted. Potential items which could be designated include:

- Small and large appliances.
- Power tools.
- Rechargeable batteries.
- Fluorescent bulbs and tubes.
- Mattresses.
- Carpets.
- Clothing and other textiles.
- Furniture and other bulky items.

While we know that materials such as clothing and textiles are already re-used and recycled through many voluntary initiatives such as thrift stores, donation programs, community swaps, and some more recent retail take back initiatives, more can be done. The province could work with this sector to provide greater opportunities to encourage the collection and recovery of unwanted clothing and textiles instead of sending these valuable items to landfills.

Recycling in multi-unit residential buildings in Ontario also remains very low. There are several reasons for this, including the age of some buildings, which were designed to manage their waste stream through a single “garbage” chute. The people living in these buildings often have limited accessibility to source separation services. There are also costs associated with developing a multi-stream collection system that includes food and organic waste, Blue Box materials, and residual garbage.

The province has heard from stakeholders that greater efforts are needed to increase participation in waste reduction and resource recovery in multi-unit residential buildings and will work with municipal, non-profit and private partners to develop guidance to increase diversion in apartments and condominiums.

Help businesses and institutions reduce and divert more waste

As noted previously, 60 per cent of Ontario's waste comes from the IC&I sector (e.g. hospitals, restaurants, and offices). It is therefore important that we work closely with this sector to better understand the challenges they face and develop solutions that help them increase their participation in diversion efforts.

The current approach to the sector has been focused on process, rather than making progress. Businesses and institutions already know their operations best and simply require clear, results-based rules that are applied fairly and consistently across their sector.

Currently, Ontario Regulations 102/94 (Waste Audits and Waste Reduction Work Plans) and 103/94 (IC&I Source Separation Programs) require large businesses and institutions to identify the amount and types of waste they generate, develop waste reduction work plans, separate certain wastes at source and make reasonable effort to ensure that separated wastes are sent for reuse or recycling. Ontario Regulation 104/94 (Packaging Audits and Packaging Reduction Work Plans) requires manufacturers, packagers and importers to audit their packaging practices and develop packaging reduction plans.

These regulations, known as the 3Rs regulations, are more than 20 years old and do not adequately drive increased waste diversion. We need a new approach.

We will engage directly with businesses and institutions to assess how and where waste reduction and recycling is currently taking place and see how best to build on those efforts in the most cost-effective way.

As we work with businesses and institutions, we will develop an approach to help increase recycling with on-the-ground feedback that will need to take into consideration:

- How best to focus our efforts on the IC&I sector, both in terms of the establishments that will be subject to regulatory requirements and the types of waste materials that will help drive improvements in diversion rates.
- The greater use of results-based outcomes (e.g. setting waste reduction and diversion targets) for the IC&I sector, based on current waste volumes or high value materials.
- The processes that need to be developed for establishments to measure their waste reduction activities and hold the IC&I sector accountable for meeting provincial waste reduction goals.
- How best to collect information that will track improvements in waste diversion rates, while cutting red tape and minimizing regulatory burden.
- The alignment of any changes with producer responsibility and other existing policy (e.g. the *Food and Organic Waste Policy Statement*).
- The role of promotion and education in improving diversion rates.

- How best to apply greater use of best practices (e.g. in multi-unit residential buildings), new technologies (e.g. mixed waste processing) and sector-specific pilot projects.

Any new approaches to diversion in the IC&I sector need to complement, not duplicate, producer responsibility requirements. In broadening the materials we divert in Ontario, we will make sure that we implement clear, streamlined requirements that are consistent with the principle of producer responsibility.

Get the right information to make sure we make progress

When residents and municipalities reduce or divert waste, we should be able to show them how their actions have resulted in progress. When we ask businesses to take responsibility for their waste, we need to be able to take clear action to maintain a competitive and level playing-field and also show that businesses are doing their part. In the past, this has been a challenge because we have lacked up-to-date information of how we are managing our waste.

It's not fair to ask businesses, municipalities, and the people of Ontario to do more without being able to show them the results of their hard work. Information, along with clear rules and strong enforcement, is critical to ensuring we are getting real results from our efforts to reduce, divert and manage our waste. To provide real-time monitoring of our waste management systems, we need a clear picture of what is happening on the ground.

The challenge isn't getting more information – it's getting the right information. More specifically, we need information that will help Ontario:

- Assess the current state of resource recovery, waste reduction and future needs.
- Understand where opportunities exist to recover resources and increase waste reduction.
- Determine whether environmental standards are being met.
- Hold polluters accountable while reducing regulatory burden for responsible businesses.
- Improve our understanding of the costs and benefits of resource recovery and waste reduction.
- Evaluate and assess our performance against targets.

Any initiative to collect information must be flexible, nimble, and reduce burden on businesses. That's why we propose to use the Resource Productivity and Recovery Authority (RPRA) to set up a one window approach for the collection of information. Producers for waste diversion programs, such as tires, currently report to RPRA. RPRA will use their established information clearinghouse (i.e. a registry) to collect important information from producers and other parties that conduct activities related to resource recovery and waste reduction (e.g. generators, service providers and municipalities).

These efforts will help the province effectively set targets and develop policies while RPRA monitors and assesses producer performance to ensure a fair and competitive market. To build trust and transparency, the province may also require RPRA to make information available to the public, where appropriate, through its public-facing registry.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. How can the province best help the public participate in waste reduction and diversion activities? How can the province facilitate better diversion in lagging areas, such as multi-unit residential buildings?
2. What types of initiatives do you think would result in effective and real action on waste reduction and diversion for the IC&I sectors?
3. What role do you think regulation should play in driving more waste reduction and diversion efforts from the IC&I sectors?
4. How can we get accurate information on waste reduction and diversion initiatives in the IC&I sectors?
5. What do you think about a province-wide program for the recovery of clothing and textiles?

2.3 MAKE PRODUCERS RESPONSIBLE FOR THEIR WASTE

Ontario's municipalities pioneered some of the world's first curbside recycling programs in the 1980s.

A lot has changed since that time. Today, products and packaging are drastically different than the newsprint, and food and beverage containers managed by early Blue Box programs. Materials are more complex than ever, and changes to our economy mean markets for processed recyclables are global, not local. This leaves municipalities in the unenviable position of trying to manage materials they can't anticipate and generate revenues from processed materials in highly-variable markets.

While municipalities will always have a critical role in our waste management systems, we believe that taxpayers should not be on hook for costs they cannot control.

Producer responsibility makes sense. The businesses that develop products and packaging are best positioned to make decisions that reduce waste or increase the resources that can be recovered from their products at end of life. It's producers that know how to get their products to market, how their products are used, and when their life-span is expected to end.

Making producers responsible for the full waste cycle of their products will make recycling easier and more accessible across the province. A producer responsibility model also reduces the burden on taxpayers and promotes a competitive market for diversion.

Producer responsibility is the most effective and accountable way to promote waste diversion, align the true costs of managing products and packaging at their end of life, and save taxpayers money. For example, shifting the Blue Box Program to full producer responsibility is estimated to save municipalities over $125 million annually, with this cost avoidance anticipated to rise in the coming years. That's why Ontario is moving forward with a new producer responsibility system that will help encourage competition and innovation among producers while reducing the amount of valuable materials that end up in landfill.

As part of shifting to producer responsibility, existing waste diversion programs will undergo a transition process that consists of two concurrent steps:

1. Winding up the existing waste diversion programs and the industry funding organizations that operate them under the *Waste Diversion Transition Act, 2016*.
2. Putting in place regulations under the *Resource Recovery and Circular Economy Act, 2016* to make producers fully responsible for the materials managed under the existing programs.

To ensure a seamless transition, each new producer responsibility regulation will be fully implemented on the day the existing waste diversion program winds up.

Four waste diversion programs were developed and operated by three industry funding organizations under the *Waste Diversion Act, 2002*, and are currently continued under the *Waste Diversion Transition Act, 2016*:

1. Blue Box operated by Stewardship Ontario.
2. Municipal Hazardous or Special Waste (MHSW) operated by Stewardship Ontario.
3. Waste Electrical and Electronic Equipment (WEEE) operated by Electronic Stewardship.
4. Used Tires operated by Ontario Tire Stewardship.

As well, four Industry Stewardship Plans have been approved under the *Waste Diversion Act, 2002*:

1. Used Paints and Coatings.
2. Pesticides, Solvents and Fertilizers.
3. Automotive Materials Stewardship.
4. Soda Stream.

Transition will continue to be guided by the following core principles:

- The government will lead the transition process.
- The people of Ontario's experience with and access to existing services will not be negatively impacted, such as regular curbside collection of Blue Box materials.
- Transition will promote competition and a level playing field in the marketplace.

- All stakeholders will be extensively consulted and engaged in the process.

We have already made progress and will continue to transition Ontario's existing waste diversion programs to producer responsibility. The Used Tires Program has ceased operation and a new regulatory framework which makes tire producers responsible for recovering their end-of-life products and packaging is now in place. Under the new system, tire producers are required to create an accessible and convenient tire collection network across the province to recover and recycle used tires so they do not end up in landfills.

Ontario Electronic Stewardship, which currently manages the WEEE Program, has submitted its wind up plan to RPRA and the WEEE Program was directed to cease operations on June 30, 2020. Stewardship Ontario has also been directed to submit a wind up plan for the MHSW Program to RPRA by June 30, 2019. The MHSW Program will wind up in two phases – the single use battery program was directed to cease operation on June 30, 2020, and the program for the remaining materials was directed to cease operation on December 31, 2020.

Changing how the Blue Box Program is managed may take longer as the province, municipalities and producers will need to have extensive discussions to ensure this very successful program continues to be accessible and convenient for households across the province. Cooperation among municipalities, producers, RPRA and Stewardship Ontario will be essential to ensure that taxpayers are protected and that there is a smooth transition to the new producer responsibility approach.

Considerations for consultation on the Blue Box Program transition process could include:

- Roles and responsibilities for the operation of the Blue Box Program.
- Opportunities for municipal integrated waste management systems to support producer responsibility.
- How to address municipal contracts and assets, including existing contracts for collection and post-collection management, and how to manage and minimize stranded assets.
- Opportunities to harmonize materials collected across Ontario and the type of collection activities that are undertaken.
- Opportunities to lower overall costs through greater harmonization in the collection and post-collection management.
- The status of Regulation 101/94 under the *Environmental Protection Act*, which currently requires every municipality with a population of at least 5,000 residents to operate a Blue Box waste management system prior to and after transition.

We will work closely with businesses and industry to expand beyond the wastes currently covered by existing diversion programs when looking for further opportunities to reduce, reuse, divert and recover resources under the producer responsibility

framework. Materials such as carpets, mattresses, furniture and other bulky items are valuable waste materials that can be recovered and should not go to landfill.

We will work with RPRA to gather the right information to ensure that our producer responsibility systems are effective, accountable, and deliver results for the people of Ontario.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. How do you think the Blue Box Program could best be transitioned to full producer responsibility without disrupting services to Ontario households?
2. Should it transition directly to producer responsibility under the *Resource Recovery and Circular Economy Act, 2016* or through a phased approach?
3. When do you think the transition of the Blue Box Program should be completed?
4. What additional materials do you think should be managed through producer responsibility to maximize diversion?
5. How can we make it easier for the public to determine what should and should not go in the Blue Box?
6. How should the province implement the transition process of its existing programs to producer responsibility without interrupting service?

2.4 REDUCE AND DIVERT FOOD AND ORGANIC WASTE

We know that when food and organic waste ends up in a landfill, it breaks down to create methane, a potent greenhouse gas (GHG), and contributes to climate change. In addition to direct emissions, there are large amounts of land, energy, water and labour used.

When food and organic wastes are sent to landfill, opportunities are lost to both preserve valuable resources that could be used to support healthy soils and to reduce GHG emissions. Food and organic waste also attract rodents such as rats, racoons, pigeons and other parasites.

Avoiding food waste, rescuing surplus food, and diverting unavoidable food and organic waste is both good for the environment and good for business.

Doubling the current diversion rate for food and organic waste would lead to a reduction of an additional 1.1 Mt of GHGs, which is equivalent to removing approximately 260,000 cars from Ontario roads each year.

Our current efforts to divert food and organic waste through green bin programs, community composting efforts and leaf and yard waste support up to 1,700 direct jobs in Ontario and generate over $100 million in GDP.2

But with just over 60 per cent of Ontario's food and organic waste being sent to landfill, we can do more to make it easier to reduce waste, rescue surplus food, and divert food and organic waste.

The Food and Organic Waste Policy Statement under the Resource Recovery and Circular Economy Act, 2016, provides direction to municipalities, industry, as well as the IC&I sector, by setting reduction targets to reduce the amount of food and organic waste sent to landfill.

Build a culture of food waste avoidance

The people of Ontario want to do the right thing, and as a province we can focus on actions that people, businesses, and institutions can take to reduce food waste. Increasing awareness of food waste will help us take the steps that make waste avoidance part of our daily lives.

Promotion and education is critical to preventing food waste. As such, the province will work with partners to develop educational tools and resources, including guidance on the implementation of the policy statement, to support more standardized promotion and education outreach (e.g. best practices for meal planning and food storage, including tips on how to extend the life of food, such as freezing food where appropriate and safe). The province will work with interested partners including municipalities and industry, build on existing efforts and consider any relevant national policies, initiatives or other successful waste reduction activities in other comparable jurisdictions.

The province will work with partners to raise awareness and take action to reduce food and organic waste and increase diversion efforts within school communities. As part of the government's commitment to curriculum renewal we will explore changes that embed learning about the environment in the classroom.

Support the safe donation and rescue of surplus food

Food is a valuable resource. Rescuing surplus food from becoming waste not only helps local organizations, it's also an example of everyday action that the people and businesses of Ontario can do to help our environment. Surplus food can also support a range of services and initiatives, such as the provision of meals to those in need of food,

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[2] Reports on Organic Waste Management in Ontario, prepared for the Ontario Ministry of the Environment and Climate Change, 2015

the development of value-added products, food skills training, or employment readiness programs related to the food industry. Good food should never go to waste.

The province recognizes the need to support food rescue, and that's why we have a framework in place to support these donations. The Ontario Community Food Program Donation Tax Credit for Farmers provides tax credits up to 25 per cent to farmers who recover and donate agricultural products to eligible programs. The *Ontario Donation of Food Act, 1994*, encourages donations, with certain limitations, and protects food donors from liability because of injuries caused by the consumption of donated food.

Ensuring that surplus food is safe for human consumption is a common concern for organizations that support food rescue initiatives, such as food retailers and food rescue organizations. Food safety is important for perishable food donations and food may not be safe to donate if it has not been handled or stored properly.

Ontario Regulation 562 (Food Premises) made under the *Health Protection and Promotion Act* sets the requirements for operating a food premises, such as safe food handling and preparation, food storage, sanitation, dishwashing and hygiene practices. Food retailers and food rescue organizations must also follow these requirements.

The people of Ontario want to rescue surplus food, but they're not always sure of the best way to go about it. As a province, we can make it easier to rescue, donate, and use surplus food safely to support our local communities. To support the regulation, the province is proposing to develop guidelines to promote the safe donation of surplus food.

These guidelines, along with other ongoing efforts to support healthy food access and food security, can help improve the quality of foods available so families in need of assistance can have access to healthy and nutritious foods.

We will also work with partners to support innovative approaches and tools to rescue surplus food. Several innovative initiatives have already been launched by businesses, social enterprises, non-profit organizations and social agencies to rescue food which would otherwise be destined for disposal. This includes the work of successful organizations across Ontario that rescue surplus food, using innovative platforms and technologies, to connect businesses that have food that would otherwise go to landfill with social agencies that are able to rescue the food.

Expand green bin type programs that achieve results

As the world's earliest adopters of curbside recycling, the people of Ontario have a history of embracing opportunities to send less waste to landfill.

This commitment doesn't stop at the Blue Box. Ontarians have proven that they will divert waste wherever possible. Ontario's residential sector has made considerable

progress in recovering food and organic waste from landfill. Outside the home, food and organic waste collection is becoming more common too, particularly in malls, offices, and schools.

Building on this progress, Ontarians have told us that they want to do more to keep organics from landfill but can't because they don't have access to collection opportunities where they are often needed most.

We will expand green bin or similar collection systems where it makes sense, such as in cities and large towns, targeting urban areas where populations and density make collecting food and organic waste viable and effective through the full implementation of the *Food and Organic Waste Policy Statement*. We will work with municipalities, multi-residential buildings, businesses, schools and hospitals so they understand their obligations under the policy statement and can meet targets (e.g. recover up to 70 per cent of their food and organic waste by 2025). We will develop guidance to support meeting these targets and making food and organic waste diversion as accessible to the people of Ontario as possible.

Keep food waste out of landfills

The province will develop a proposal to ban food waste from landfills.

Keeping food and organic waste out of landfills can help extend landfill capacity, reduce off-site odour issues, and limit GHG emissions.

A landfill ban on food and organic waste could create new opportunities for waste reduction, surplus food rescue, and offer new approaches to resource recovery creating value at all levels of the value chain. A landfill ban could drive investment in resource recovery systems, create jobs and support innovation in the province.

We understand that banning food waste and possibly other organics waste may not be suitable everywhere across Ontario. That's why we will consult extensively prior to moving forward and intend to develop a made-in-Ontario proposal that is tailored to the specific needs of our communities. The province will consider implementation details, such as phased timing, in close consultation with key partners such as municipalities, businesses and the waste management industry so that any landfill ban makes sense for our communities.

Discussion on the ban would have to address several questions. The proposal could consider the following:

- Materials that could be banned: could be limited to packaged and non-packaged food, leftover food, food scraps and soiled paper, or be extended to other organics such as leaf and yard waste, seasonal outdoor waste, and houseplants and flowers.

- Facilities that should be subject to the ban: would it be most effective to ban at landfills and transfer stations or earlier in the collection stage at the point of generation?
- Waste generators that could be impacted: could require large generators of food waste and food scraps such as restaurants and grocery stores to keep these materials out of the disposal stream. Are there exemptions that should be considered (e.g. based on emergency circumstances)?
- When the ban would come into place: should implementation be phased-in, with larger disposal sites and larger food waste generators implemented first, and later for smaller disposal sites and generators, with timing to reflect the need for processing capacity across the province?
- How compliance and enforcement would be achieved: could require disposal sites to develop a compliance plan, publicly report on inspections.

Any landfill ban must make sense for the communities it will impact. The province will conduct extensive consultations before putting in place any new requirements. Consultations will aim to address implementation and operational challenges, including the necessary time to plan for and build additional resource recovery systems, barriers for multi-unit residential buildings and challenges for rural, remote and northern communities that could be impacted.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. What can be done to increase the safe rescue and donation of surplus food in Ontario?
2. What role do you think government and industry can play in raising education and awareness on the issue of food waste?
3. Do you think the province should ban food waste? If so, how do you think a ban would be best developed and implemented?

2.5 REDUCE PLASTIC WASTE GOING INTO LANDFILLS OR WATERWAYS

Litter and plastic pollution on land and in water-bodies is becoming a worldwide pressing issue. For example, it is estimated that almost 10,000 tonnes of plastic debris enter the Great Lakes each year and more than 80 per cent of litter collected during volunteer clean ups along the shorelines of the Great Lakes is plastic.

We know that plastic waste can cause harm to fish and wildlife either through entanglement or consumption, as plastic can be mistaken for food. Much of that plastic waste is from single-use plastics that we use in our everyday lives – from take-out containers to shopping bags, to common grocery store items, single-use plastics have become prevalent in our workplaces, homes and stores. Plastic waste also takes a long time to decompose and as it breaks down it creates microplastics, which have been found in the Great Lakes at concentration levels greater than the oceans, particularly near population centres. Microplastics have been found near shore waters, in streams,

wastewater effluent and sediment, and is also entering the food web – fish and insects in the Great Lakes and abroad are found with microplastics in their stomachs.

In Ontario, the existing Blue Box Program recovered approximately 28 per cent of all plastic packaging generated in 2017. The remaining plastic packaging goes to landfills or becomes litter. We can and should be doing better.

The province will support existing shoreline and other clean-up projects for plastic litter and pollution from our waterways and land, including through a day of action on litter and through the support of other sustained efforts.

But cleaning up our lakes and rivers after they have already been polluted is not a sustainable solution. Consistent, coordinated action is needed to prevent plastic from ending up in waterways not just in Ontario, but across Canada.

We believe that plastic waste is an issue that is best addressed by working with other levels of government as well as industry to better manage plastic waste, including single-use plastic waste, and taking steps to both prevent and clean up plastic pollution on our land and in the Great Lakes and our waterways. We know that other jurisdictions have implemented a ban on single-use plastics to prevent plastic waste.

We will continue to work with other provinces, territories and the federal government on the development of an action plan to implement a Canada-wide strategy.

We know that industry is leading with several of its own actions to reduce plastic waste. One of the challenges of dealing with plastic waste is that there is a lack of harmonization across national and international markets. Moving the yardstick on diversion of plastic waste will require more focused efforts on the part of the federal government. We will seek stronger commitments from the federal government to develop national standards for recyclability to discourage the use of difficult to recycle plastics. We would also like to see the federal government address product labelling and packaging for products improperly labeled as recyclable or compostable.

Ontario will continue to do its part to reduce and divert even more plastic waste through the transition of the current Blue Box Program to a producer responsibility model and by increasing the amount of plastic waste being diverted through the IC&I sectors. Some provinces have used a deposit return system for plastic bottles and other containers to reduce litter. Ontario could also consider deposit return as part of its approach to reduce litter and waste in our communities.

We also intend to ensure the federal government works with Ontario to address the challenges faced by our Great Lakes and inland lakes through continued efforts to expand existing monitoring and research on plastics and microplastic pollution. Effective monitoring and research can help us understand impact of plastic and microplastic pollution, how to identify its sources and how best to reduce it. The research could be

conducted through existing mechanisms such as the *Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health*.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. What do you think is the most effective way to reduce the amount of plastic waste that ends up in our environment and waterways?
2. What role do you think the various levels of government should play in reducing plastic waste?
3. Would you support and participate in shoreline and other clean-up projects to keep our waterways and land free of plastic waste?
4. Would a ban on single-use plastics be effective in reducing plastic waste?
5. What are your views on reducing plastic litter through initiatives such as deposit return programs?

2.6 PROVIDE CLEAR RULES FOR COMPOSTABLES

Intended to be disposed of in food waste collection programs, compostable products and packaging such as cutlery, plastic films, and coffee pods are an innovative alternative to throw-away, single-use products. When properly managed, compostable products and packaging eventually become part of the compost produced by organics processing facilities.

Yet the use and management of compostable products and packaging has proven more complicated than intended.

It's not always clear which products and packaging are compostable, recyclable, or must be disposed of in the trash. Consumers and businesses alike have heard mixed messages about whether compostable packaging can be managed by green bin programs and, in some cases, have been told to put these materials in the trash.

Some municipalities tell us that compostable products and packaging pose a challenge for their green bin systems, as they may not break down according to the procedures and timeframes used by their processing facilities. While national and international certification standards do exist, we know that simply meeting those standards does not ensure that compostable products and packaging can be properly managed in Ontario's anaerobic and composting facilities.

This means that, in some instances, compostable products and packaging are not being properly composted, or are removed from organic waste streams by processing equipment and end up, instead, in landfill.

This is not fair to the businesses, institutions, and consumers that have invested in compostable products and packaging, often paying a premium to do the right thing. It's

also not fair to the municipalities paying a premium to remove or dispose of these items from organic waste streams.

As compostable products and packaging become more common in Ontario, there is broad recognition that more work needs to be done to make sure that these materials are properly managed, and that businesses and consumers get what they paid for.

We believe that producers, municipalities and waste management providers all have a role to play in ensuring compostable products and packaging do not end up in landfill. We also believe that the people of Ontario should have the information they need to know how to properly manage compostable products and packaging when they are done with them.

We will work with industry and municipalities to build consensus on how compostable products and packaging can be best managed to ensure they do not go to landfill. We will convene a working group to bring these sectors together to discuss this issue and a path forward.

There are several options which could be considered, including, for example:

- Making producers responsible for the end of life management of their compostable products and packaging. This could help ensure that increased costs for managing these materials through municipal green bin programs does not end up as a cost to taxpayers. It could also encourage more "take-back" programs to encourage better collection and less contamination of the material.
- Encouraging municipalities and waste management service providers to adjust their processing methods and technologies as needed to support the composting and anaerobic digestion of these materials.
- Looking at potential for requirements for products and packaging marketed as compostable to be certified per a standard that can be processed in Ontario.
- Reviewing the *Guidelines for the Production of Compost in Ontario* to:
    - Clarify that certified compostable products and packaging are an acceptable feedstock.
    - Consider requiring facilities that accept certified compostable products and packaging to ensure their processes and technologies can effectively process these materials.
    - Determine if, by working with federal government and other partners, new or revised standards are needed for the compostable products.
- Consider requiring new compost facilities to adopt processes and technologies that can effectively manage compostable products and packaging as a condition of their Environmental Compliance Approval.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. How do you think compostable products and packaging should be managed in Ontario?

2. Should producers of compostable products and packaging be held responsible for the management and processing of their materials?
3. What role do you think standards and facility approvals should play in the proper management of compostable products and packaging?

2.7 RECOVER THE VALUE OF RESOURCES

Explore opportunities to recover the value of resources in waste

Ontario's priority has always been to first reduce the waste we create, then reuse what we can and finally recycle what is left, prior to disposing of the residual in landfills.

However, this still results in a large amount of Ontario's waste still going to landfills. Some materials can't be recycled, while certain products are made of complex combinations of materials that make recycling too costly to support viable end-markets. We need to consider how to better recover the valuable resources from waste so that it can be integrated back into the economy.

Thermal treatment is a broad term used to describe a range of technologies that can be used to manage non-hazardous wastes from both the municipal sector and the IC&I sectors. These technologies also displace the burning of GHG-intensive fuels, such as coal. In many cases, it is possible to use thermal treatment technology to recover valuable resources, such as plastic resins, synthetic fuels and electricity, from waste that would otherwise end up in landfills. Thermal treatment encompasses a few different processes. Emerging technologies use extreme heat to break down materials such as plastics in order to create synthetic fuels or generate gases. Older facilities will create electricity and steam by burning waste. Some industrial processes use waste as fuel for their operations.

Ontario currently allows select wastes to be used as lower carbon fuel (e.g. coal) substitutes to reduce GHG emissions from cement kilns, such as at the Lafarge Canada Inc. Bath cement plant, and other manufacturing facilities. This use will ultimately be limited by the amount of fuel needed for manufacturing. Municipalities and the private sector can choose to send their wastes to thermal treatment, after they have made reasonable efforts that waste collected is first processed, used or recycled. In addition, Ontario has two facilities that use municipal and private sector waste to generate energy.

Currently Ontario's waste diversion programs cannot promote the burning of waste and are only allowed to use thermal treatment for residuals – the unrecyclable residues left over after materials are processed – even if end-markets for the materials they manage may not sustain recycling on their own. This means that diversion programs end up recycling materials where the cost of processing vastly outweighs revenues, as with plastic films, or where formerly viable end-markets have declined to historic lows, as with newsprint. Changes to national and international markets, such as the recent ban

on imports in China, can result in stockpiles of materials that have limited market potential.

Provinces across Canada are dealing with these same issues. Nova Scotia recently announced changes to regulations to allow plastics and newsprint to be used for thermal treatment, with the goal of finding ways to take materials out of landfill and recover their value back into the economy. In a number of European countries, in addition to reducing, diverting and recycling waste, the processing of waste using thermal treatment, also referred to as energy from waste, is used to recover value from a significant amount of waste rather than sending it to landfills. In Sweden, only 1 per cent of municipal waste is sent to landfills, while 51 per cent of municipal waste is sent to energy from waste facilities to generate electricity and provide heating to surrounding communities. The remaining 48 per cent of municipal waste is diverted from landfills, either by composting or recycling.

Chemical recycling, which is carried out by companies like Greenmantra Technologies in Brantford, is another process that could assist in waste diversion. It uses a chemical reaction to transform recycled materials, such as certain complex plastics, into higher value polymers. This process drives economic value by opening new applications and additional outlets for waste plastics where conventional recycling cannot provide an adequate solution. The increased use of chemical recycling could be used to improve the effectiveness of existing recycling processes and to enable economic growth by expanding the potential end uses for materials that currently are sent to landfill.

We understand that some stakeholders have raised issues with the definition of waste. Where appropriate, the ministry will review requirements related to waste management to consider opportunities where they may restrict innovation or pose an obstacle to the recovery of materials that would otherwise be a waste and develop products that have a beneficial use. This would include supporting beneficial uses which promote soil health, crop growth and enhance carbon storage. Promoting end-products like renewable natural gas and electricity can help replace carbon-intensive fossil fuels.

We intend to have discussions on how best the province might explore opportunities for innovative technologies that recover value from materials that otherwise would be a waste, including through chemical recycling and thermal treatment. This will include considering:

- Whether Ontario should recognize additional recovery approaches as an alternative to landfill.
- Whether certain types/uses of thermal treatment technology should count as waste diversion.
- How Ontario’s regulatory and approvals framework can support greater adoption of chemical recycling and thermal treatment while still ensuring that these technologies meet Ontario’s stringent air standards and waste management requirements.

- Lessons learned from other jurisdictions to see how thermal treatment has been incorporated into their waste management practices.

Make it easier and safer to reuse excess soil and redevelop former commercial and industrial lands

Rural and urban communities benefit from healthy soil and land. Soils need to be clean to ensure new home owners or property users are safe, and contaminated soils cannot be relocated to farms where our food is grown. Having clear rules and standards around how extra soil from construction projects is managed, relocated and reused makes it easier for construction businesses to know what soils they can reuse and what soils need to be disposed of or treated before reusing.

Proper management of excess soil can reduce unnecessary landfilling (as well as reduce construction costs) while ensuring soil from construction projects is safe for the environment and human health. By clarifying what soil can be reused locally, we can also reduce greenhouse gas emissions generated by trucking soil from place to place unnecessarily.

Traditional excess soil management using “dig and dump” approaches is substantially more expensive than using best practices for reusing soil from construction. According to a recent industry study, projects that use excess soil management best practices for reuse experienced an average of 9 per cent in cost savings (Ontario Society of Professional Engineers, Greater Toronto Sewer and Watermain Contractors Association, Residential and Civil Construction Alliance of Ontario). Savings are due to reduced hauling distances and diverting soils away from landfills.

Recognizing that excess soil is often a resource that can be reused, the ministry will set clear rules to limit soil being sent to landfill, lower greenhouse gas emissions from trucking and reduce construction costs, while supporting beneficial reuses that are safe for the environment and human health. We will work with municipalities and other law enforcement agencies and stakeholders to increase enforcement on illegal dumping of excess soil.

The ministry will also revise the brownfields regulation and the record of site condition guide to reduce barriers to redevelop and revitalize historically contaminated lands, putting vacant prime land back to good use.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. What role do you think chemical recycling and thermal treatment should have in Ontario’s approach to managing waste?
2. What types of waste materials do you think are best suited for thermal treatment?
3. How can we clearly and fairly assess the benefits and drawbacks of thermal treatment?

4. Are there obstacles in the current regulatory requirements and approvals processes that could discourage the adoption of technologies such as chemical recycling and thermal treatment? How can we maintain air standards and waste management requirements in addressing these obstacles?
5. How can we best work with municipalities and stakeholders to integrate new soil reuse rules and other best practices into operations quickly, and to continue to develop innovative approaches to soil reuse and management?

2.8 SUPPORT COMPETITIVE AND SUSTAINABLE END-MARKETS

Reducing waste and increasing diversion is about more than putting waste materials in the correct receptacles. Having sufficient processing capacity is a critical component of any approach to better manage our waste. This includes both the technology and infrastructure needed for the collection and sorting of waste, its processing into a product for markets or if applicable, its appropriate disposal.

Given the projected population growth and economic trends for Ontario, our ability to dispose of waste will become increasingly challenging. We need to reduce our current reliance on landfills, give local communities more say in where landfills go, and focus on building more and better ways to reduce and divert our waste.

Rather than hindering our ability to innovate and drive stronger economic growth, we need to ensure that the regulatory environment promotes industrial competitiveness, new economic investments, and development of innovative technologies that will help us tackle our waste problem.

As such, we will work towards reducing regulatory and administrative burden with the aim of keeping waste out of the landfill. This includes building an environmental approvals system that focuses on clear progress, beneficial outcomes, and strong enforcement.

Modernize Approvals

As waste reduction and diversion technologies, systems, and markets have evolved, existing regulatory oversight and approval requirements must keep pace and facilitate new ways of dealing with new problems. That's why it is important that the province regularly review our legislation, regulations, and policies to ensure that they do not impede people and businesses from doing the right thing.

Consistent with its open for business agenda, the province will cut regulatory red tape to support innovative and low risk waste management approaches, such as pilot projects that could lead to commercialization of new technologies or processes. This will make it easier for businesses and municipalities to make waste diversion more accessible to the people of Ontario, such as expanding and updating provisions that support municipal waste depots and retail collection sites. The province will look for opportunities to

support the localized management of organic waste such on-site management or small-scale composting.

The province will look for opportunities to make environmental approvals, including for waste management activities, more expedient and efficient through the continued implementation of a one-year service standard for higher-risk Environmental Compliance Approval requests. We will also consider an alternative or streamlined environmental approvals path for proven technologies that recover value from waste.

Give municipalities greater say in landfill approvals

In an economy that values its resources and promotes the efficient and effective recovery of products and packaging, landfills should be the last resort in the system to manage waste materials. This is not currently the case in Ontario, as 70 per cent of products at their end-of-life, packaging and other waste is sent to landfill. Ontario has approximately 10 to 20 years of landfill capacity left. These timelines also assume we would continue to export some of our waste to the United States, which is not a sustainable solution.

While Ontario works towards reducing and diverting more of its waste, there will still be a need for landfill space.

With that said, we are committed to listening to the communities that are hosting and near landfills. A landfill is a long-term commitment - so it is important that local communities have more say in landfill approvals, particularly where it directly impacts their community. To this end, we will provide municipalities and the communities they represent with more say in landfill approvals process while protecting the environment and ensuring there is sufficient landfill capacity in Ontario.

We will develop a proposal to ensure consultation between landfill proponents and impacted municipalities, Indigenous communities and adjacent communities happens early in the approvals process. When considering the best way to provide impacted municipalities with an increased say, we will look at the potential impacts a landfill might have on both the environment and the community, which could include communities that are in close proximity to the landfill.

We will look at the role “impact benefit” or community agreements can play in addressing both municipal and Indigenous concerns as well as mitigating potential impacts. The proposal will balance the desire to give the people of Ontario a greater voice in the siting of landfills, while ensuring Ontario has sufficient landfill capacity for the management of our waste.

Ontario will continue to be a leading jurisdiction in setting strict landfill standards and requirements. This means continuing to safeguard drinking water by applying groundwater protection limits and design requirements for leachate collection systems.

Proposals for large new landfills and landfill expansions will continue to be subject to rigorous environmental assessment processes under the *Environmental Assessment Act* and strict requirements for design, operation, closure, post-closure care and financial assurance under the *Environmental Protection Act*. These comprehensive requirements will ensure the environmental risks of this landfilling legacy will be managed.

Discussion Questions

Let us know your thoughts on the discussion questions below.

1. What changes to the approvals process do you think would best facilitate a reduction in waste going to landfills?
2. What type of end-markets for resources from waste do you think Ontario is best positioned for?
3. How do you think municipalities should be given more of a say in the landfill approvals process?

3.0 MEASURE OUR SUCCESS

Our goal is that **Ontario will strive to decrease the amount of waste going to landfill and work towards increasing the province's overall diversion rate**. We will monitor and evaluate progress on this goal through the following key performance measures:

1. **Reduce waste:** Reduce the amount of waste sent to landfill as demonstrated by declining kilograms of waste on a per capita basis. This measure will give us a reliable indication of the effectiveness of our efforts to reduce the amount of waste that goes to landfill in this province. By reducing the amount of waste we produce and increasing the amount of waste we divert, we will reduce our reliance on landfills.

2. **Reduce greenhouse gas emissions:** Reduce the amount of GHG emissions from the waste sector as demonstrated by declining kilograms of GHG emissions from food and organics waste and from the waste sector in general. To support the implementation of *A Made-in-Ontario Environment Plan*, we need to minimize the level of emissions that come from the generation and management of waste in Ontario. In terms of waste, the biggest gains can be made by reducing the amount of food and organic waste that goes to landfill, thereby minimizing the release of methane from the landfilling of those wastes.

3. **Right information:** Reliable and accurate information will promote evidence-based decisions, help measure our progress, and prove all parties in the waste system are accountable for results. Getting the right information will help us show the people of Ontario how their communities are reducing litter and waste, and build confidence that their efforts to reduce, reuse, and recycle are having a direct and measurable impact on our province's environment.

4. **Increase diversion:** Increase the amount of waste reduced, recycled or recovered by Ontario households, municipalities and the IC&I sectors. These sectors are where we can make the biggest gains in getting our diversion rate moving in the right direction again.

The ministry will release a five-year progress report outlining progress made in implementing the actions outlined in this discussion paper and achieving the goal of **decreasing waste going to landfill and increasing the province's overall diversion rate**.

4.0 WE WANT TO HEAR FROM YOU

1. Of all the initiatives detailed in this discussion paper, what do you think should be a priority for early action?

2. How do you think Ontario can best maintain its competitiveness and growth while reducing the amount of waste going to landfill and litter in our communities?

3. How do you think we can make Ontario a leader in waste reduction and diversion once again?