



Essex-Windsor Solid Waste Authority Regular Board Meeting Agenda

Meeting Date: Tuesday, December 5, 2023

Time: In-Camera Session – 4:00PM
Regular Session Immediately following In-Camera

**Location and:
Meeting Instructions:** Essex County Civic Centre
Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6

Meeting will be held in person for Board Members and staff. Media representatives and interested members of the general public are invited to attend in person.

LIST OF BUSINESS **PAGE NUMBERS**

1. Closed Meeting

A Closed Meeting is scheduled for 4:00PM

Recommendation:

Moved by _____

Seconded by _____

THAT the Board move into a closed meeting pursuant to Section 239 (2) (k) of the Municipal Act, 2001, as amended for the following reason:

(k) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

2. Call to Order

3. Declaration of Pecuniary Interest

4. Approval of the Minutes

A. November 7, 2023 Regular Meeting Minutes

1-14

5. Business Arising from the Minutes

6. Correspondence

- A. News Release from Ministry of the Environment, Conservation and Parks: Ontario Strengthening Penalties for Landfill Facilities that Contravene Environmental Laws 15-17

7. Waste Diversion

- A. FoodCycler Organics Pilot Program Update 18-22

8. Waste Disposal

- A. Regional Landfill Request for Expressions of Interest (REOI) – Landfill Gas Management Update 23-27

9. Finance & Administration

- A. Approval Status of the EWSWA 2024 Budget 28-29
- B. 2024 EWSWA Board Meeting Schedule 30

10. New Business

11. Other Items

12. By-Laws

- A. By-Law 15-2023 31
Being a By-Law to Confirm the Proceedings of the Meeting of the Board of the Essex-Windsor Solid Waste Authority for December 5, 2023

13. Next Meeting Dates

January – TBD and scheduled if required
Tuesday, February 6, 2024
Tuesday, March 5, 2024
Wednesday, April 10, 2024
Tuesday, May 7, 2024
Tuesday, June 4, 2024
Wednesday, July 10, 2024
Wednesday, August 14, 2024 – Note: This meeting will start at 3:00PM
Wednesday, September 11, 2024
Wednesday, October 9, 2024
Tuesday, November 5, 2024
Tuesday, December 3, 2024

14. Adjournment



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, November 7, 2023

Time: 4:00 PM

Location: Essex County Civic Centre
Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6

Attendance

Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex
Rob Shepley	County of Essex
Kirk Walstedt	County of Essex
Gary Kaschak – Vice Chair	City of Windsor
Kieran McKenzie	City of Windsor
Mark McKenzie	City of Windsor

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Madison Mantha	Project Lead
Teresa Policella	Executive Assistant

City of Windsor Staff:

Anne Marie Albidone	Manager of Environmental Services
Shawna Boakes	Executive Director of Operations
Mark Spizzirri	Manager of Performance Management and Business Case Development

County of Essex Staff:

Mary Birch	Director of Council & Community Services/Clerk
Sandra Zwiers	County CAO

Absent:

Michael Akpata	County of Essex
Jim Morrison	City of Windsor
Tony Ardovini	Deputy Treasurer Financial Planning
Melissa Ryan	Director of Financial Services/Treasurer
Drew Dilken	City of Windsor (Ex-Officio)

1. Closed Meeting

A Closed meeting was held at 4:00PM

Moved by Gary Kaschak

Seconded by Mark McKenzie

THAT the Board moved into a closed meeting pursuant to Section 239 (2) (k) of the Municipal Act, 2001, as amended for the following reason:

- (k) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipally or local board.

**65-2023
Carried**

Moved by Rob Shepley

Seconded by Gary Kaschak

THAT the EWSWA Board rise from the Closed Meeting at 4:52 PM.

**69-2023
Carried**

2. Call to Order

Chair McNamara called the Regular meeting to order at 4:52 PM.

3. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

4. Approval of the Minutes

Moved by Rob Shepley

Seconded by Gary Kaschak

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated September 13, 2023, be approved and adopted.

**70-2023
Carried**

5. Business Arising from the Minutes

There were no items raised for discussion.

6. Waste Diversion

A. Result and Award of Hazardous and Special Waste Tender

The Manager of Waste Diversion referred to page 12 of the agenda package. She stated the purpose of the report is to recommend that the Authority Board award the tender for the provision of equipment and labour for the receiving, loading, transportation and disposal services for the Hazardous and Special Products (HSPs) program to Green for Life Environmental Inc. (GFL) for the period January 1, 2024 to December 31, 2027 with an option at the Authority's discretion, for three (3) additional one-year extension or portions thereof.

She provided a history of the Authority's HSP depots. The depots were established to provide a diversion program for residents and small businesses to safely drop off household hazardous waste and to comply with various legislation including the Essex-Windsor Regional Landfill's Environmental Compliance Approval (ECA). Examples of materials dropped off at the depots include oil filters, paint, pressurized containers, pesticides and fertilizers.

This program has always been contracted out and the contractor manages the inbound material from the Public Drop Off (PDO) site and supports the removal of material at the sites located at Transfer Station #2 (T2) and the Regional Landfill (RL).

The Manager of Waste Diversion noted that this program is a key aspect of the Authority's waste diversion programming. In 2022, 621 metric tonnes were diverted from the RL.

GFL met all the compliance requirements of the tender. She noted that GFL holds the majority of HSP contracts with other Ontario municipalities.

GFL submitted a bid in the amount of \$587,410 which will remain constant for the term of the program as there are no price adjustments included in the tender. The total bid price is comprised of two components: the annual material disposal cost bid and the annual labour bid. GFL would oversee the program onsite.

The Authority's 2024 budget has been updated to reflect the increased program costs. The 2024 budget will potentially increase by 66% for disposal and 27% for labour and will remain the same for the term of the contract. Other municipalities have seen increases as well for this program. The annual disposal costs will depend on what materials residents bring into the depot. The Authority works with the contractor to place these products in the Reuse Centre.

The Manager of Waste Diversion asked if there were any questions.

Kieran McKenzie asked if the Authority receives any support or funds for delivering this waste from upper level of government.

The Manager of Waste Diversion stated that 70% of the disposal costs for materials are paid for by the Producers and the rest is paid by the Authority.

Kieran McKenzie asked if the entire amount of material is being captured.

The Manager of Waste Diversion stated that year over year volumes for disposal have been consistent. The recent curbside audits conducted included HSP products and that data will be reported to the Board once available.

Kieran McKenzie asked if anyone provides curbside collection for this type of material.

The Manager of Waste Diversion stated that the City of Toronto operates a Toxic Taxi for residents who are not able to attend to a depot location.

The Chair asked if there were any further questions. No questions were asked.

Moved by Kieran McKenzie
Seconded by Mark McKenzie

THAT the Board award the HSP tender to Green for Life Environmental Incorporated for the provision of equipment and labour for the receiving, loading, transportation and disposal services for the operation of Hazardous and Special Products (HSP) and other materials program in Essex-Windsor as per the terms and conditions contained in their tender submission dated October 7, 2023 for the period January 1, 2024 to December 31, 2027, with the option to extend the Contract for three (3) additional, one-year extensions or portions of a year thereof at the absolute unfettered discretion of the Authority, and such extensions shall be under the same terms and conditions as contained within the executed Contract.

**71-2023
Carried**

7. Waste Disposal

- A. Contract Extension for the Supply of Specialized Equipment Operators at Transfer Station #2 and the Essex-Windsor Regional Landfill

The Manager of Waste Disposal stated that the purpose of the report is to recommend a two (2) year contract extension to 1869096 Ontario Limited, (doing business as Canadian Transfer), for the supply of specialized equipment operators at Transfer Station #2 (T2) and the Regional Landfill (RL) for the period January 1, 2024 – December 31, 2025. The Authority owns the heavy equipment used at the RL and T2 and procures specialized equipment operators to operate the heavy equipment.

In 2020, the Authority Board approved a three (3) year contract with Canadian Transfer that contained extension options of up to two (2) additional years.

The Authority has been satisfied with the contractor's performance and recommends extending the contract due to the risk of potentially higher costs if this contract went out to tender.

The current contract document includes an annual hourly rate escalation provision equal to the increase in the year-over-year Consumer Price Index (CPI). The current 2023 operator rate per hour is \$64.07, plus 1.76% HST. The 2024 operational plan and budget for specialized equipment operators includes an estimated CPI increase as well as an increase in operator hours to meet operational demands due to increased waste tonnages currently being received for disposal.

The Manager of Waste Disposal asked if there were any questions. No questions were asked.

Moved by Gary Kaschak
Seconded by Mark McKenzie

THAT the Board approve a two (2) year contract extension from January 1, 2024 to December 31, 2025 to 1869096 Ontario Limited, (doing business as Canadian Transfer), for the supply of specialized equipment operators at Transfer Station #2 and the Essex-Windsor Regional Landfill under the same terms and conditions of the original contract. Further, that the Chair and General Manager be authorized to execute the extension agreement.

**72-2023
Carried**

B. Leachate Management at the Regional Landfill – Verbal Report

The Manager of Waste Disposal provided a verbal update on the progress that has been made in anticipation of the arrival of the Reverse Osmosis (RO) plant. The report is being provided verbally as changes and progress are occurring daily.

To date, new underground electrical infrastructure has been installed to support the RO plant, including the procurement of two (2) new shipping containers that house transformers, electrical connections, and distribution panels. These containers also house an air compressor which will be used to operate valves in the new RO plant and the leachate concentrate pump that will be used to pump leachate concentrate (concentrated contaminants that did not pass through the RO membrane) to the top of the landfill tip face where it will filter through the waste mound. Potable water and fibre communication infrastructure has also been extended to these containers for health and safety reason as well as to monitor plant operations.

The Manager of Waste Disposal is receiving weekly updates from the manufacturer, Rochem, on the status of the plant in Germany. Rochem has advised that the plant is built and ready to ship and they are working with their logistics team to provide confirmation of a shipping date, port of entry and arrival date.

Rochem is also working through its logistics team to ensure that all required design and testing pursuant to Canadian Standards are in place. The Electrical Safety Authority has been provided a copy of the electrical drawings and specifications for their review.

Finally, the Authority is awaiting a permit from Ontario Hydro to connect our infrastructure and the arrival of the plant.

Moved by Hilda MacDonald
Seconded by Rob Shepley

THAT the Board receive the verbal report as information.

**73-2023
Carried**

8. Finance & Administration

A. 2024 Budget Deliberation

The General Manager stated that the purpose of the report is to recommend approval of the 2024 expenditure budget estimates as well as the budget estimates related to non-municipal revenue. The report also recommends approval of a 4.1% increase to the 2023 base amount budgeted to the City of Windsor and the seven (7) County municipalities. This increase equates to \$591,170 and is comprised of two components. The first component is a \$1.00 increase on the tipping fee assessed on waste delivered for disposal. The tipping fee will increase from \$41.00 to \$42.00 per tonne. This increase is approximately \$112,370. The other component is an increase in the fixed amount assessed to the municipalities based on population which equates to approximately \$478,800.

The General Manager stated that the 2024 municipal budgeted tonnes have remained unchanged from 2023.

As per the agreement that created the Authority, the Authority budget also has to be approved by the City of Windsor (City) and the County of Essex (County) subsequent to the budget being approved by the Authority Board.

The General Manager explained that the budget is reviewed by the Technical Staff Committee, which is comprised of both the City and County staff. In addition to the annual budget process, a 15-year forecast is also prepared and

she noted that the Authority is on track to meet the deadline of achieving a balanced budget by 2027 for existing services and service levels.

The General Manager stated that the 2024 document includes some capital expenditures for the Regional Food and Organic Waste Management Program for the construction of transfer facilities. No other program costs have been included in the 2024 document or in the 15-year forecast table as the costs are unknown at this time. Further, funding for these costs will ultimately come from the individual municipalities.

The 2024 budget estimates assume that current service levels are appropriate and will be maintained going forward. There are no new programs being proposed for 2024. The Authority projects a budget deficit of approximately \$3 million dollars with funding for the deficit from the Rate Stabilization Reserve.

The General Manager referred to the graphic on page 23 of the agenda package that outlined the operating expenditures and the operating expenditure composition, for example contracted costs and fixed costs (debt service).

The General Manager referred to the graphic outlining the operating revenue on page 24 of the agenda package. She noted the majority of revenue, approximately \$18 million is received from non-municipal sources. The remaining \$15 million in revenue is received from the municipalities.

The General Manager referred to the Manager of Finance and Administration to provide a breakdown of the 2023 budgeted deficit versus the 2023 projected deficit. The Manager of Finance and Administration provided an overview of the following variances:

- An increase in revenue from both landfilled and non-landfilled material.
- An increase in revenue for the sale of recyclable materials due to higher commodity prices.
- A decrease in revenue for the sale of scrap metal due to less material received.
- An increase in the Host Compensation paid to the Town of Essex
- An increase in Regional Landfill Operating costs relating to site preparation for the RO system. The RO operating costs were not included in the 2023 budget.
- An increase in heavy equipment operator hours.
- A decrease in cost in the hauling and treatment of leachate.
- A decrease in the numbers of bins being hauled at the PDO.

- A projected favourable variance of \$1,754,555.

The Manager of Finance and Administration also provided a breakdown of the 2023 budgeted deficit versus the 2024 budgeted deficit:

- Increase in tipping fees revenue in landfilled material.
- Increase in both municipal delivered refuse and fixed allocation costs.
- Contribution to Rate Stabilization Reserve to fund future leachate management costs.
- Decrease in Stewardship Ontario Blue Box funding.
- Increase in costs to manage leachate.
- Increase in debenture contribution.
- Increase in Host Compensation to the Town of Essex.
- Contribution to Regional Landfill Reserve to fund a long-term leachate treatment facility.
- A favourable variance of approximately \$526,000.

The General Manager referred to the chart on page 27 of the agenda package that provided a breakdown of landfilled tonnes. She further summarized a number of financial assumptions and risks contained within the budget.

The General Manager referred to the tables on page 29 of the agenda package. She noted that there is still a downward trend in recycling revenue. The market has been volatile since the COVID pandemic started. Commodity prices are expected to remain low and this has been reflected in the budget document.

The General Manager referred to the Manager of Finance to provide an overview of the 2024 Capital Budget.

The Manager of Finance identified the significant capital items proposed in the budget document and further identified the funding source.

The General Manager presented the 15-year forecast and the recommendations included on page 32 of the agenda package.

The General Manager asked if there were any questions.

Kieran McKenzie commented that he is happy to hear about the methane gas capture. He further noted that there has been a significant migration into the City. He asked what kind of pressures and financial implications does that

cause the Authority when we see population growth. He also asked if it puts pressure on service that we have to budget.

The General Manager stated that as the region grows, the Authority is seeing an increase in material for disposal as well customer service calls and increased visits to the depots. As municipalities are delivering more material for disposal, that does put pressure to increase the 4.1% budgeted increases. We are in a favourable position due to the Blue Box transition to Extended Producer Responsibility (EPR). We are being able to mitigate these increases for now. The Authority is also looking at potentially increasing other diversion programs, i.e. mattresses and pallets. Similar to all municipalities, the Authority is facing extremely high inflationary pressures. and the Authority will continue to monitor and budget accordingly.

Mr. Walstedt referred to the \$250,000 on page 72 of the agenda package regarding the leachate hauling and treatment of Landfill #3 (LF3). He commented that leachate has to be treated for 100 plus years. He asked what is the long-term plan for the treatment of this leachate. He noted that the City is paying 92% and the Municipality of Lakeshore (Lakeshore) was looking to build a park on the site after year 25.

The Manager of Waste Disposal stated there have been discussions with Lakeshore regarding the construction of a forcemain in previous years. Based on the outcome of the pilot test for the RO, there may be an opportunity to purchase a plant for that location. The Authority is looking to see how the RO plant works and continue discussion with Lakeshore.

Mr. Walstedt stated that the Belle River plant has been expanded but delivering the leachate there is the issue. He commented that it is something that we should look at and maybe a plant near the landfill would be the solution.

The Chair asked if there were any further questions.

Mr. Kaschak confirmed the municipal and commercial waste tonnage figures included in the budget document.

The General Manager provided clarification of those figures.

The Chair asked if there were any further questions. No further questions were asked.

Moved by Kieran McKenzie
Seconded by Hilda MacDonald
THAT the Board

1. Approve the 2024 **Expenditure and Revenue budget estimate figures** excluding the municipal Total Waste Management Fee (Tip Fee) and the municipal Fixed Cost Assessment.

2. Increase the **Total Waste Management Fee** by \$1.00 per tonne to \$42.00/tonne from \$41.00/tonne. This is the fee assess to municipalities for each tonne of refuse delivered for disposal.
3. Increase the **Fixed Cost Assessment** to Windsor and the 7 County municipalities based on the following chart. Fixed costs are assessed based on population.

	2021 Census Population	2024 Amount	2023 Amount	Difference
WINDSOR	229,660	\$5,591,890	\$5,331,710	\$260,180
AMHERSTBURG	23,524	572,780	546,120	26,660
ESSEX	21,216	516,580	492,540	24,040
KINGSVILLE	22,119	538,570	513,510	25,060
LAKESHORE	40,410	983,920	938,150	45,770
LASALLE	32,721	796,710	759,640	37,070
LEAMINGTON	29,680	722,660	689,040	33,620
TECUMSEH	23,300	567,320	540,920	26,400
TOTAL	422,630	\$10,290,430	\$9,811,630	\$478,800

4. Approve the **Fee Schedule**, as attached to this report, exclusive of the municipal Total Waste Management Fee but inclusive of the per tonne rate increased outlined in the **Fee Schedule** for 2024.
5. That any resultant (deficit)/surplus from 2023 operations be contributed to or funded by the Rate Stabilization Reserve.
6. That any resultant (deficit)/surplus for 2024 be contributed to or funded by the Rate Stabilization Reserve.

**74-2023
Carried**

B. Update – County of Essex Council Motion Re: Regional Waste Collection

The General Manager referred to page 37 of the agenda package regarding an update to the County of Essex Council motion regarding the uploading of all waste collection to the County by its seven local municipalities (Regional Waste Collection).

The General Manager provided a summary of the background information contained in the report and described the process for uploading Regional Waste Collection. A triple majority vote by the municipalities was required to pass the By-law. Three of the seven local municipalities passed resolutions consenting to the County By-Law (the Town of Tecumseh, the Municipality of Leamington, and the Town of Amherstburg). However, the County By-law could still have come into force at any time should one of the four municipalities that had not consented, reconsidered their original motion.

At the October 4, 2023 meeting of County Council, a Notice of Motion was brought forward to rescind the By-law. The motion was passed by County Council. In accordance with the County's Procedural By-law, the motion and decision by County Council is considered a reconsideration of the Regional Waste Collection program and this matter cannot be considered again during this term of County Council.

The General Manager provided information on how this decision impacts the Authority and the status of waste diversion efforts in the region as well as the potential impact on the Regional Landfill. The Authority will also work on identifying the proper promotion and education (P&E) campaign for the SSO program and other potential waste diversion opportunities.

The Chair asked if there were any questions.

Kieran McKenzie stated that he is disappointed that this did not pass and is concerned about the Regional Landfill. We had the opportunity to work together on waste collection. He remains hopeful and is happy to hear the General Manager say that the Authority will be looking at other ways to divert waste from the landfill. He appreciates the work that Administration has done thus far and was proud to support this initiative.

The Chair asked if there were further questions. No questions were asked.

Chair McNamara stated that he was also disappointed and the problem is not going away. As the Mayor of Tecumseh, he hopes that will not have to site a new landfill in the future. He has hope in terms of finding other opportunities and solutions. The Chair commended the City on their decision regarding traditional waste collection and their partnership to make sure we divert as much as possible from the landfill. He commented that the protection of the landfill was missed and we can't do much as a whole County until 2026.

Moved by Rob Shepley

Seconded by Hilda MacDonald

THAT the Board receive the report as information.

**75-2023
Carried**

9. New Business

The General Manager introduced Madison Mantha, the new Project Lead for the Blue Box transition and Regional Food and Organic Waste Program implementation. Ms. Mantha is a Professional Engineer and most recently worked at Chatham-Kent as the Waste Diversion Manager and assisted with their Blue Box transition.

10. Other Items

No items were raised for discussion.

11. By-Laws

A. By-Law 12-2023

Moved by Rob Shepley

Seconded by Mark McKenzie

THAT By-Law 12-2023, being a By-law to Authorize the execution of an Agreement with Green for Life Environmental Incorporated for the provision of equipment and labour for the receiving, loading, transportation and disposal services for the operation of Hazardous and Special Products (HSP) and other materials program in Essex-Windsor as per the terms and conditions contained in their tender submission dated October 7th, 2023 for the period January 1, 2024 to December 31, 2027, with the option to extend the Contract for three (3) additional, one-year extensions or portions of a year thereof at the absolute unfettered discretion of the Authority, and such extensions shall be under the same terms and conditions as contained within the executed Contract.

**76-2023
Carried**

B. By-Law 13-2023

Moved by Rob Shepley

Seconded by Mark McKenzie

THAT By-Law 13-2023, being a By-law to Authorize the execution of an Extension Agreement between the Essex-Windsor Solid Waste Authority and 1869096 Ontario Limited, operating as Canadian Transfer for the Supply of Specialized Equipment Operators at Transfer Station #2 and the Essex-Windsor Regional Landfill for the period January 1, 2024 to December 31, 2025.

**77-2023
Carried**

C. By-Law 14-2023

Moved by Rob Shepley

Seconded by Mark McKenzie

THAT By-Law 14-2023, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 7th day of November, 2023.

**78-2023
Carried**

12. Next Meeting Dates

Tuesday, December 5, 2023

13. Adjournment

Moved by Hilda MacDonald

Seconded by Kieran McKenzie

THAT the Board stand adjourned at 6:15 PM.

**79-2023
Carried**

All of which is respectfully submitted.

Gary McNamara
Chair

Michelle Bishop
General Manager

NEWS RELEASE

Ontario Strengthening Penalties for Landfill Facilities that Contravene Environmental Laws

Province holding polluters accountable through strong enforcement

November 09, 2023

[Environment, Conservation and Parks](#)

TORONTO — The Ontario government is strengthening regulations to clamp down on landfill site owners who contravene environmental laws. The changes will allow the province to take stronger action against illegal activity by giving enforcement officials the ability to issue monetary penalties. Without this type of penalty available, the ministry must take violators to court – a lengthy and costly process that can often take years to get results.

“Our government takes environmental violations very seriously, and we are committed to holding polluters accountable,” said Andrea Khanjin, Minister of the Environment, Conservation and Parks. “By expanding environmental penalties to landfill facilities, this regulation gives us the ability to take stronger actions to protect Ontarians through swift financial consequences for breaking the law.”

The environmental penalties will range from \$1,000 per day for less serious violations to \$100,000 per day for the most serious violations. The funds collected from these penalties will be reinvested in impacted communities through the [Ontario Community Environment Fund](#) to support activities such as shoreline cleanups or tree planting.

These local projects are in addition to other actions companies may have been ordered to do to repair harm caused by a violation of environmental laws, such as taking steps to prevent discharges of contaminants, including odour, that cause an adverse effect.

“This is welcome news for people in my community who have had to endure an intolerable odour from a nearby landfill,” said Donna Skelly, MPP for Flamborough-Glanbrook. “This move will help ensure all landfills are in compliance with laws that help protect and preserve our air, land and water.”

The ministry has successfully used environmental penalties to support enforcement of violations at industrial plants that emit pollution or discharge effluent directly to land and surface waters, and petroleum facilities that discharge sulphur dioxide into the air. Over the past three years, more than 95 per cent of facilities issued penalties were able to demonstrate actions to prevent or mitigate the violation and/or for having an environmental management system in place.

Quick Facts

- The new regulation amends [Ontario Regulation 222/07](#) under the *Environmental Protection Act* to expand the application of environmental penalties to landfills.
 - Anyone who witnesses a pollution incident is encouraged to report it immediately to the Spills Action Centre at ontario.ca/reportpollution or by calling 1-866-663-8477. This could include (but is not limited to):
 - industrial or commercial noise or odour pollution
 - waste being dumped into the natural environment
 - improper disposal of commercial waste
-

Additional Resources

[Read the new regulation](#)

Related Topics

Environment and Energy

Learn more about how Ontario protects and restores wildlife and the environment. Includes information on conservation and the electricity system. [Learn more](#)

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Essex-Windsor Solid Waste Authority

Administrative Report

November 26, 2023

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Cathy Copot-Nepszy, Manager of Waste Diversion

Meeting Date: Tuesday, December 05, 2023

Subject: FoodCycler Organics Pilot Program Update

Purpose

The purpose of this report is to provide the Authority Board with an update on a Waste Diversion pilot program that was launched in May to support local residents with another way to divert food waste from the Essex-Windsor Regional Landfill.

Background

To comply with Ontario's Food and Organic Waste Policy Statement (the Policy), the Region will be implementing a Regional Food and Organic Waste Management Program in 2025 to divert food and organic waste away from the Essex-Windsor Regional Landfill. It is estimated that a typical garbage set-out contains approximately 40% of food waste that is currently landfilled. Additionally, the current Policy language does not require the collection of food and organic waste from multi-residential and rural properties. As a result of this Policy, and residential interest expressed in a food and organics waste program with importance on diverting waste, program convenience and cost (2022 public survey), Authority Administration partnered with Food Cycle Science (FCS) to launch a FoodCycler Organics Pilot Program (FOPP) earlier this year.

As shared at the May Board meeting, the FoodCycler is a great solution for multi-residential units, condos, apartments, remote areas, etc. who may not have access to municipal diversion programming. This product is an innovative

countertop food digester (which is about the size of a bread-maker) that completely dehydrates and processes food waste into a tenth of its original volume. The FoodCycler makes a nutrient-rich by-product that can be used to enrich soil for houseplants, gardens, landscaping, etc.

Essex-Windsor municipalities were 1 of 105 Canadian municipalities fortunate to participate in this innovative and subsidized program. In 2022, the Authority agreed that this pilot program would be a good fit and allocated funding in the 2023 budget to support the launch of this program.



Discussion

The FOPP allowed the Authority to sell 250 units to its residents. Residents were able to choose one of two FCS models that suited their lifestyle needs: FC-30 and Maestro which can process 2.5 L and 5 L (respectively) of food waste per cycle. Kindly recall pricing for units through the FOPP were as follows:

1. FC-30 (retails at \$500.00) - resident subsidized price of \$150.00 plus HST
2. Maestro (retails at \$800.00) - resident subsidized price of \$300.00 plus HST

In late May, the Authority first invited its e-newsletter subscribers, staff and members of the Board to register. A few days after this invite messaging was pushed to its municipal partners and then the general public. Within a few days, 1,827 residents had registered for an opportunity to participate in this new pilot program. Registrant qualifications were reviewed (e.g., municipality, type of household, number of residents per household, model type of FoodCycler requested) to develop a final FOPP participant list. As there were only 250 spots available in the pilot, all other residents who submitted a registration form were placed on a waitlist. Established participants were then sent an email to advise them of their selection to the pilot program and requested their confirmation. Just over 50% (128) of the initial residents selected confirmed their participation. Therefore, another 122 residents were invited from the next group of qualified registrants on the waitlist. Once the final FOPP participant list was finalized, their pick-up date, time, and location were given to them. At pick-up at the end of June, residents were given detailed information on the unit they purchased along with how to use and maintain the unit, payment was received and they walked away with their unit. We are pleased to share that the first resident to pick-up their unit was Board Member Mark McKenzie!

In mid-July, once all units were sold, an email reminder was sent to remind them to start their 12-week FOPP which included using a simple tracking sheet to note how often they use their FoodCycler unit. In September, the Authority issued a survey email to all participants to gather their FOPP results and feedback from the program. The data gathered was analyzed and used by all partners: the Authority, FCS, and Impact Canada who subsidized this program to better understand the impact of this program on food waste diversion.

Key findings:

- 72% (179 of 250) FOPP participants successfully responded and noted that:
 - 66% had purchased the FC-30(2.5L) and 34% had purchased the Maestro (5L)
 - 54% were from Essex County and 46% were from the City of Windsor
 - Participation from all County municipalities were represented varying from 10% to 22%
- It was found that participants ran their units almost 4 cycles/week (3.79 cycles for FC-30 and 3.66 cycles for Maestro)
 - Using this information, the total estimated food waste diverted per year (assumes 259kg/year/household) in Essex-Windsor if residents use their FCS unit regularly is 46 metric tonnes
- 90% noted that greenhouse gas reduction was important to them and 100% of all participants said that waste reduction was important to them.

- Prior to the FOPP, almost 50% (48.6%) disposed of their food waste in their garbage, whereas the other half diverted through composting, green bin programs, etc.
- Participants generated ½ a standard garbage bag less per week while participating
- 76% noted that increased awareness of food waste motivated them to waste less food
- Unit size:
 - 81% of Maestro buyers said they bought the right size unit,
 - 62% of FC-30 buyers said it was the right size
 - The balance of respondents would want an even larger unit than they purchased
- 93% would recommend the FOPP to friends and family and 89% would recommend the FoodCycler unit to others
- 97% said that they will continue to use their FoodCycler after the program
- 4.7 out of 5 stars for Overall Pilot Project Experience was received.

The following were comments received from participants through the survey:

- "It was a learning curve in our food wasting habits. I believe it will help us in the future to make certain adjustments in our buying habits and proper consumption of leftovers."
- "I do not believe people will be concerned enough to cut up their food waste. The time and effort it takes to fit food waste into the vessel is not time efficient. If you have, for example - corn on the cob or a get together I found I had enough waste to run the machines two or three times. You end up with a back up of food waste waiting on the machine. I used the green bin program living up past Toronto and thought it was very effective. I don't believe the majority of households will use the food cycler, especially if they have more than a one-person household..."
- "I'm very grateful to have been a part of this pilot project. A kitchen composter has been on my bucket list for many years but was cost prohibitive at the full price. Thank you."
- "Great idea. Kudos to EWSWA for initiating the program. Also-excellent support from FoodCycler when I ran into technical issues."

Next steps:

Authority Administration will continue to build awareness, knowledge of its residents on reducing and diverting food waste in order to prepare residents for the 2025 Regional Food and Organic Waste Management Program launch in Essex-

Windsor. It will use the feedback and knowledge gained from this project and its municipal partners to support its efforts to do so.

Since the FOPP, the Authority has worked with FCS to see if they could provide more units at a discount to support *Waitlisted* residents. The Authority was successful as FCS was able to offer a subsidy on their end for this group during Waste Reduction Week in October. Due to feedback received, FoodCycler set up a system whereby residents who ordered a FoodCycler did so online, and the unit was shipped directly to the address requested by the resident. This proved to be an efficient method of distribution. As a result, 221 more units were sold. To date, 471 units have been subsidized to Essex-Windsor residents through this program.

The Authority and FCS are also considering issuing another survey to participants in 6 months to follow up to see if usage has continued, behaviours have changed, and if there are any issues that have arisen.

Finally, the Authority is working with FCS to launch a December holiday sale to subsidize more units to Essex-Windsor residents which will further aid with food diversion, as well as offer another method for residents to use until 2025. FCS is looking to discount more Foodcyclers and offer free shipping, as well as discount accessory products (e.g., extra buckets, carbon filter replacements) until December 31, 2023. Stay close to the Authority's socials and website for more information on this holiday program.

Financial Implications

The 2023 Operational Plan and Budget included the cost of \$25,000 for this pilot program through the Waste Diversion Reserve, which represented a subsidy of \$100 per unit for 250 units. Existing Authority resources (e.g., staff, facility, communication) resources were allocated to assist with this initiative as well. There were no additional financial implications to report at this time.

Recommendation

THAT the Board receive this report as information.

Submitted By



Cathy Copot-Nepszy, Manager of Waste Diversion



Essex-Windsor Solid Waste Authority Administrative Report

November 28, 2023

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Tom Marentette, Manager of Waste Disposal

Meeting Date: Tuesday, December 05, 2023

Subject: Regional Landfill Request for Expressions of Interest (REOI) – Landfill Gas Management

Purpose

The purpose of this report is to provide the Essex-Windsor Solid Waste Authority (the Authority) Board with an update regarding the Request for Expressions of Interest (REOI) for Landfill Gas Management at the Essex-Windsor Regional Landfill.

Background

The Essex-Windsor Regional Landfill (the Landfill) has been flaring landfill gas since 2000. In 2000, three (3) passive solar flares were installed at the Landfill, followed by the commissioning of one (1) vacuum flare in 2002.

In 2005 the Authority, along with the County of Essex, signed an agreement with Integrated Gas Recovery Services Inc. (IGRS) related to the recovery of methane gas at the Landfill. The objective was for IGRS to enter into an agreement with some other party (e.g. Ontario Power Authority) for the sale of the landfill gas or electricity generated by the landfill gas. Under the County/EWSWA/IGRS agreement IGRS had the rights to the Regional Landfill's gas in exchange for constructing and maintaining the highly costly underground gas collection system consisting of pipes and wells.

The County of Essex was party to the agreement due to the fact that the County maintains the title to the lands on which the Regional Landfill is situated. All aspects of the agreement were managed by the Authority.

Through the year 2008, 21 gas extraction wells were installed at the Landfill, forming the initial phase of the existing landfill gas collection, capture, and recovery project. An additional four (4) gas extraction wells were added to the regime in 2009. Fulltime operation of the Landfill's LFG Collection and Flare System (LFG System) began in January 2009, using a portable candlestick flare and a network of above-ground, corrugated, Big "O" pipes. In June 2009, the candlestick flare was replaced with a permanent enclosed flare with a higher destruction efficiency.

The LFG System, as it exists now, consists of 21 vertical landfill gas collection wells and associated lateral and sub-lateral piping, which collect and convey LFG to a vacuum blower and flare. The vertical extraction wells are typically 15 metres (m) to 20 m deep.

The agreement included a termination clause whereby any of the parties could terminate the agreement upon notice of 30 days. In November 2015, IGRS advised Authority administration of their intent to enact the termination clause effective December 31, 2015. Effective January 1, 2016, all LFG rights reverted solely back to the Authority. Further, the Authority Board authorized an agreement to be executed between the Authority and IGRS for the provision of operation and maintenance services for the Landfill's gas collection and flaring system. IGRS has continued to provide this service to the Authority.

For the period 2005 – 2015, IGRS and the Authority collaborated with the objective of engaging with one of the various Ontario electricity agencies (e.g. OPG, OPA, IESO) in order to sign a long-term agreement of 10-20 years. Unfortunately, no agreement was able to be signed due to the lack of capacity at Hydro One's Kingsville Transformer Station. This is the transformer station which is nearest the Landfill. When the Province began advocating for "green" energy sources such as wind and solar those projects were allocated capacity at the Kingsville Transformer Station instead.

To date, the landfill gas that has been captured by the collection system has been "flared" to the atmosphere. This is the most environmentally responsible means by which to manage methane gas. Further, flaring is a requirement of the Landfill's Environmental Compliance Approval as issued by the Ministry of the Environment, Conservation and Parks. The flaring serves to convert the methane to carbon dioxide which results in the reduction of greenhouse gas.

Objective

The primary objective of this REOI is for the Authority to gauge the interest of qualified parties/firms with extensive Renewable Natural Gas (RNG) experience in any of the following:

- Forming a partnership with the Authority;
- Entering into a lease agreement with the Authority;
- Upgrading, expanding, operating, or maintaining the LFG System;
- Revenue sharing the LFG System with the Authority;
- Electrical power generation utilizing LFG for onsite consumption or grid;
- Processing Landfill leachate using LFG as the energy source (e.g., evaporative technology); and/or,
- Any combination of the above, or as otherwise proposed in the submitted EOI.

Discussion

The Authority is looking to evaluate landfill gas (LFG) management options as a result of significant increases in both quantity and strength of leachate generated at the Landfill since approximately 2017, when the Authority began receiving progressively larger annual quantities of Industrial, Commercial, & Institutional (IC&I) greenhouse material waste. Accepted IC&I greenhouse material waste quantities have progressively increased from 30,000 metric tonnes per annum (MT/a) in 2017 to 100,000 MT/a in 2022. Collectively, this material and the leachate produced are predicted to result in increased LFG generation and pressure within the waste mound and the Landfill's LFG collection system than that of non-hazardous solid waste landfills with traditional waste streams of dominantly IC&I and municipal solid waste (MSW).

Moreover, the Authority would like to evaluate LFG management options to reduce greenhouse gas (GHG) generation in a proactive manner. This aligns with an overarching objective of the Authority of minimizing the Landfill's GHG impact during the emerging global climate crisis.

In consideration of the above, with support from RWDI AIR Inc. (RWDI; the Authority's Consultant), the Authority issued a Request for Expressions of Interest (REOI) on November 9, 2023 to qualified parties/firms that are interested in aligning with the Authority.

On November 16, 2023, at 10 am, a site meeting was conducted at the Regional Landfill with interested proponents to review the site, discuss opportunities for expansion and revenue generation and answer any questions. Representatives from four (4) different companies attended the site meeting. Proponents had until

Friday, December 1, 2023 to submit questions and allow for the Authority to respond to all in the form of an addendum.

The REOI closes on December 7, 2023 at 5 pm.

Review of EOI

The Authority will review and evaluate each EOI submission at its own discretion. Factors to be considered include, but are not necessarily limited to:

- The feasibility (both financially and technically) and innovation of the proposed approach to upgrade and expand the Landfill's gas well fields;
- The feasibility (both financially and technically) and innovation of the proposed approach to manage the condensate produced with the generation of RNG;
- Level of perceived interest of Respondents with respect to the REOI objectives;
- Respondent qualifications and relevant experience;
- Any other evaluation factors at the discretion of the Authority; and,
- Any pertinent information or approaches deemed beneficial to the objectives by the Respondent.

Next Steps

Through the evaluation of this REOI, The Authority hopes to gain and gauge the interest of qualified parties/firms with extensive Renewable Natural Gas (RNG) experience that can assist with the Authority's primary objectives. The next step would be to issue a formal Request for Proposal (RFP) to provide the Authority with detailed information and strategies that will provide the Authority with a basis to evaluate and scrutinize a sustainable long-term waste-to-energy partner with the greatest economic benefit.

Financial Implications

There are no financial implications at this time. The 2023 Operational Plan and Budget included a capital expenditure figure of \$500,000 for the expansion of the existing gas collection wellfield as well as the replacement of the blower. This expenditure was budgeted to be funded from the Regional Landfill Reserve. Administration has not proceeded with this capital project pending the outcome of the REOI exercise. The capital expenditure and corresponding funding has been reallocated to the 2024 Budget.

Recommendation

That the Board receive this report for information.

Submitted By

A handwritten signature in black ink, appearing to read "Tom Marentette". The signature is fluid and cursive, with the first name being more prominent.

Tom Marentette, Manager of Waste Disposal



Essex-Windsor Solid Waste Authority Administrative Report

November 27, 2023

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Steffan Brisebois, Manager of Finance and Administration

Meeting Date: Tuesday, December 05, 2023

Subject: EWSWA 2024 Operational Plan and Budget Approval Status

Purpose

The purpose of this report is to update the Board on the status of the EWSWA 2024 Operational Plan and Budget ("Budget") approval process.

Background

At the November 7, 2023 EWSWA Board meeting, the Board approved the 2024 Budget recommendations.

As part of the final approval process, the Budget will be referred to the County of Essex and the City of Windsor and their Councils for their consideration.

Discussion

The EWSWA Administration is scheduled to attend Essex County Council on December 20, 2023, to present the 2024 Budget, answer any questions and seek approval of the 2024 EWSWA Budget.

At the time of this report, City's Administration has not provided EWSWA Administration a specific date to attend Windsor City Council to present the 2024 Budget however it is anticipated that the 2024 Budget will be presented in early

January 2024. The EWSWA Administration will seek approval from Windsor Council members for the 2024 EWSWA Budget.

Recommendation

For the Board's information.

Submitted By



Steffan Brisebois, Manager of Finance and Administration

2024 Essex-Windsor Solid Waste Authority Regular Board Meeting Schedule

**Meetings will be held in Council Chambers
Essex Civic Centre
360 Fairview Avenue W., Essex, Ontario N8M 1Y6**

Meeting Time: 4:00 PM

Meeting Dates are Subject to Change or Cancellation

Month	Meeting Date
January	TBD and scheduled if required
February	Tuesday - February 6, 2024
March	Tuesday - March 5, 2024
April	Wednesday - April 10, 2024
May	Tuesday - May 7, 2024
June	Tuesday - June 4, 2024
July	Wednesday - July 10, 2024
August	Wednesday - August 14, 2024 Note: This meeting will start at 3:00PM
September	Wednesday - September 11, 2024
October	Wednesday - October 9, 2024
November	Tuesday - November 5, 2024
December	Tuesday - December 3, 2024

Essex-Windsor Solid Waste Authority

By-Law Number 15-2023

Being a By-law to Confirm the Proceedings of the Meeting of the Board of the Essex-Windsor Solid Waste Authority

WHEREAS by Agreement dated 18 May 1994, made between the Corporation of the County of Essex and the Corporation of the City of Windsor, the Essex-Windsor Solid Waste Authority (The Authority) was created as a joint board of management pursuant to Sections 207.5 and 209.19 of the *Municipal Act, RSO 1990, Chapter M.45* and;

WHEREAS Subsection 5.(3) of the Municipal Act, RSO 2001, Chapter 25, provides that the powers of a municipality shall be exercised by By-Law and;

WHEREAS Section 1 of the Municipal Act RSO 1990, Chapter M 46 defines a municipality as including a board, commission or other local authority exercising any power with respect to municipal affairs or purposes and;

WHEREAS it is deemed expedient that the proceedings of the Authority at this meeting be confirmed and adopted by By-Law

NOW THEREFORE the members of the Authority enact as follows:

- 1) The action of the members of the Authority in respect to each recommendation contained in the Report/Reports of the Committees and each motion and resolution passed and other action taken by the members of the Authority at this meeting is hereby adopted and confirmed as if all such proceedings were expressly set out in this by-law.
- 2) The Chair and the proper officials of the Authority are hereby authorized and directed to do all things necessary to give effect to the action of the members of the Authority referred to in the preceding section hereof.
- 3) The Chair and the General Manager of the Authority are authorized and directed to execute all documents necessary in that behalf.

ESSEX-WINDSOR SOLID WASTE AUTHORITY

Gary McNamara
EWSWA Board Chair

Michelle Bishop
General Manager

**Read a First, Second and Third Time, Enacted and Passed This
5th Day of December, 2023**