



October 29, 2010

An Open Letter to the Honorable John Wilkinson, Minister of Environment  
Queen's Park, Toronto

Minister Wilkinson,

I am writing this letter on behalf of BurlingtonGreen Environmental Association Inc, a non-profit, non-partisan, environmental organization. Through AWARENESS, ADVOCACY and ACTION, we aim to mobilize individuals, groups, business and governments to make the city of Burlington a leader in creating a healthy, environmentally responsible city. An example of some of the innovative work we are undertaking is the Burlington Renewal Energy Project (BREP) which envisions community based solar energy installations enabled by Ontario's FIT program.

The purpose of this letter is two-fold. We will express our disappointment and outline our concerns over the clumsy management and implementation of the Eco Fees Program. Then, emphasizing the importance of this waste diversion initiative, we would like to support the Ministry's ongoing efforts by suggesting recommendations that if adopted would lead to greater success.

Ontario's Waste Diversion performance trails most provinces. Over the last several years, stakeholders have been working together on this issue, with encouraging progress made toward amending the Waste Diversion Act. Commendably, the amendments were to focus on increasing the total volume of waste diverted from landfill, on targeting materials of high toxicity and on employing Extended Producer Responsibility concepts. Any momentum gained by those efforts has been overwhelmed by the negative public reaction to Eco Fees. Eco Fees, administered by Stewardship Ontario, were intended to divert materials such as compact fluorescent bulbs, aerosol containers, solvents and other household chemicals away from landfills.

Our policy concerns stem from differences between the Eco Fees program and the concept of Extended Producer Responsibility. The goal of Extended Producer Responsibility is to transfer recycling costs from the general public, as we have with a Blue Box type program, to the producers of goods. Competitive forces should then motivate producers to design waste minimization into their products and packaging. This will ensure recycling costs are built into the price of products and that particular users of goods bear the cost of recycling. In contrast, the Eco Fees program was charged by retailers, explicitly, as a line item on consumer's receipts. By pushing Eco Fees on consumers instead of producers all of the intended benefits of Extended Producer Responsibility have been lost.

We also note that for the second time in the young life of Stewardship Ontario that change to the make up of their board have been recommended in the interest of impartiality.

We begin our comments on implementation with a general observation that at this point there is little appearance of any plan. Each new action looks like an attempt to recover from the unexpected outcomes of the previous step. Our concerns over implementation follow:

- Eco Fees were launched on July 1st, the same day the Harmonized Sales Tax (HST) was launched. The effect was that Eco Fees appeared to the public as one more tax, which they are not. All of the negative sentiment that accompanies new taxes is now associated with Eco Fees and Waste Diversion efforts.
- Eco Fees were launched without an awareness campaign. Public backlash from Eco Fees is understandable in this situation but seemed to catch the government off guard. HST by comparison was launched with a huge public awareness campaign and readily available training sessions for stakeholders.
- Implementation varied by retailer with no standard format leading to confusion among retailers and further exacerbating consumers.
- As the backlash from Eco Fees hit the press official statements aimed to deflect attention from the issue did little to clarify the situation.
- Fee collection was suspended for 90 days for re-evaluation after only 3 weeks. Again, statements offered little clarification, just more deflection.
- A public consultation period was announced concurrent with the 90 day suspension. With 10 days remaining in the 90 day period, the Ministry of Environment announced that the collection of Eco Fees was ending permanently. The comment link on the Ministry's web site disappeared. No mention has been made of any comments received.
- The collection of materials covered by Eco Fees will continue at an unbudgeted cost to taxpayers of \$8 million annually through a partnership with municipalities.
- At the time of this writing, confusion remains over the remaining balance of Eco Fees, unclaimed by consumers. Retailers hold the balance and do not want it. Stewardship Ontario stated they do not have any interest in the balance. What will you do with the money?
- The topic of amending the Waste Diversion Act appears to have been dropped at least until after the provincial election next fall. The MOE has been conspicuously silent on this.

Our frustration is compounded by the fact that so many missteps seem like they could have been avoided or minimized with good planning and proper attention. It is a shame that so much effort was expended on this topic and the only tangible outcome was negative public sentiment with no significant increase in Waste Diversion.

BurlingtonGreen urges the MOE to address this by adopting the following recommendations:

- Immediately recommit to the consultative initiative of amending the Waste Diversion Act including Eco Fees and other existing programs.
- Take immediate steps to ensure the mandate, actions and members of the Board of Stewardship Ontario are beyond reproach.
- Commit to the implementation of a world leading waste diversion program for Ontario based on the concepts of Extended Producer Responsibility and including specific waste diversion targets.

Minister Wilkinson, in your remarks announcing the suspension of Eco Fees you said, "...The government didn't get it right ...", and BurlingtonGreen is in full agreement. We cannot allow this to happen again. As the newly appointed Minister of the Environment, we challenge you to adopt our recommendations and insist on establishing a world leading Waste Diversion Solution, one that will contribute to a sustainable future for Ontario.

We look forward to participating in this ongoing discussion.

With Best Regards,

Paul Haskins  
Director, BurlingtonGreen

cc: The Hamilton Spectator  
OakvilleGreen Environmental Association Inc.  
Gary Carr, Chair, Region of Halton  
Joyce Savoline, MPP Burlington