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**Re: Response by ONEIA to the proposed strategy for a waste-free Ontario:  
Building the circular economy (EBR Registry Number: 012-9356)**

Dear Mr. Peverini,

On behalf of Ontario's more than 3,000 environment and cleantech firms, the Ontario Environment Industry Association (ONEIA) is pleased to provide our comments on the Ministry of Environment and Climate Change's (MOECC) final draft *Strategy for a Waste Free Ontario*.

Ontario is home to Canada's largest group of environment and cleantech companies. The most recent statistics from the federal government show that Ontario's environment sector employs more than 65,000 people across a range of sub-sectors. This includes firms working in such diverse areas as materials collection and transfer, resource recovery, composting and recycling solutions, alternative energy systems, environmental consulting, brownfield remediation and water treatment – to name just a few. These companies contribute more than \$8-billion to the provincial economy, with approximately \$1-billion of this amount coming from export earnings.

Members of ONEIA are committed to engaging with the Province as it develops policies and regulations that are consistent with our principles of sound science, sound environment and a sound economy. To that end, we convened a working group of members drawn from across the waste services sector to review the Province's final draft Strategy.

In its review, ONEIA was pleased to see that many of its recommendations contained in its February 16, 2016 submission to the MOECC were adopted and offers the following additional comments that we believe will strengthen the final Strategy.

### **TRANSFORMING ONTARIO TO A CIRCULAR ECONOMY**

ONEIA is fully supportive of the government's plans to transition Ontario to a low carbon, circular economy. We would recommend that the following issues be addressed in the Strategy document to further aid this economic transition.

- The concept of the ‘Evolving Tonne’ should be considered in the Strategy in terms of the impact on materials diversion as well as the need for flexibility in long-term plans. The growth of multi-material flexible packaging and growing diversity of plastic resin types which are typically incompatible with recycling processes will affect every stakeholder in the materials supply chain and will be a pressing issue for municipalities and increasingly for businesses in terms of their waste diversion goals.
- The application of the circular economy, or more specifically, resource recovery opportunities, are more challenging in northern and remote communities in Ontario. There should be consideration of these challenges in terms of the development of programs and regulatory compliance and options.
- The issue of waste exports was absent in the strategy. As approximately one-third of Ontario’s waste disposal needs are provided by exports to landfills in the United States, this will be a critical factor impacting some of the strategy’s desired outcomes.
- The government needs to ensure that its strategy is consistent with its Climate Action Plan, including emission reduction targets and renewable natural gas needs so that future policy tools do not create unintended consequences with offset protocols.
- Ontario is part of a competitive global economy in which the materials that are collected and processed are increasingly subject to global pressures and market demands that can have a distorting effect on commodity pricing and consequently program deliverables.

### **ACTIONS TOWARD A WASTE FREE ONTARIO**

In ONEIA’s previous submission, we noted that the vision of a waste free economy was recognized as a noble pursuit and one that would generate widespread public support, however this new reality is perhaps decades away from being realized.

- ONEIA recommends the development of a clear definition of “waste free” and how that translates into the broader concept of a circular economy, as the public could interpret the waste free narrative as something that has already occurred or is near-term. This could create conflict for all parties, whether they are cleantech companies seeking investment, resource recovery companies seeking social license for disposal / diversion facilities, or regulators making tough decisions about unpopular, yet critical infrastructure. Public expectations can be managed by a robust outreach and awareness campaign that first clearly defines the concepts of “waste free” and “circular economy”, acknowledges the realities of the current situation, the period required to transition and implement the new strategy, and lastly, the expected results and timelines. For example, the Fraser Valley Regional District has defined zero waste as 90 percent diversion from landfill.
- ONEIA supports the position of the OWMA that the goal of the strategy should be amended from “zero greenhouse gas emissions from the waste sector” to “maximize greenhouse gas emission reductions from the waste sector.” We concur that this better reflects the opportunities the sector offers to substantially lower emissions by reducing the need to extract virgin resources to manufacture new products.
- The current vision and goals do not currently reflect one of the core tenets of the legislation, namely to promote open and fair competition to incent effective and efficient outcomes. We believe that promoting fair and open competition in the marketplace will incent investment and innovation to improve, cost-effective collection and processing systems that will optimize the beneficial reuse of material resources.

### **Action 2: Issue policy statements to provide clear direction on the provincial interest**

- The government needs to emphasize the importance of the inclusion of waste services providers in the development of the issue policy statements and cite examples of key issues.

**Action 4: Transition existing waste diversion programs smoothly to new producer responsibility framework without disruption of service**

- The proposed time frame and programs suggested in the strategy document for transition need to be prioritized. ONEIA and its members would like to reiterate that the appropriate regulations and transition plans, which will have been developed *in partnership* with both municipalities and the private sector, be established *prior* to beginning the transition process. If the transition process is not implemented in a smooth and transparent way, the confusion and uncertainty among stakeholders in the cleantech and waste management industries could result in their hesitation in investing in new and innovative technologies in the short-to-mid-term time frame.
- ONEIA would recommend that the transition of the Blue Box to full producer responsibility should be linked to the roll-out of an organic ban in the province. This would help municipalities in their long-term planning including enabling them to accurately forecast the potential need for changes to their waste management systems.

**Action 5: Amend the 3Rs regulations to increase resource recovery across all sectors**

- ONEIA supports CPIA in its recommendation that the government allow energy recovery and conversion technologies to count toward diversion rates for certain types of designated wastes within the waste hierarchy. The government has articulated a 30-year vision of the strategy and should not limit itself based on the current best science and technological innovations. In some circumstances, there may be cause for deviating from the hierarchy where the relative ranking of waste management options does not align with actual resource conservation, environmental impact or mitigation measures. This will additionally foster innovation, drive economic growth and advancement, and create a clear pathway for commercialization of new technologies in the cleantech and waste management sectors.
- The strategy highlights, and ONEIA supports, the opportunity for increased diversion of materials from within the Industrial, Commercial and Institutional sector. It is important to note the complexity of the waste composition within the sector in terms of wet and dry waste streams. We recommend that the government prioritize key materials within this sector for realizing economic and environmental opportunities.

**Action 6: Establish service provider requirements to protect the environment while promoting resource recovery**

- ONEIA recommends that the application of environmental protection regulations be fair and transparent to ensure environmental protection and a level playing field be maintained between current service providers and new players entering the sector.
- Considerable new infrastructure will be required to support a circular economy. Cleantech and resource recovery firms will invest, support and build the required infrastructure provided that they are supported by an approvals and review process that does not impose unnecessary costs and uncertain timelines on the projects. We would urge the province to focus its Modernization of Approvals process on ensuring that the goals of the strategy are supported by a streamlined and consistent approvals regime that encourages the investment required to make a circular economy a reality.

**Action 7: Ensure landfills are well planned and managed to minimize the need for them and reduce greenhouse gas emissions**

- ONEIA is pleased to see government acknowledge the continued need for landfills and disposal capacity as Ontario moves towards its aspirational goal of a zero-waste economy

- While we applaud the government's move to increase diversion and reuse/recycling, it is important to acknowledge there will be continued need over the long-term for landfill disposal capacity for materials that are truly unrecyclable, such as contaminated soils characterized as waste and other waste streams. This includes material generated because of provincial initiatives such as intensification in Growth Centres identified in the *Places to Grow Act*, as well as the supporting transportation infrastructure identified by Metrolinx in *The Big Move*.
- In the near-term, it is important to acknowledge that there will be continued need for landfill disposal capacity for items that are end-of-life because diversion is not yet economically viable and/or no end market for the recovered material yet exists where the recovered material could be re-introduced into the circular economy.
- It is important to recognize that landfills play an important role in managing the environmental risks associated with waste materials. The operation of these facilities is governed by stringent provincial environmental regulations. The language in the strategy document that is used to describe these facilities suggests that these sites pose significant human health and environmental risks; which is false. ONEIA would suggest this language be altered to focus instead on the environmental and health benefits of recapturing material before disposal, thereby reducing the need for virgin resource extraction. Most large-scale landfills have gas collection systems that can convert methane into a renewable energy source. However, the development of protocols for granting carbon credits on landfill gas and organics diversion could potentially be regulated out, thereby creating uncertainty in the market.
- As previously stated, the issue of waste exports was absent in the strategy. As approximately one-third of Ontario's waste disposal needs are provided by landfills based in the United States, this will be a critical factor impacting some of the strategy's desired outcomes.

**Action 9: Designate new materials to ensure producers are fully responsible for recovering more materials from products and packaging**

- Much can be said for looking to other jurisdictions that have been trying to implement the concepts of "waste free" and "circular economy" for the past few years. Generally speaking, these jurisdictions (including Québec and the EU) have already gone through at least one iteration of policy in their attempt to regulate the production, movement, and disposal of waste materials. ONEIA understands that Ontario has its own unique characteristics that must be taken into consideration, however looking at the best practices of other jurisdictions, and especially at what policies have failed in the past, can only provide additional benefit in putting Ontario further ahead in its planning processes.

**Action 10: Implement an action plan to reduce the volume of food and organic waste going to landfill**

- While an organics ban may take more time to implement given processing needs, material specific bans for materials already designated in waste diversion programs could be implemented earlier in the current timeline. For these materials, Ontario already has some of the processing capacity needed to ensure they are properly managed but additional capacity will be required.
- The proposed timelines, especially organics, do not match up to the climate change goals. To achieve the 2% RNG by 2020 and 10% by 2030 objectives, approvals and the development of infrastructure will need to be hastened significantly.
- The term organics is broad and needs further definition. Organic resources can be in the form of residential and industrial/commercial/institutional food scraps, industrial by-products, soiled paper, sludges, manure, crop residuals, septage, green waste, biosolids to name a few. The definition needs to be further defined to recognize the many types that could have value to meeting the objectives.

**Action 12: Adopt and implement modern regulatory approaches to build on and promote innovative best practices**

- To accommodate changes in the way Ontario processes its resources, there will need to be major changes to existing waste management facilities as well as investments in new facilities. It will be important for the current government approvals system to adapt, otherwise it will be difficult to meet any of the three interim goals set out in the Strategy document. It will also hold the province back from having the organics processing capacity needed to implement an organic ban in five years. ONEIA also supports the OWMA's suggested changes to Approvals and Financial Assurance including the use of Qualified Technical Service Providers.

**Action 14: Use green procurement practices to build market demand for recovered materials**

- Support for companies to grow in the province needs further development and not just be focused on startups. We need to assess how all companies can play a role in innovation.

**Action 15: Implement disposal bans to direct materials to end-markets**

- All product or disposal bans should include plans to incent and encourage end-markets. It is important to note that some of the diverted products will need to leave Ontario to be processed due to local operating costs in other markets, therefore Ontario needs to understand how global pricing could lead to gluts in the supply chain (i.e. Green Fence).

**SUMMARY**

ONEIA is appreciative of the opportunity to provide its comments and suggestions and stands ready to work with the MOECC and the new Waste Authority with the transition and development of regulations for the new producer responsibility framework.

Should you have any questions about the information contained herein, please do not hesitate to contact the co-chairs of our committee noted below or the ONEIA office directly at 416-531-7884.

Yours truly,



Alex Gill  
Executive Director

ON BEHALF OF ....

Randy Cluff  
Co-chair, Resource Recovery Committee

ON BEHALF OF ....

Brandon Moffat  
Co-chair, Resource Recovery Committee