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It is our opinion that The Minister's Report is thorough and the approach to promote the development of a world leading culture in the area of Waste Diversion as a part of the Green Transformation of Ontario is to be applauded. Specifically, we want to commend the following points in the proposal as they address weaknesses in the original Waste Diversion Act (WDA):

- The concept of Extended Producer Responsibility (EPR) as the foundation for Ontario's waste diversion framework.
- The use of long term schedules indicating new materials and timelines for inclusion in diversion programs.
- The inclusion of Industrial, Commercial and Institutional (IC&I) waste.
- Measures taken to improve impartiality of the WDA and how it is administered including the clarification of the role of the Minister, clarification of the role of Waste Diversion Ontario (WDO) and the commitment to appoint WDO directors based on skills and competence.
- The ban on disposal of designated substances.
- Levies on disposal services to narrow the gap between the cost of disposal and diversion.

The Minister's report invites comments and suggestions regarding the long term schedule and timelines for new materials to be included in waste diversion programs. We suggest the following:

- The original WDA included materials that had high environmental impact but not necessarily a high proportion of the overall volume of waste. The new proposal includes materials that have a high proportion of the overall volume of waste and an impact on health and environment. It is not clear from the Minister's Report how new materials already under consideration have been determined. We believe the right way to prioritize materials for diversion should be a clearly defined scorecard system that grades the relative environmental and health impact as well as the relative proportion of the overall volume. This will provide a rigorous and transparent mechanism to ensure efforts will have the most impact.
- We recognize there is significant effort required to develop each program. Even so, the timelines appear long. We suggest more aggressive terms for instance: short term be reduced to 1 year, medium term to 2 years and long term to 4 years. Also the current definition of long term is 5 years which coincides with the next required review of the WDA. If a significant rewrite of the WDA is required to fulfill the world leading vision, long term projects may be obsolete before they start.
- Organic waste has not been identified in the report as a material for a diversion program even though there are successful programs operating in several Ontario municipalities. We strongly suggest this be considered.
- Ontario already has successful deposits programs for beer, liquor and wine bottles and cans. Extending these programs to all beverage cans and bottles will have a significant impact on diverting waste from disposal sites. British

Columbia and New Brunswick already have successful programs in place and we strongly advise that Ontario adopt similar programs.

The Minister's Report also invites comments and suggestions on potential levies and incentives as a method to narrow the gap between the cost of disposal and diversion. We suggest the following:

- The use of repurposed quotas in new products or alternatively, relief from disposal levies based on exceeding product specific targets for repurposed content.
- Products containing designated materials should have traceability back to the supplier so the effectiveness of diversion programs can be tracked by product and by supplier.
- End of use rebates be imposed on products containing designated materials to motivate proper disposal practices.

Finally, BurlingtonGreen offers the following general comments:

- The effectiveness and adequacy of public consultations on waste diversion issues has been criticized in the past. It is critical that every effort is made to ensure fair access to these processes, that stakeholders have adequate timelines to allow effective preparation and that participants receive feedback on their input.
- The concept of producer pays or EPR underlies the Minister's Report while some successful programs like Blue Box have operated under the concept of society pays. We believe that neither of these approaches is universally right. We encourage the "right" approach be considered for each designated material.
- We encourage the use of aggressive timelines and targets for all programs, based on desired outcomes and learning from other jurisdictions. In general, we believe an 80% diversion rate is achievable and desirable.
- The ability to fund EPR programs is going to be challenged by seepage from outside Ontario. That is, products purchased outside Ontario but disposed in Ontario will not necessarily have EPR costs built into their prices and will result in free riders. We do not have a suggested fix for this, but point out effectively dealing with this issue is critical.
- It is also critical that incentives and/or funding are provided to municipal and regional governments to ensure infrastructure costs like collection services, collection depots and processing facilities are covered.
- The success of all programs will be dependent on the ease of use, training, communication and enforcement. A lack of focus and/or resources in any of these areas will impact effectiveness. In particular, all of these efforts must be communicated in a positive and informative way, over and over to reinforce expectations and good practice.
- Our experience is that peer pressure is a good way to motivate good diversion and recycling practice. Compliance records and diversion rates for each product and supplier, highlighting the best and the worst, should be broadcast as widely as possible and not just buried in reports.

We would appreciate receiving any feedback and/or outcomes that result from this.

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