



Legislative Assembly  
of Ontario

First Session, 41<sup>st</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 41<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Monday 18 April 2016**

**Journal  
des débats  
(Hansard)**

**Lundi 18 avril 2016**

**Standing Committee on  
Social Policy**

Waste-Free Ontario Act, 2016

**Comité permanent de  
la politique sociale**

Loi de 2016 favorisant  
un Ontario sans déchets

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 416-325-3708.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 416-325-3708.

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL POLICYCOMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE

Monday 18 April 2016

Lundi 18 avril 2016

*The committee met at 1401 in committee room 1.*

**The Vice-Chair (Mr. Jagmeet Singh):** Good afternoon, everyone. I'm calling to order the committee to consider Bill 151, An Act to enact the Resource Recovery and Circular Economy Act, 2015 and the Waste Diversion Transition Act, 2015 and to repeal the Waste Diversion Act, 2002.

## SUBCOMMITTEE REPORT

**The Vice-Chair (Mr. Jagmeet Singh):** The first order of business is to address the report of the subcommittee. I believe Mr. Coe will read that into the record. Mr. Coe?

**Mr. Lorne Coe:** The subcommittee on committee business met on Monday, April 11, 2016, to consider the method of proceeding on Bill 151, An Act to enact the Resource Recovery and Circular Economy Act, 2015 and the Waste Diversion Transition Act, 2015 and to repeal the Waste Diversion Act, 2002, and recommends the following:

(1) That the committee meet in Toronto on Monday, April 18 and Tuesday, April 19, 2016, for the purpose of holding public hearings.

(2) That the Clerk of the Committee post information regarding public hearings on Bill 151 on the Ontario parliamentary channel, the Legislative Assembly's website and on Canada NewsWire.

(3) That the deadline for requests to appear be 6 p.m. on Thursday, April 14, 2016.

(4) That the Clerk of the Committee provide a list of all interested presenters to the subcommittee following the deadline for requests.

(5) That each caucus provide their selections of witnesses based on the list of interested presenters received from the Clerk of the Committee by 10 a.m. on Friday, April 15, 2016.

(6) That all witnesses be offered five minutes for presentation and five minutes for questioning by committee members.

(7) That the deadline for written submissions on Bill 151 be 6 p.m. on Tuesday, April 19, 2016.

(8) That the research officer provide a summary of oral presentations and written submissions to the committee by Friday, April 22, 2016.

(9) That amendments to Bill 151 be filed with the Clerk of the Committee by 12 noon on Thursday, April 28, 2016.

(10) That the committee meet for clause-by-clause consideration of Bill 151 on Monday, May 2 and Tuesday, May 3, 2016.

(11) That the Clerk of the Committee, in consultation with the Chair, be authorized prior to the adoption of the report of the subcommittee to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, Mr. Coe.

Any discussion on the subcommittee report? Yes. I recognize Mr. Fedeli.

**Mr. Victor Fedeli:** Chair, this may be the wrong place to discuss this, but, with the five minutes that's allocated for questions divided equally amongst the three parties, that leaves us one minute and—

**The Vice-Chair (Mr. Jagmeet Singh):** —40 seconds.

**Mr. Victor Fedeli:** —40 seconds to speak, to ask a question and to expect an answer. That just doesn't seem practical. So I am going to ask for unanimous consent so that we rotate party by party. Is this the time to do it, or is it after?

**The Vice-Chair (Mr. Jagmeet Singh):** Yes, this would be the appropriate time to do that. You'd be asking for an amendment to the subcommittee report.

**Mr. Victor Fedeli:** So I am. I'm asking for either an amendment or unanimous consent that we rotate the five-minute allotment for questions by party, as we have done in many committees, so that we can at least get into a proper give and take. That's my unanimous consent or an amendment, depending on how you choose to take that.

**The Vice-Chair (Mr. Jagmeet Singh):** Sure. Let me just consult—if we can do it as unanimous consent. In the meantime, does anybody have any debate or discussion on this?

Ms. Forster, do you have an opinion on this suggestion?

**Ms. Cindy Forster:** I'm fine with it.

**The Vice-Chair (Mr. Jagmeet Singh):** Any other discussion and debate on this? Everyone's fine? Okay. So then, the easier way to do this—if we had to do an amendment, it would have to be tabled in writing. Everyone would have to take a look at it and then it would be voted on. We could do a unanimous consent if everyone's agreeable.

So do we have unanimous consent to rotate the five minutes instead of splitting up the five minutes equally

between each party? I see we have unanimous consent, so we'll proceed in that manner. Thank you.

So I'll be calling the first witness. Just so I don't take up any of the time for the witness, let me just advise that the witness will have five minutes to make a presentation and then the committee member will have a total of five minutes to ask questions, and that will be by rotation.

WASTE-FREE ONTARIO ACT, 2016  
LOI DE 2016 FAVORISANT  
UN ONTARIO SANS DÉCHETS

Consideration of the following bill:

Bill 151, An Act to enact the Resource Recovery and Circular Economy Act, 2016 and the Waste Diversion Transition Act, 2016 and to repeal the Waste Diversion Act, 2002 / Projet de loi 151, Loi édictant la Loi de 2016 sur la récupération des ressources et l'économie circulaire et la Loi transitoire de 2016 sur le réacheminement des déchets et abrogeant la Loi de 2002 sur le réacheminement des déchets.

ENVIRONMENTAL DEFENCE

**Mr. Jagmeet Singh:** Let's begin with the first witness, which is Environmental Defence. I have Natalija Fisher, manager of the water program. Is that who is present?

**Ms. Natalija Fisher:** Yes.

**The Vice-Chair (Mr. Jagmeet Singh):** Excellent. Welcome. As you heard, Ms. Fisher, you have five minutes to make your presentation.

**Ms. Natalija Fisher:** Thank you, Mr. Chair and members of the standing committee. As you know, I'm the water program manager at Environmental Defence. Environmental Defence is a charity that has worked for 30 years to protect the environment and human health. I'm grateful for the opportunity to appear today to speak in support of the proposed Waste-Free Ontario Act, Bill 151. Environmental Defence has also attended pre-consultation meetings and taken the opportunity to provide comment on the act.

First, I would like to take a moment to speak with you about the link between waste and water. Plastic pollution has reached every corner of the globe. The Great Pacific Garbage Patch is infamous, and plastic pollution is a growing problem in the Great Lakes too. In fact, 80% of the litter in the Great Lakes region is plastic.

One source of plastic pollution piling up in our waterways is single-use plastic water bottles. Plastic beverage containers and caps are among the most commonly collected pieces of litter during the Great Canadian Shoreline Cleanup. Once a bottle is tossed, that litter does not go away on its own. Left clogging the shorelines or sinking to the depths of our lakes, the plastic never really decomposes. It absorbs toxins and break down into pieces that can be consumed by wildlife. Moving up the food chain, it can end up on our plates.

Ontarians may be avid recyclers, but according to Waste Diversion Ontario, only half of PT plastic bottles sold in the province find their way to recycling bins. Just over a quarter of single-use plastic bottles consumed at events or on the go are recycled. The rest end up in landfills or the environment. We can and must do better.

Bill 151, the Waste-Free Ontario Act is a response to the amount of waste being generated. In conjunction with the Waste Free Ontario strategy the proposed framework is a positive step towards the future of zero waste. Environmental Defence supports the intent of establishing a circular economy. We support the move to encourage producers to take full responsibility for their products and packaging, and we are pleased to see the zero waste goal entrenched in the draft strategy.

I would like to encourage the passage of the act and to add a few comments about key amendments that would ensure it diverts more waste from landfills, creates jobs and prevents plastic from polluting our waterways. In part, I would like to echo some of the remarks made in the EBR submission put forth by the Canadian Environmental Law Association, the Citizens' Network on Waste Management and the Toronto Environmental Alliance.

Firstly, material recovery targets should be ambitious and should require the highest possible recovery rates. In addition, the targets should not allow any reductions in current recovery rates or service standards. This will help drive innovations in the circular economy and avoid the needless disposal of used materials like PT water bottles. High collection rates are possible, especially when measures are combined.

On its own, the Blue Box Program isn't working well enough. Less than half the plastic bottles sold in Ontario find their way to recycling bins. Ontario is one of the few Canadian jurisdictions without a deposit return program on plastic bottles; as a result, we also have the lowest PT collection rates in the country: about 47% for PT, according to 2012 numbers. By comparison, Canadian provinces and territories with deposit return programs recover between 72% and 95% of their bottles.

Ontarians know first-hand that deposit return programs work. In 2007, the ODRP for wine and liquor bottles was introduced. Thanks to the program, 65,000 more tonnes of glass are diverted annually from Ontario landfills. Refillable beer bottles are returned at a rate of 98%. So the act should allow for proven tools like landfill bans or deposit return programs to complement the EBR framework.

Secondly, part I of the proposed Resource Recovery and Circular Economy Act contains definitions that could be elaborated upon. For instance, clear performance requirements and definitions are needed to guide compliance. The list of definitions should be expanded to include key terms and concepts, such as circular economy, resource recovery, recycling, reduction and reuse. Well-defined policy will help guide the marketplace towards preferred reverse recovery management options, ones that follow the three Rs hierarchy.

1410

Thirdly, and last of all, it is important that the Ministry of the Environment and Climate Change remain responsible for inspections and enforcement as it has the resources, mandate and expertise required. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much. You're well within your time. Thank you for that. We'll begin with the opposition party. Mr. Coe.

**Mr. Lorne Coe:** Thank you, Mr. Chairman, and through you to the delegation, thank you very much for your delegation today.

The government has demonstrated its preference for drafting legislation through regulation, which happens typically outside of the broader engagement forum. Do you have any concerns with that aspect of what's before you today? Regulation?

**Ms. Natalija Fisher:** With the proposed regulation or with using the policies—

**Mr. Lorne Coe:** Yes.

**Ms. Natalija Fisher:** No, no concerns regarding that.

**Mr. Lorne Coe:** All right. Thank you, Chair.

**The Vice-Chair (Mr. Jagmeet Singh):** No further questions?

**Mr. Lorne Coe:** No further questions. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Okay. Thank you very much. That gives us some remaining time. How do we propose we use that remaining time?

Because it's been decided by rotation, that time is used up, so we'll move on to the next presentation. Thank you so much for your presentation.

#### COALITION FOR EFFECTIVE WASTE REDUCTION IN ONTARIO

**The Vice-Chair (Mr. Jagmeet Singh):** The next deputation is from the Coalition for Effective Waste Reduction in Ontario. I have John Bailie and Bruce Rebel. Are they both present? It looks like it. Thank you so much.

**Mr. John Bailie:** Good afternoon, Chair, committee members and Clerk. My name is John Bailie, and I'm the director of the battery section of Electro-Federation Canada. I'm joined here today by Bruce Rebel, who is the general manager and vice-president of the Association of Home Appliance Manufacturers of Canada. Today we are here to speak to you on behalf of the Coalition for Effective Waste Reduction in Ontario.

The group consists of 11 industry associations whose members have waste reduction and resource recovery responsibilities under the bill. In addition to our two organizations, the other members include the Canadian Consumer Specialty Products Association, the Canadian Hardware and Housewares Manufacturers Association, the Canadian Paint and Coating Association, Croplife Canada, Electronics Product Stewardship Canada, the Rubber and Tire Association of Canada, Magazines Canada, Newspapers Canada and the Provision Coalition.

Industry is prepared to transition to a new system of full producer responsibility. We would like to ensure that

the new compliance regime builds on the best practices of our experience with both the current system as well as—

**The Vice-Chair (Mr. Jagmeet Singh):** Sorry, sir. I'm just going to pause your time. My apologies for interrupting you. Could you bring the mike closer to you? It's not possible to hear you very well. Bring it right up to you. Your voice is very soft and it's very, very difficult to hear you. Everyone needs to be able to hear what you're saying.

**Mr. John Bailie:** Sorry.

**The Vice-Chair (Mr. Jagmeet Singh):** No problem. Please continue.

**Mr. John Bailie:** We'd like to ensure that the new compliance regime builds on our best practices based on our experience currently in Ontario and our learnings in other jurisdictions.

Our members are generally supportive of the proposed legislation. However, we have a number of concerns and recommendations that we've reflected in proposed amendments.

While we appreciate the feedback and clarification we've received from ministry officials regarding these concerns, we felt by virtue of the fact that 11 industry associations all identified these proposed amendments as imperative indicates that the bill must be modified to ensure clarity, certainty and clear purpose.

Our proposed amendments are divided into three broad categories: the Resource Productivity and Recovery Authority's governance mandate and budget, provincial interests and policy statements, and absolute liability.

I'll turn it over to my colleague for his comments.

**Mr. Bruce Rebel:** Thank you very much, John. CEWRO and its members are concerned with the authority's flexible mandate and the cost associated with its function as currently described in Bill 151. Bill 151 would benefit from amendments to prevent the future expansion of the authority's mandate and budget which could prove costly and unnecessary for brand owners and consumers. Increase accountability of the authority's board of directors and enhance provisions around compliance and oversight. In order to achieve these improvements and strengthen the bill, CEWRO recommends the following amendments:

First, the authority's governance and composition of the board: CEWRO is advocating that two thirds of the authority's board of directors consist of brand holders, given that they are the obligated stewards who must assume the full cost of the operations as per the legislation.

Second, the authority's mandate: CEWRO would like to see the inclusion of any other act removed from the legislation to prevent opportunities for future legislative interference and expansion of the authority's mandate.

Third, the authority's budget and cost: Amending the fee provisions in the acts to include a cap on the percentage of the authority's budget that can be obtained from these fees. Additionally, this concern can be addressed by

implementing third-party oversight of the operational fees of the authority.

Fourth, the authority's operating agreement: We want to ensure there is mandatory consultation with brand holders on the development of the authority's operating agreement and clearly state that the operating agreement cannot establish any new objects, powers or duties of the authority not provided for in the act.

Finally, authority complaint mechanisms: Bill 151 currently contains no mechanism for brand holders to bring complaints against the authority if they believe the authority has acted outside its statutory mandate.

CEWRO believes all of these amendments pertaining to the governance, budget and mandate of the authority will further strengthen the legislation and resource recovery efforts in the province of Ontario.

**Mr. John Bailie:** More details around our supporting rationale for all of our amendments, including two we didn't get to, are in the submission that we're submitting to the committee. We encourage you to review them there. Thank you for your time today.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your deputation. In terms of rotation, we'll now move to the NDP. I notice that Mr. Hatfield has been motioned by Ms. Forster. Mr. Hatfield, please begin your five minutes of questioning.

**Mr. Percy Hatfield:** Thank you, Chair, and good afternoon. Thank you for being here today. I understand from the Association of Municipalities of Ontario that they would like to have a voice on the committee because municipalities are subsidizing the cost of the Blue Box Program, collecting your waste. We've seen the example in Vancouver, where Vancouver said, "To heck with you guys; we're not subsidizing you anymore. You take over the collection of the blue box because our taxpayers aren't going to do it anymore." Are we headed that way in Ontario?

**Mr. Bruce Rebel:** We heard that a little bit in the previous testimony in terms of: This act leaves a lot to be determined in the regulations. The perspective of whether or not the continued 50-50 split that currently exists under the Waste Diversion Act will continue, I think, is still to be determined by prospective regulations that are unknown at this point.

**Mr. Percy Hatfield:** Are you prepared to step up to the plate and pay the full cost to the municipalities for collecting your waste?

**Mr. Bruce Rebel:** I would say, as it currently stands, brand owners—producers—are responsible for 50% of the cost of the Blue Box Program.

**Mr. Percy Hatfield:** Municipalities say they're subsidizing the cost of the Blue Box Program.

**Mr. Bruce Rebel:** That is definitely one of the things of contention. I know that within the municipal and industry program committee, that is definitely a subject of constant challenge and debate.

**Mr. Percy Hatfield:** I would imagine having two thirds of the board members with your voice would be a

challenge as well. Are you opposed to having a municipal voice on these committees as we go forward?

**Mr. Bruce Rebel:** In terms of representation on the committee, again that's something that the regulations are going to have to determine. I don't want to speak on behalf of other representatives, particularly the Association of Municipalities of Ontario. I'll let them speak for themselves. But as brand owners, we are the ones who are, in many programs—not the blue box, but in others, such as electronics, we are funding the entire cost of the EPR programs and, therefore, we think it makes sense to have representation from those who are paying for the system.

1420

**Mr. Percy Hatfield:** As opposed to having representation from those who are providing the system, providing the collection?

**Mr. Bruce Rebel:** Again, I think that is something that is going to have to be seen in terms of how the regulations play out. Currently, there are many municipalities obviously that are providing service; I think that as brand owners we value the relationships that we have with municipalities. Moving forward, given those valuable relationships, we'd want to see those relationships continue on a mutual contractual basis. Where we need the municipalities, then we will enter into negotiations with those municipalities.

**Mr. Percy Hatfield:** Do you have a counterpart association in British Columbia? Do you share information? Do you know what happened out there?

**Mr. Bruce Rebel:** I am aware of some of the aspects that happened in British Columbia, yes.

**Mr. Percy Hatfield:** Do you draw that connecting link to see this could happen here too if municipalities aren't treated more fairly?

**Mr. Bruce Rebel:** Again, I think one of the things is—unfortunately, it's just the way the legislation is framed at this point—that many of those aspects are still left up to the regulations.

**Mr. Percy Hatfield:** And we would hope that the regulations will take into account the voice of the municipalities and that the cost share and having the voice at the table would be a priority. I would hope the members of the government who are today will take that to heart. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much. There's a minute left, if there are any other questions. Ms. Forster?

**Ms. Cindy Forster:** Sure, I'll ask a question. You spoke about the authority's budget and cost in sections 40 and 41, and about a cap on percentage of budget and fees. Can you, in 45 seconds or less, expand on that?

**Mr. Bruce Rebel:** I'll turn that over to my colleague John.

**Mr. John Bailie:** Okay. Let me give it a try. Basically what we're trying to do is to get some scope around where the authority goes; one of the ways of controlling that is putting a cap on the budget. We've seen instances in other jurisdictions where that works as a second way

of controlling creep in scope and mandate. So we're looking at either a fixed cap of a certain amount of money or a cap in ratios of where monies are spent.

**Ms. Cindy Forster:** But you're also proposing that two thirds of those people be brand holders. So wouldn't they be responsible for making sure that they were—

**The Vice-Chair (Mr. Jagmeet Singh):** My apologies, but we've run out of time. It's one of those things. I guess it's rough that way.

**Ms. Cindy Forster:** Yes. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, gentlemen, for your deputation.

#### FOOD AND CONSUMER PRODUCTS OF CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** The next deputation is from Food and Consumer Products of Canada. We have representatives Rachel Kagan and Michelle Saunders; is that correct?

**Ms. Michelle Saunders:** I'm Michelle Saunders.

**The Vice-Chair (Mr. Jagmeet Singh):** Michelle Saunders, okay. And Rachel is not present?

**Ms. Michelle Saunders:** Unfortunately, no.

**The Vice-Chair (Mr. Jagmeet Singh):** No problem. Michelle Saunders, vice-president, provincial and territorial affairs.

**Ms. Michelle Saunders:** Correct. Thank you, Chair.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much for being here. You have five minutes to present.

**Ms. Michelle Saunders:** Thank you very much for the opportunity for Food and Consumer Products of Canada to speak today on Bill 151. I'll start by telling you a little bit about FCPC and our role in producer responsibility in packaging.

FCPC is the country's largest industry association, representing companies that manufacture and distribute food, beverage and consumer products. Our members are Canadian and internationally owned companies that make more than 75% of the products sold on grocery store shelves and can be found in every home in the country. Our members are obligated stewards of all provincially mandated recycling programs for packaging, including the Ontario blue box. So while Bill 151 is quite broad for the purpose of our comments today, we will focus exclusively on packaging, producer responsibility and the Blue Box Program.

Producer responsibility shifts the financial and/or physical responsibility for recycling from municipalities to businesses, including FCPC members. FCPC's role is to help our members comply with stewardship obligations. We also work with our members to develop policy positions and submissions in response to government proposals across the country.

I'll just take a minute to offer our perspective on producer responsibility. In practice, producer responsibility in Canada has mostly focused on only shifting the cost of recycling programs and not responsibility.

To us, "responsibility" means a role for businesses in the decision-making related to program operations. In most provinces, that role and responsibility has been held by municipalities only, but to business, simply being legislated to fund a portion of municipal costs is not producer responsibility. It is FCPC's view that if businesses are to fund these programs, then they must have a role in the decision-making for program operations. There must be a true shift in roles and responsibilities if there is to be a shift in environmental outcomes. Funding alone will not improve diversion.

You have all received a copy of my written comments as well as our comprehensive EBR submission, and I will briefly summarize our position and key recommendations regarding the proposed legislation.

Overall, FCPC and its members are generally supportive of Bill 151 and recognize it as a significant improvement over the earlier-proposed Bill 91. We are particularly pleased that the government has recognized the need to treat the blue box separately from other recycling programs, and we are strongly supportive of the government's commitment to making evidence-based policy decisions.

With regard to packaging, FCPC urges the government to recognize the unique and important role packaging plays when it comes to food and consumer product protection, safety and human health, both with regard to potential provincial interests and policy statements regarding packaging design and specifically in the proposed wording of section 67(1).

With regard to blue box, FCPC members require the following conditions in order to transition to a full producer-responsibility model: no legislated role for municipalities—that does not preclude a role for municipalities, but it must not be predetermined; oversight and decision-making for producers; the ability to achieve greater harmonization and economies of scale; maintaining the blue box collective model; and ensuring the program continues to be for residential waste only.

Maintaining the collective model, or the basket-of-goods model, for the blue box is the most efficient and only route to its continued success. If we do not maintain the collective, the program will become fragmented and create consumer confusion, as there would be a proliferation of multiple programs and systems for different materials.

Before transitioning to a producer-responsibility framework, a fair and reasonable cost containment methodology must be developed and applied in the calculation of industry's annual funding. This is critical for both municipalities and producers to be able to effectively budget and manage their blue box costs and to avoid conflict.

If, post-transition to a new framework, industry is to be fully responsible for and to fully fund the Blue Box Program, then municipalities can no longer be the designated service providers for the blue box, as it contradicts the principle of producer responsibility. As such, we recommend that regulation 101/94 of the Environmental

Protection Act be repealed. FCPC acknowledges and appreciates the leadership role that municipalities have had, but, under the new proposed framework, any municipal role must be determined through a fair, transparent and competitive process.

In addition, FCPC recommends that the funding cap not be lifted until the program is transitioned, as this will serve as an incentive for producers, municipalities and others to focus and work diligently toward a seamless transition.

Lastly, the regulated timelines for the blue box should be carefully considered and need an appropriate time for transition to the new framework. We believe at least five years will be required.

Thank you for your time to present our comments today.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your presentation. Next in rotation is the government. I recognize Mrs. Mangat.

**Mrs. Amrit Mangat:** Thank you, Michelle, for your presentation, and welcome to Queen's Park.

In your presentation, you said that you're supportive of a producer-responsibility model.

**Ms. Michelle Saunders:** Correct.

**Mrs. Amrit Mangat:** Can you define what that is, what you mean?

**Ms. Michelle Saunders:** The government has clearly indicated its intention to introduce full producer responsibility. We understand that to mean that producers will be responsible not only for the funding of the program but for the operation of the program, and what that looks like will be determined in regulation. But what we are saying is that we have to move beyond just a conversation on funding.

**Mrs. Amrit Mangat:** No, no. I mean, the producer would be the manufacturer or the seller? This is what—

**Ms. Michelle Saunders:** It would be producers, correct.

**Mrs. Amrit Mangat:** Say it again?

**Ms. Michelle Saunders:** Correct: producers, manufacturers, first importers, retailers. Yes.

1430

**Mrs. Amrit Mangat:** Okay, thank you.

You also said that you are strongly supportive of the government's commitment to making evidence-based policy decisions.

**Ms. Michelle Saunders:** Correct.

**Mrs. Amrit Mangat:** Can you ensure how that necessary data will be available to make evidence-based decisions?

**Ms. Michelle Saunders:** I'm not sure of the methodology the ministry would use, but certainly in our conversations with the ministry throughout consultation on this, they have been abundantly clear that there is a need for more data, with blue box materials, with IC&I, and with food waste. In a number of those areas, those policies will be determined on the outcome of the research. We support that.

**Mrs. Amrit Mangat:** You're also supportive of the Blue Box Program. You said in your statement that you're glad and that it should be treated separately. Is that right?

**Ms. Michelle Saunders:** That is correct. The blue box is inherently different and more complex than the other recycling programs, such as electronics, tires and batteries. Given the complexity and the variety of materials and packaging products that are in the blue box, it is a very complex program. It's also starting at a 50-50 funding, whereas the other programs are already at 100. So we've got not only a bigger and more complex program, but we've got a further way to go in the transition process.

**Mrs. Amrit Mangat:** Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much. Any further questions? You have about a minute or two left. No? Okay.

Thank you very much for your presentation.

**Ms. Michelle Saunders:** Thank you.

#### NEWSPAPERS CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** Next up we have Newspapers Canada. Are they present? Yes, I see someone coming forward. Is this Mr. John Hinds?

**Mr. John Hinds:** It is.

**The Vice-Chair (Mr. Jagmeet Singh):** The chief executive officer. Wonderful. Thank you so much for attending. As I'm sure you've heard: five minutes for your presentation.

**Mr. John Hinds:** Five minutes. I'll speak fast.

**The Vice-Chair (Mr. Jagmeet Singh):** No problem. Take your time.

**Mr. John Hinds:** Thank you. We very much appreciate the opportunity to comment on Bill 151.

Newspapers Canada represents over 830 daily, weekly and community newspapers in every province and territory in Canada, with over 340 in Ontario and obviously one in each of your constituencies. As a national organization, we have significant experience with the various approaches to waste management and recycling that have been introduced by provincial governments across this country, as well as with the current Ontario policy.

Newspapers have a long and successful relationship with recycling programs. In fact, newspapers were the very first material in the blue box when it was rolled out in this country, and remain the most recycled material today, with diversion rates exceeding 90%.

For many years, newspapers have been the backbone of the recycling system, contributing a significant portion of the tonnage collected and accounting for a considerable portion of the total system revenue. While the tonnage of newsprint being sold into the market is decreasing with the move to electronic delivery, newspapers still account for a considerable percentage of the total tonnage recycled.

It's not surprising that newspapers were so widely recycled; they are designed for it. Newspapers were one

of the first product groups to take recycling seriously by creating a demand for the recycled product. The establishment of de-inking mills and processing mills across Canada, the US and the world has resulted in reliable revenues for recycling programs through the sale of newspapers collected.

The province wants to build the circular economy, with zero waste and zero greenhouse gas emissions, while reintegrating the recovered materials back into the economy as much as possible. Newspapers have already been a leader in that effort, maintaining the highest diversion rates among packaging and printed paper, even as we reduce the amount of newsprint entering the market. As well, the sector is supporting the move towards a circular economy through a supply chain that supports a global marketplace for the reuse of old newsprint.

Like our readers, Ontario newspapers want to see the province succeed in its goal of eliminating waste. When it comes to newspapers, recycling has already diverted nearly all used newsprint away from landfill. Moreover, as we look to the future, the new electronic marketplace will reduce our environmental footprint further as print declines and is replaced by digital products.

Our position on the future of recycling and waste diversion continues to remain as it always has: While we continue to support the sector's leadership in recycling and waste reduction, we believe that printed newspapers have no place in extended producer-responsibility programs. Newspapers are already facing a significant business challenge as they struggle to survive in these turbulent times. Our business model is evolving and publications are learning how to adapt, but in the interim, the industry is in a very fragile state. As you all know, many publications are struggling and we have seen many newspapers close or merge and many reduce staff to stay in business. The imposition of a significant new cost on newspapers, particularly at this time in our history, would have a huge impact on both large and small newspapers in Ontario and on the communities they serve.

It should be also noted that, unlike other materials, newspapers do not have the same opportunity to simply pass on the cost to consumers. Print newspapers are primarily supported by advertising revenues. While the manufacturers of packaged goods can pass on costs to their consumers through a price increase, that's not an option for us.

As for simply passing the costs on to advertisers, newspapers already operate in a very competitive advertising market. What makes this more challenging, however, is the fact that our competitors in the market—television, radio and, of course, online—aren't subject to paying stewardship fees. Forcing a new cost on newspapers will only exacerbate the sector's current challenges by further tilting the playing field towards our competitors who don't have to be part of EPR programs. As newspapers are unable to pass on the costs to readers or advertisers, they have to absorb those costs internally, which unfortunately will mean less editorial coverage for Ontario communities.

The fact that newspapers represent a very different kind of material in the blue box would be apparent to anyone. Unlike the other materials within the blue box, newspapers are not a package; we are the product, and a vitally important one at that. Newspapers play an important role in our communities, providing local news and information as well as a local perspective on national and global issues. Historically, the uniqueness of newspapers has been recognized in EPR programs around the world, either exempting newspapers altogether or, failing that, providing special accommodations specific to newspapers.

Ontario itself has long recognized the special nature of newspapers within its stewardship programs, allowing newspapers to pay their contributions under the current model through an advertising lineage program. Under this program, newspapers continue to support municipal recycling programs by providing in-kind advertising support of equivalent value to what otherwise have been the sector's stewardship fees.

We applaud the government's interest in reducing waste and promoting a circular economy. We would not want to see this come at the expense of a vibrant newspaper sector. We note that the legislation appears to permit the government to maintain an exemption for our sector, should it choose to do so, and that's something we would like to see.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, sir. You were well within your time limit, so thank you for that. Now we'll rotate on to questions from the official opposition. Mr. Fedeli, I recognize you.

**Mr. Victor Fedeli:** Thank you very kindly, Chair.

Thank you very much, Mr. Hinds, for a wonderful presentation. I would start, I think, by saying to you: Congratulations on the leadership that the industry has shown in terms of recycling, right from day one. I think it was interesting that you got there because of the creation of the demand. My first question would be: Are there any improvements coming—or any changes coming—in terms of furthering that demand, and is there any opportunity, then, to further recycle any more product?

**Mr. John Hinds:** Yes. We're pretty pleased with our 90-some-odd per cent recycling effort. The challenge that we have is that what has happened now is that this has become a global marketplace. Ontario used to have a de-inking plant—a plant on Lake Erie that only took recycled product. It was owned by Abitibi, and then it went through its various iterations. That plant is shuttered.

Really, what's happening now—and I think this is one of the things that is always challenging around this file—is that on the broader, global environmental footprint, a lot of that product that we're doing now is being trucked to Colorado or Georgia or being sent to China. I think when you look at the full environmental impact of that, that's a big challenge.

While we have the circular economy, I think that any efforts that could be made locally would be much better, both for Ontario's businesses as well as for our industry and for the environment as a whole.

**Mr. Victor Fedeli:** With respect specifically to Bill 151, would there be any particular amendments that you would look for from this committee?

**Mr. John Hinds:** I think that the people who spoke before—we're a member of the coalition that talked about the governance issues. I think we would support those as well. I think we would be looking, in terms of the provincial interest or in terms of the exemption, to work with government to find a way that meets our environmental obligations and goals and meets the government's environmental goals and, at the same time, preserves newspapers and preserves print newspapers.

**Mr. Victor Fedeli:** The presenter before you—Michelle—ran out of time to be able to answer Ms. Forster's question with respect to governance. Would you be able to take just a moment and maybe finish the sentence she was going to?

**Mr. John Hinds:** Yes. I think that, if we look at where the governance is going, we have to be careful that the people—if this is going to a full EPR program where the people take their product and have full responsibility for it, it's important that those people do actually run the program and make the business decisions to run the program efficiently and effectively. I think one of the challenges we've seen in Ontario over the last dozen years or so of this program is that the initial obligation for industry was, I think, \$40 million 10 years ago; it's now \$200 million. Nobody's costs have gone up that much in the rest of our businesses. We need to ensure that there is a governance structure and a system in place that allows for good business management if it's going to move to an EPR program.

1440

**Mr. Victor Fedeli:** Thank you very much, Mr. Hinds. I appreciate the time, Chair. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** No problem. Thank you very much, Mr. Fedeli. Thank you very much, Mr. Hinds.

#### CANADIANS FOR CLEAN PROSPERITY

**The Vice-Chair (Mr. Jagmeet Singh):** We will now move to the next presentation: Canadians for Clean Prosperity, and vice-president, operations, Tom Chervinsky. Is that the correct pronunciation?

**Mr. Tom Chervinsky:** That is correct.

**The Vice-Chair (Mr. Jagmeet Singh):** I take pride on my pronunciation skills.

**Mr. Tom Chervinsky:** It was perfect. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** I love perfection.

**Mr. Tom Chervinsky:** Mr. Chair, members of the committee, thank you for having me here today to speak on Bill 151, the Waste-Free Ontario Act, on behalf of Canadians for Clean Prosperity.

Canadians for Clean Prosperity is an organization dedicated to the promotion of market mechanisms to tackle environmental challenges, and we are very pleased to see the government moving our waste diversion

system towards the individual producer responsibility model. Further, we're pleased to see the general consensus that has developed across parties that we must move towards a system of producer responsibility if we're going to start shifting behaviours and increase diversion rates.

For the past two years, we have been working to engage and educate Ontarians and, in particular, municipal governments to build support for a switch away from our current broken waste management system. We've presented to conferences in small towns and helped pass resolutions in major municipalities. Across the board, we've found understanding and support for three core principles.

First, producers should be responsible for the full cost of meeting diversion targets for their products. Second, producers should have flexibility as to how they meet diversion targets to allow competition and innovation. Third, in order to ensure positive outcomes and incentivize innovation, the programs created must be subject to competition provisions and targets must be backed up by strong standards and enforcement. In many ways, these three principles act as a tripod, and without each of them the whole structure will fail.

The first principle of full cost is already embodied in the legislation.

The second principle of flexibility and independence for producers also seems to be incorporated, but we have major concerns about how the planned regulatory regime will come into effect. Done correctly, the regulations should outline outcomes rather than enforcing specific solutions and processes. Indeed, if this system is to provide a financial and environmental benefit to Ontarians, it must allow producers the freedom to implement new and better processes to improve outcomes and their bottom lines.

The third principle is where the rubber hits the road and where we encourage the government to take great care in its next steps. Just as with limiting carbon emissions, efforts to limit disposal and waste require clearly defined targets which become more stringent over time. This will generate important market certainty for producers and help them design long-term programs and investments to achieve their targets.

Similarly, enforcement will be a key element to making this new waste diversion system work. Waste diversion is a vital public policy objective, and failure to reach targets needs to be met with real financial consequences, while attempts at fraud or deception must be treated as a major violation of public trust and carry even stiffer penalties.

We encourage the government to look at the proposed penalties under the cap-and-trade regulations which set the fine for non-compliance at three times the cost of compliance. Further, the body tasked with compliance must be given sufficient resources and authority to impose fines as necessary and be separated from the body that crafts the targets, much in the same way that the legislative, judicial and policing systems are independent

but work together. This would ensure that enforcement is implemented fairly and impartially.

A solution to this would be for enforcement responsibility to rest with the investigations and enforcement branch of the MOECC while the authority should have the ability to refer potential cases of non-compliance to the investigations and enforcement branch. It will also be important to ensure and strengthen safeguards to prevent political interference over enforcement actions.

The final points I want to make are with regard to transition speed and implementation. It is important that Ontario implement this system in a timely manner and in a way that helps municipalities and producers adapt to the new system. This means setting a reasonable timeline for the implementation of all aspects of this legislation. We would suggest approximately three years and no more than five. We need to provide certainty to the market and ensure that all aspects of this transition move forward together so that Ontarians feel a seamless transition from one to the other. We must also ensure that municipalities that have made substantial capital investments are treated fairly if they choose to divest of that infrastructure.

I'll end by once again reaffirming our support both for the direction and the substance of Bill 151 and, on behalf of Ontarians, by thanking you for helping build a system that will reduce waste, save money and generate good, high-paying jobs here in Ontario. Thank you very much.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your presentation.

I will now rotate to the NDP for the questions. Mr. Hatfield?

**Mr. Percy Hatfield:** Thank you, Chair. Thank you for being here, Tom. Just a couple of questions coming from the municipal angle, I guess. We're talking about producer responsibility and responsibility to pay the full cost of recovery. I think the earlier presenter, Mr. Hinds, said that producers should run the program. Do you think producers should run the program by taking over the blue box collection service from municipalities—or in this case, the red box if it's newsprint?

**Mr. Tom Chervinsky:** I think that we need to leave that flexibility open in the system. The reality of the current system is that it is, with the best of intentions, incredibly broken. The diffused responsibility, where we have this legislative situation where these players have to work together but can't seem to pull it together, has caused some real problems. We think that it actually treats municipalities much more fairly and puts them in a much stronger bargaining position because they are best able to implement blue box programs. They are in a position, if they want to continue running the blue box, to go to producers and say, "This is what it's going to cost you. If you think you can do it cheaper, good luck with that," and then to hold producers to account for that.

To be fair, if producers can do it better and cheaper, and we can increase diversion rates, then that's good too. We just need to help municipalities transition if they aren't going to be running these programs.

**Mr. Percy Hatfield:** I know I didn't get a chance to ask Michelle from Food and Consumer Products of Canada a question, but she said there shouldn't be a legislated role for municipalities at all. If municipalities continue to run the blue box or red box recycling programs, why would you deny them a voice during all of this?

**Mr. Tom Chervinsky:** I'm not an expert enough to speak on the governance of how we would set this up. I think what's important is that we figure out a system that makes sure that Ontarians' voices are heard. I don't know that it necessarily has to be reserved for municipalities as opposed to some other mechanisms for bringing in the voices of average Ontarians.

I'll note that one of the reasons we were founded, one of our concerns with the current system, is that around the table, most of the people you're going to hear from today either represent a level of government or a producer or an environmental NGO, but very few of them try or are able to take the holistic overview of who's advocating for the average Ontarian. At the end of the day, the average Ontarian is the taxpayer, the citizen, the person buying the product and disposing of it, and the person who has to live in this environment that we're creating.

I'm not sure that municipalities per se are the right way to go, especially if they're contracted. If they are a contractee of producers, then it's slightly strange to put them on the board of the producers' organization. I'm sorry if that's not—

**Mr. Percy Hatfield:** Well, to me, if it's producer responsibility, then the producer has a responsibility for taking care of it from cradle to grave, if you will. So there's a cost there, but if municipalities are actually running the program, and if they're subsidizing the cost of running that program, then they should be compensated for the full cost to recover their full cost for providing that service.

**Mr. Tom Chervinsky:** Absolutely, and what we're advocating for is that there should be no municipal subsidy for these programs. They should be fully producer-funded, which is what I believe the intention of the legislation is. We absolutely think it is unjust and incorrect for municipalities, and therefore taxpayers, to be subsidizing these programs. We think that if municipalities are going to run these programs, they need to be fully paid for by the producers.

What we're also saying, though, is that if producers think they can do better, if they think that a private system can achieve better environmental outcomes at lower cost and allow them to compete, that is also an acceptable, viable option for our market so long as we treat municipalities fairly in the transition.

**Mr. Percy Hatfield:** I mentioned earlier—I don't know if you were here—about the Vancouver example. Vancouver said, "We're not going to subsidize you anymore; take it over." Some people in Ontario, some municipal leaders, are saying that's what will happen

here if they aren't treated fairly. Have you heard those discussions at all?

**Mr. Tom Chervinsky:** I'm not an expert on this. I have read some of the articles about it, but I haven't had the opportunity to speak with people in Vancouver and in British Columbia. What I do know is that the system that they've implemented there has a lot of the principles in place. There are a lot of growing pains, and we should certainly be looking at what's happened there and learning from that.

1450

In theory, as I understand it, in British Columbia, Vancouver is absolutely within their rights to do that. There are going to be hiccups along the way, and we should be prepared for those hiccups towards Ontarians. There will be municipalities that say, "I'm not doing this anymore. It's not worth it for me." I think it's unjust that the current legislation forces them to provide a service that maybe they aren't able or best prepared to provide.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much. That completes our time. I appreciate your deputation. Thank you for the questions.

#### CANADIAN PLASTICS INDUSTRY ASSOCIATION

**The Vice-Chair (Mr. Jagmeet Singh):** The next deputation will be from the Canadian Plastics Industry Association. Thank you very much. I see you're already there. Are you Krista Friesen?

**Ms. Krista Friesen:** I am Krista Friesen.

**The Vice-Chair (Mr. Jagmeet Singh):** Excellent. Am I still pronouncing your name correctly?

**Ms. Krista Friesen:** Yes.

**The Vice-Chair (Mr. Jagmeet Singh):** Yes. I have a good record so far.

All right. You have five minutes to present. Thank you so much.

**Ms. Krista Friesen:** Thank you. It's nice and warm in here. Thank you so much for having me here today.

The Canadian Plastics Industry Association appreciates the opportunity to provide these comments with respect to the Waste-Free Ontario Act.

CPIA is the national voice for plastics in Canada, representing plastics manufacturers, converters and recyclers. The benefits of using plastics include product light weighting, increased hygiene and cleanliness, decreased spoilage and food waste, durability, convenience and safety, among others.

CPIA is interested in working in partnership with the province and the regulated parties on solutions for plastics recycling and waste diversion that are efficient and sustainable, that provide a high level of environmental protection, and that create economic opportunities in Ontario. To that end, CPIA's sustainability program has a number of dedicated post-use resource recovery projects that focus on increasing the diversion of plastics from landfill through collaborative efforts with partners and stakeholders.

Our strong belief is that plastics are a valuable resource that should not be landfilled. Plastic products can be reused and recycled and their energy recovered after productive use. For that reason, CPIA supports the ministry's aspirational goal of zero waste by 2030 and is committed to working collaboratively with all stakeholders to ensure the plastics industry is a co-operative and contributing partner in achieving this objective.

While we generally support Bill 151 and are in favour of extended producer responsibility, CPIA has also provided a number of recommendations that we believe will assist in achieving our shared goals of increasing recycling and diversion rates in Ontario.

Our first recommendation is to adopt a hierarchy of resource recovery options that includes energy recovery. We urge Ontario to consider all options, including energy recovery, for diverting waste from landfill. As many other jurisdictions worldwide have recognized, there are a wide range of available options to recover resources at the end of the useful life of products or packaging, and Ontario should look beyond just recycling to achieve the full potential of the Resource Recovery and Circular Economy Act.

While recycling is widely recognized as the highest value for end-of-life materials, it is important to note that not all materials can be recycled in commercial markets at the present time. In addition, a circular economy is more than just mechanical recycling; it also includes options such as chemical recycling and the technologies to convert waste to fuel or electricity.

A common misconception surrounding energy recovery is that it detracts from recycling; on the contrary, energy recovery complements recycling efforts. There is data to demonstrate that jurisdictions that employ energy recovery also have higher recycling rates than those without.

Our second recommendation is that Bill 151 have no ambiguity as to the definition of "producer" or "brand holder." Bill 151 currently includes language that states that other stakeholders, such as those supplying convenience and transport packaging, will have the same regulated responsibilities as brand holders.

CPIA and our members are concerned about this inclusion for two reasons. First, the ultimate choice in packaging—whether it be convenience or around the primary product—lies with the brand holder. The material producer and/or packaging converters are typically instructed by the brand holder as to those packaging requirements. Second, the vast majority of transport packaging does not enter the residential waste stream and therefore will not cause a financial or physical burden to the taxpayer.

Our third recommendation is that the ICI sector should be included under Bill 151. However, the model doesn't need to be the same as the residential sector. CPIA recommends that Bill 151 incorporate a requirement that all major ICI sectors listed in regulation 103 be required to collect all types of plastics packaging for recycling.

In terms of our fourth recommendation, we believe that when it comes to measuring overall performance,

Bill 151 and future regulations should include a holistic view of materials management that involves a full-life-cycle assessment of materials, rather than relying solely on the restricted measurement tool of tonnage diverted. Additionally, Bill 151 should not include prescriptive language or requirements that recovered materials be reused for the same or similar purpose as their original state. CPIA is concerned about this potential restriction because many plastic packaging materials that are highly recyclable may not be eligible for reuse in the same applications due to health and safety requirements. Additionally, such a requirement could lead to a potential increase in greenhouse gas emissions as more energy and water are required to clean and prepare the end-of-life packaging so that it is suitable for such applications.

Our fifth recommendation relates to the provincial interests and policy statements. CPIA understands it is the government's intention that the provincial interests be viewed as a set of guiding principles to help direct resource recovery and waste reduction activities in the province. However, we remain uncertain regarding the implementation of these tools and the necessity of including them in legislation. CPIA believes that the development of policy statements, as described in the legislation, provides the minister with too much discretion and, ultimately, limits the government's transparency and accountability. CPIA recommends that concerns stemming from provincial interests which are not already being addressed by other statutes be included in regulation to implement a higher degree of transparency and accountability.

In addition to the information provided today, CPIA will be submitting written comments to the committee that will provide further information on these recommendations, and a few additional points for consideration related to research and development needs, landfill bans and end-markets.

Thank you for your attention. I welcome any questions you may have.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your presentation.

Moving along in the rotation, we are now with the Liberal Party, the government. Mrs. Mangat, I recognize you. Please begin.

**Mrs. Amrit Mangat:** Thank you, Ms. Friesen, for your presentation. Welcome to Queen's Park.

This legislation, if it is passed, along with our strategy, would boost faster innovation in product and packaging design, and it would also encourage businesses to create long-lasting, reusable and easily recyclable products. What role do you think the plastics industry can play, leading to those changes?

**Ms. Krista Friesen:** Thank you for your question.

I think the plastics industry has a huge role to play in that development. As I mentioned briefly in my comments, we have been very involved, for decades now, in helping to enhance the current recycling programs in Ontario and across Canada.

I think our members are those who produce the plastic that then gets converted into a packaging material. We don't necessarily have members in the brand-holder space. But, certainly, as the packaging is being developed, I think the industry itself is interested in being a part of the solution when it comes to recycling. It's something that we have supported in the past.

**Mrs. Amrit Mangat:** Do you think there should be rewards for the good performers?

**Ms. Krista Friesen:** Well, as the current system exists in Ontario and as we've seen in other jurisdictions, the material that's harder to recycle, that has less infrastructure, typically has a higher fee associated with it. So in terms of rewarding and penalizing, I think the typical EPR program does that through its cost allocations.

**Mrs. Amrit Mangat:** What type of incentives would you envision that are needed to encourage businesses or to reward businesses?

**Ms. Krista Friesen:** There actually is a lot of work ongoing right now between existing stewardship agencies, producers and even municipalities to determine how to better manage the material that's being put into the system, whether that's a packaging redesign, whether that's enhancing infrastructure or whether that's increasing education. I think that those three pieces are critical to seeing our recycling rates increase.

1500

**Mrs. Amrit Mangat:** My understanding is that, in your presentation, you stated that manufacturers of packaging are not the producers. Is that right?

**Ms. Krista Friesen:** Yes. That is correct. Our members who produce the packaging—say, a yogourt container that gets produced for a branded company. Those who are turning the plastic pellet into the container don't necessarily dictate—in most cases, almost never dictate—what packaging that material is going to be made from, or the shape or the size. That's on the brand owner to decide, and they tell their suppliers what they would like.

Our members typically fall in the space before the brand owner or in the recycling industry. We want to ensure that our members are not being regulated through future bills, since we have limited influence on the packaging.

**Mrs. Amrit Mangat:** Just to clarify for myself: What you are saying is that the manufacturer is not the producer?

**Ms. Krista Friesen:** The manufacturer of the packaging, in many cases, is not the producer. The producer is either the brand holder or the first importer of the product.

**Mrs. Amrit Mangat:** Okay. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you for your presentation.

ELECTRONICS PRODUCT  
STEWARDSHIP CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** Next we have Electronics Product Stewardship Canada: Shelagh Kerr,

president and chief executive officer. You have five minutes for your presentation. Thank you for being here. Please begin.

**Ms. Shelagh Kerr:** Thank you. Good afternoon, Chair, committee members and Clerk. I'm Shelagh Kerr. I'm the president and CEO of Electronics Product Stewardship Canada. EPSC is a not-for-profit, industry-led organization created to design, promote and implement sustainable solutions for end-of-life electronics. Our membership consists of the 30 leading electronics manufacturers.

We're supportive of the government's proposed legislation contained in Bill 151. However, electronics manufacturers have a number of concerns and recommendations that are detailed in proposed amendments, which have been submitted to the committee for consideration—I believe they're being handed out now. Our members believe implementing these changes will further strengthen the bill and resource recovery efforts in the province. We're hopeful that the amendments can be adopted at the standing committee stage of the legislative process.

Our proposed amendments are divided into four broad categories, which are the resource productivity and recovery authority's governance, mandate and budget; the provincial interest and policy statements; absolute liability; and packaging. I'll provide a brief overview of our concerns and recommendations in each category, beginning with our thoughts regarding the proposed authority.

Our members are concerned with the authority's flexible mandate and the cost associated with its function, as currently described in the bill. We recognize that Bill 151 is inherently different from the Waste Diversion Act, 2002. However, as obligated stewards in the current system and responsible brand holders in the new system, we would like to ensure that the problems that have been detrimental to the efficient and effective management of waste diversion aren't repeated under the Waste-Free Ontario Act.

Part III of the bill would benefit from amendments that aim to prevent future expansion of the authority's mandate and budget, which could be costly and unnecessary for Ontario consumers; increase accountability of the authority's board of directors; and enhance the provisions around compliance and oversight.

We believe this can be achieved by amending the legislation as follows:

(1) legislate that two thirds of the authority's board of directors consist of brand holders;

(2) remove inclusion of "any other act" in the legislation, as this will create an open-ended opportunity for additional legislative and regulatory constraints on industry trying to fulfill their responsibilities;

(3) clearly state within the legislation that the registrar has to operate the registry in accordance with its stated purpose, which is currently lacking;

(4) include stakeholder consultation in the development of the authority's operating agreement;

(5) create a complaint mechanism for brand holders to bring grievances against the authority; and

(6) develop a funding formula or cap on the fees that the authority can charge brand holders and a limitation on the fees that the ministry itself can collect from the authority.

Moving to provincial interest and policy statements: The proposed legislation does not provide enough comfort that policy statements will not be exploited to shortcut the regulatory process. There is a lack of clarity on how the policy statements can effectively tie policy and results back to the overall goals. We're concerned that the policy statements are not grounded in law, and therefore create a grey area in terms of enforcement.

We recommend that this section be repealed in its entirety, because there are a lot of other mechanisms, such as the Canadian Council of Ministers of the Environment extended producer responsibility principles, for example, that could meet the needs of the policy statements.

With regard to absolute liability, the proposed legislation includes provisions for absolute liability of brand holders. We believe that needs to be clarified because all actors are responsible for their own actions, not the actions of others, including contractors. So if a service provider fails to fulfill the requirements of a contract set out between them and the brand holder, the brand holder should not be exclusively liable and subject to administrative penalties. It would be fair to assume that the brand holder took all reasonable steps to fulfill the responsibility, and the failure of another party is not directly their fault; it's due diligence. We would recommend that subsections 89(8) and 89(9) be repealed.

Finally, our recommendations pertaining to packaging: We want to ensure that electronics packaging in the industrial, commercial and institutional sector is not obligated under any provision of this legislation because we believe that the industrial, commercial and institutional waste stream is separate from the residential. We see the two waste streams as being quite separate and that the IC&I stream requires the participation of commercial generators.

Electronics packaging for the IC&I sector should be excluded from obligation, as transport packaging remains with transport companies and is reused many times over before being recycled. Legislating transport packaging will interfere with an established private marketplace. Collecting fees for this type of packaging would increase funding disproportionate to the amount of packaging collected from the stream and inflate targets which couldn't be met. Collecting fees for this type of packaging would also reduce revenues for private company processors who have actualized economic success with this market.

**The Vice-Chair (Mr. Jagmeet Singh):** Sorry, we've gone over the time. I wanted to give you a little bit of leeway, but we've gone about 35 seconds over.

**Ms. Shelagh Kerr:** No, that's fine. I was just about to say that that's it, and that we've submitted our recommendations to the committee.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much. Now in the rotation, the official opposition and Mr. Coe.

**Mr. Lorne Coe:** Thank you, Chair. Through you, to the delegation: Thank you so much for your delegation. It was an excellent presentation.

Our party, as you probably know, believes that the ministry should be dealing directly with the industry to wind up electronics, used tires and the Orange Drop Program, rather than going through Waste Diversion Ontario and, increasingly, the rest of the bureaucratic overlap in waste and mismanagement.

Would you support working with and being monitored by one authority, the ministry, rather than two governmental authorities?

**Ms. Shelagh Kerr:** Yes. We would overall prefer to deal directly with the ministry.

**Mr. Lorne Coe:** And do you think they would bring the type of efficiencies that you're seeking?

**Ms. Shelagh Kerr:** Yes. We've seen that in many other provinces, so we know it's probably the most efficient system.

**Mr. Lorne Coe:** Thank you for your response.

Chair, to my colleague for the subsequent question, please.

**The Vice-Chair (Mr. Jagmeet Singh):** I recognize Mr. Fedeli.

**Mr. Victor Fedeli:** In the five minutes, you certainly did not have adequate time to go over some of the rationale for your amendments. Are there a couple of more thoughts that you could put a little meat on the bones of one or two of those amendments? Is that possible?

**Ms. Shelagh Kerr:** Yes, I think one of the big shifts that we want to see accomplished is a move from what has been a structure of conflict to a structure of collaboration. I think that's the biggest change we were seeking and hoping for here, because there has been far too much conflict on a subject area that everybody wants to progress and see success on.

**Mr. Victor Fedeli:** Does that happen in the governance side of it?

**Ms. Shelagh Kerr:** Partly the governance, yes. One thing I didn't have a chance to mention, too, is that we see success being measured at banning our products to landfill and then monitoring the landfill side. We think it's really important that if Ontarians want to see electronics products diverted, that there be a landfill ban.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much for your presentation.

1510

#### REGIONAL MUNICIPALITY OF DURHAM

**The Vice-Chair (Mr. Jagmeet Singh):** The next deputation is from the regional municipality of Durham: Craig Bartlett, manager of waste operations. Good

afternoon. Thank you for being here. You have five minutes to make your presentation.

**Mr. Craig Bartlett:** Thank you. Good afternoon, Mr. Chair and members of the committee. My name is Craig Bartlett, and I am the manager of waste management for the regional municipality of Durham.

On February 17, 2016, Durham region council approved report 2016 J6 regarding Bill 151, and it was submitted to the EBR registry, number 012-5832. The region acknowledges the province's efforts to move forward with extended producer responsibility. However, given the lack of detail presented in Bill 151, the region respectfully requests that this committee consider the following.

**Municipal role:** Municipalities are currently the primary service provider for all recycling and waste collection services for Ontario residents. With the exception of limited take-back programs operated at the retail level, residents look to municipalities to provide convenient, reliable and accessible recycling and waste collection programs. Residential service levels under Bill 151 cannot be permitted to decrease. Residents must receive the same or a better level of accessibility in collection that they currently receive from municipalities.

EPR legislation in Ontario must also include a legislated municipal role to ensure residents have certainty of services during any transition period.

EPR legislation must ensure that 100% of municipal costs are fully covered for all costs incurred for collecting and/or processing designated materials on behalf of the producers. Municipalities cannot be expected to provide services on behalf of producers without full compensation of costs.

Producer costs must also extend beyond what producers divert and also include costs for their designated materials that are not captured by diversion and continue to end up as litter or garbage that must be managed by municipalities. We ask that section 11 of the transition act be revised to specify that municipalities must be paid 50%, at a minimum, of the verified net cost for providing blue box services to producers during the transition.

**Municipal infrastructure:** Due to the requirements of regulation 101/94, many municipalities have invested significantly in infrastructure to collect and process blue box materials. The investment of taxpayer dollars by municipalities cannot be ignored under a full producer responsibility regime. New legislation must protect taxpayer investment in blue box infrastructure and ensure municipalities are not left with stranded assets.

**Diversion and recovery as diversion:** There needs to be an improved reporting mechanism to monitor the effectiveness of Bill 151 and its diversion success. Any new diversion metrics must include all the principles of the waste hierarchy, including recovery. Recovery is the extraction of energy from materials that are not recyclable or are otherwise destined for disposal in landfill. Energy recovery from organics in the form of anaerobic digestion is recognized today by Ontario as diversion. Energy recovery from post-diversion municipal solid

waste results in lower greenhouse gas emissions than landfill and is a less carbon-intensive energy source than traditional fossil fuels.

Finally, all waste treatment methods that extract energy from waste should be treated equally. Anaerobic digestion of food waste and energy recovery from non-recyclable waste should both be considered diversion.

Thank you for this opportunity today.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, sir, for your deputation.

Moving now to questions from the NDP, I recognize Ms. Forster.

**Ms. Cindy Forster:** Thank you for being here today. You're one of the few municipalities here, and we've received some letters that support what you're saying. I was a municipal and regional politician for many years before coming here to Queen's Park, so I know that waste collection and recycling take a big bite out of municipal budgets in any given year. Do you see any pluses for municipalities with the services being moved away from municipalities?

**Mr. Craig Bartlett:** Through you, Mr. Chair, certainly this is a positive. One of the things that you have to recognize is that, even in the EPR system, municipalities will continue to manage over 80% of the waste, so it's really important that these EPR systems are effective. I joke that I want to be the Maytag Man of waste; I want to be put out of business. An EPR system is only effective if it removes those materials from the stream.

Municipalities have introduced these programs to keep hazardous waste out of our drinking water. It's really important that any scheme that is set up under an EPR system fully recovers all those materials. If not, the municipalities will still be bearing the cost of maintaining that residual material that they weren't capable of removing from the system because it wasn't an 100% effective system. That's really important to understand.

**Ms. Cindy Forster:** We heard today from a number of the presenters that they want two thirds of this new authority, this new board, made up of the producers of the waste. Do you have comments on that?

**Mr. Craig Bartlett:** Through you, Mr. Chair, certainly municipalities need a seat at the table. Anything that is not recovered ends up in the municipal stream. It will still be a burden for our taxpayers.

We have been in the business for many years—over 100 years. A lot of the diversion programs that you have here today in Ontario were implemented by municipalities over 30 years ago, not with the intent of making money but with the intent of keeping it out of the water supply chain, keeping it out of landfill and doing the best for the environment. Municipalities are still in this game, doing the best thing for the environment. It's not just about costs.

**Ms. Cindy Forster:** Currently, if I understood you correctly, municipalities are not recovering some of the costs for the dumping of tires, for example, down roads with no access or on parklands or canal lands. I know that happens in my municipalities. My city incurs those

costs, and they are not able to recover them. Is that what you are speaking to?

**Mr. Craig Bartlett:** Yes, and a bounty on this material would go a long way in incentivizing folks to treat this responsibly, to return it back to where it should be, and for it to be properly managed so it doesn't end up in those types of locations.

**Ms. Cindy Forster:** Are you suggesting that the producers would be responsible to pay some of those costs back to the municipality as part of this regulation?

**Mr. Craig Bartlett:** If the municipality continues to monitor or maintain a system where it exists, we would be wanting to be compensated for those costs that it costs us to maintain that system. So we wanted out completely. If we still have to maintain a portion of it, we want to be fully compensated for those costs.

**Ms. Cindy Forster:** Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for the questions and for the answers. That completes this round.

#### CARTON COUNCIL OF CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** We move to the next deputation. We have the Carton Council of Canada: Isabelle Faucher, managing director.

**Ms. Isabelle Faucher:** Yes.

**The Vice-Chair (Mr. Jagmeet Singh):** You have five minutes to present; please begin. Thank you.

**Ms. Isabelle Faucher:** Thank you. Good afternoon, and thank you for the opportunity to talk to you today. My name is Isabelle Faucher. I am the managing director of the Carton Council of Canada. We are a group of carton packaging manufacturers whose mandate is to grow the recycling rate of food and beverage cartons in the country. Our members are Tetra Pak, Elopak, Evergreen Packaging and SIG Combibloc. In case any of you are unsure about what a carton is, I have brought some samples here.

The current waste diversion legislation, the Waste Diversion Act, has not been amended to reflect lessons learned since it was promulgated in 2002. Legislative change on this front is greatly needed. In this sense, the Carton Council of Canada is generally supportive of Bill 151 and views it as a very important and long-awaited legislative reform to grow resource recovery in this province.

We are particularly supportive of requirements pertaining to the collection and management of designated materials, including the government's ability to set accessibility, collection and management standards, as well as the requirement to implement promotion and education programs. We also very much support the establishment of an independent authority to provide data clearinghouse services, along with a clearly defined mandate for oversight and enforcement.

**1520**

There are five points that I would like to share with you on how the Resource Recovery and Circular Economy Act can be further enhanced.

Firstly, although we strongly support the government's vision of transitioning to a circular economy, we would like the bill to reflect a more holistic definition of this concept. Transitioning to a circular economy requires us to pay attention to what materials we use to make new products and packaging and how we source them, in addition to making sure that these resources are put back into the productive cycle at the end of their useful lives. Specifically, we would like to see the overarching provincial interest be that Ontario transition to a circular economy, rather than the more narrow interest of having a system of resource recovery and waste reduction, with specific reference to products and packaging made from responsibly sourced renewable materials.

Secondly, a section should be added to the act to ensure the government is empowered to enact disposal bans for all packaging for which end markets exist, including cartons. While disposal bans are highlighted in the strategy as one of the tools to divert more waste from disposal, they are not mentioned currently in the proposed act.

Next, the carton council does not support mandated packaging design requirements on producers, as is currently stated in the section of the act pertaining to responsibilities of obligated persons. Rather, we are strongly in favour of voluntary guidelines that are developed by and for industry, such as the European Committee for Standardization's packaging standards and the ISO packaging standards. These tools, we find, incentivize continuous improvement, foster packaging innovation and are based on life cycle thinking, taking into account both the product and its packaging.

Fourthly, we are pleased that the act allows for the possibility of other recycling value chain actors, such as ourselves, to provide input into the operation of the system. We recommend that the act explicitly refer to packaging manufacturers as being represented on the advisory councils that are to be formed to provide advice to the authority.

Lastly, although we understand that the act is meant to be enabling in nature, effective implementation of the policy direction that it lays out will require carefully crafted regulations. We recommend that the act make explicit reference to the process that will be followed to develop these regulations, one that is highly consultative in nature, which has been the case up to now, and that relies on robust and high-quality data.

Thank you, and with that, I'm happy to take any questions you have.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for that. We now rotate to the government, and we have Ms. Kiwala.

**Ms. Sophie Kiwala:** Thank you very much for being here today, Ms. Faucher. I do understand that it is a bit of a sacrifice to come here and communicate with us, and I do appreciate your advocacy and your work on this file. It sounds like you've done a lot of background work.

A number of things are coming up for me, but specifically I'd like to ask you about your suggestion of ex-

panding the circular economy and this approach to include sustainable resourcing of raw materials. I'm just wondering if you can elaborate a little bit more on that suggestion.

**Ms. Isabelle Faucher:** Definitely. We find that aside from the title of the act itself, which contains the term "circular economy," there are very few references both in the strategy and the act itself on the concept of the circular economy itself, because everything is focused on resource recovery: What do we do with the waste that we create once we've used products, packaging, making sure that we are diverting them, putting them back into the productive cycle?

What we're saying is that that's very important, but we also need to pay attention to sourcing of new materials because there are real limits to running an economy only on recovered and recycled waste. For example, you can only use fibre five to seven times in the paper recycling process until the fibre loses its properties. You need to inject new, fresh wood fibres into the process. How that is sourced and making sure that it's done in a responsible, environmentally sound way so that we have natural resources that we can rely on for the long term and we're preserving that natural capital is equally as important. We'd like to have that reference recognized in the act, and we think the most logical place to do that is in the policy interest section.

**Ms. Sophie Kiwala:** Okay. Thank you. What are the key factors to ensuring the seamless transition of blue box programs to the new producer responsibility regime?

**Ms. Isabelle Faucher:** I think that it has already been referenced in the strategy document that, really, we want no discontinuation of service to households and residents. We want no diminishing of service levels. We want things to continue as they are in the transition. What that requires, I'm not exactly sure. But we want to make sure that, to the average citizen, things are very smooth and they don't actually notice that there is a transition happening.

**Ms. Sophie Kiwala:** Thank you. No more questions.

**The Vice-Chair (Mr. Jagmeet Singh):** Any further questions? No?

Thank you so much for your presentation today.

#### RETAIL COUNCIL OF CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** The next deputation is from Stewardship Ontario—

*Interjection.*

**The Vice-Chair (Mr. Jagmeet Singh):** No; sorry. My apologies. You're right. I was just making sure you're all awake. It looks like you are. Well done.

Retail Council of Canada: Gary Rygus, director of government relations. Thank you so much for being here. You have five minutes to present.

**Mr. Gary Rygus:** Thank you for the opportunity to speak to the committee today on the Waste-Free Ontario Act and on the Strategy for a Waste-Free Ontario. I am

Gary Rygus, director of government relations for the Retail Council of Canada.

The Retail Council of Canada is the voice of retail in Canada and represents more than 17,000 Ontario storefronts of all retail formats, including department, specialty, discount and independent stores, and online merchants in general merchandise, grocery and pharmacy. Our membership represents over 70% of core sales in Canada.

Retail is Ontario's largest private sector employer. Retail employment represents 11.3% of the province's total labour force, directly employing more than 839,000 Ontarians. The retail sector's prominent role in the economy also means that merchants have a direct impact on the success of many other supporting industries and their workforces, including those in transportation, construction, information technology and financial services, to name only a few. As well, Ontario retailers invested almost \$3 billion in capital expenditures for 2015 and expect to invest a similar amount for 2016.

The proposed Waste-Free Ontario Act, Bill 151, and the supplementary draft Strategy for a Waste-Free Ontario are generally a significant improvement over the government's earlier proposal. We are pleased that the government has addressed some of our previous concerns with the proposed legislation and draft strategy. However, there still are areas left for some fine tuning, if you will.

We believe provincial interests should not be a priority and should not be issued in the first year, as transitioning existing programs to the new model is of higher importance and will quickly result in efficiencies and positive environmental impacts.

While members of RCC are of the view that the proposed Resource Productivity and Recovery Authority is not required and that the ministry could provide on its own an independent and robust oversight and compliance approach for all stakeholders, we are satisfied with the ministry's intention to move away from the current WDO structure.

The draft legislation must clearly define safeguards to protect confidential and commercially sensitive information that would be required to be submitted by registered retailers. We strongly suggest that commercial information must be protected and must be limited to publishing general outcomes.

There is a need for a percentage cap on fees that the authority can charge. Fees charged by the authority should not exceed 1% of total fees. In addition, RCC members contend that the board of authority needs to be skills-based, professional, unbiased, independent and well trained, inclusive of representatives from the sectors being governed. Directors on the board should include retail representatives with a finance and/or logistics background, as well as individuals with an environmental science background, to understand how the physical processes to maximize diversion from landfill and reduce greenhouse gases are required for effective cost control.

RCC members strongly recommend simplifying and harmonizing the definition of an obligated steward, en-

suring that the same definition applies across all programs. In addition, if retailers are part of a collective, they are opposed to having retailers continue to bear all liabilities. RCC members believe belonging to a collective should be sufficient to discharge the retailers' obligations as contained in Bill 151.

#### 1530

Retailers support the legislation being silent on fees, and believe that this area should not be up for scrutiny under the provincial interest and policy statement sections of the legislation. Organizations such as collectives will need to be backed by a significant share of the obligated stewards in order to be approved going forward. RCC members will not support increasing producers' funding above 50% of the current cost structure unless reciprocal transfer of control to stewards takes place. Elimination of in-kind contributions for newspapers must take place as well.

Before designating new materials' commodity value, economic opportunities, infrastructure capacity, experiences in other jurisdictions and the need for harmonization in neighbouring jurisdictions need to be considered. Some of the products proposed in the strategy have never been implemented in other provinces. RCC recommends that an analysis be conducted at the landfill level to provide up-to-date data on what is currently disposed in landfill sites.

Data collection for industrial, commercial and institutional waste is also required as they can often be generating significant amounts. Accurate data is critical to determine if there is an issue and the source of the issue, at the landfill level. RCC believes the IC&I sector should not be included in the residential waste streams. RCC also strongly suggests not designating new material at this time, considering the work that will be required to transition current programs over the next couple of years.

The retail sector does not agree with the statement that the IC&I sector is not performing well. Rather, there is a data accessibility issue that needs to be resolved first. In fact, a recent study conducted by the Recycling Council of Ontario indicates a 56% diversion rate for the office and retail sectors in the province, which is among the best performance for the IC&I sector in Canada. Many retailers already track their waste diversion performance by conducting waste audits.

That brings us to the organics action plan: 50% of organics generated in the waste stream come from consumers and their decisions over how to manage their food supplies, and it's largely out of the retailer's control. RCC and its members believes that the focus should be on educating and raising awareness with consumers regarding food waste as part of any action plan development.

RCC looks forward to participating in future consultations and discussions with the government and other stakeholders on this important issue. Finally, for specific legislative changes, please review the submission that we've submitted to the government.

Thank you for your time.

**The Vice-Chair (Mr. Jagmeet Singh):** For questions, we'll rotate to the official opposition: Mr. Coe.

**Mr. Lorne Coe:** Thank you, sir, for your delegation. I'm on page 2 of your presentation, and it's under "Oversight, compliance and enforcement." It says, "the draft legislation must clearly define safeguards." What type of safeguards would you anticipate be present?

**Mr. Gary Rygus:** Well, I think, the commercial-sensitive documentation—

**Mr. Lorne Coe:** I need you to get closer to the mike, please, so I can hear you.

**Mr. Gary Rygus:**—that stewards are going to be required to submit: We just don't want that information to be transmitted to the public. From our perspective, it's important. Retail, as most businesses are, is very competitive. That information is golden to competition. I think what you want to do is convey a message—a storyline, if you will—of a general improvement. After all, at the end of the day, it's all about diversion.

**Mr. Lorne Coe:** Okay. Thank you for that answer. One other quick question: On page 4 of your presentation, you talk about, "Before designating new materials commodity value" and so forth, "the need for harmonization in neighbouring jurisdictions need to be considered." What are some of the best practices in neighbouring jurisdictions that you've seen out of the research that you've done?

**Mr. Gary Rygus:** Well, first, it goes without saying that you have to have the data before you make decisions. Some of the suggestions in the strategy talk about bulky items, I believe, and carpets. Those types of new materials, if you will, haven't been implemented anywhere else. So we'd be leery of doing that before the appropriate study and informational research has been done.

**Mr. Lorne Coe:** Thank you. To my colleague, please.

**The Vice-Chair (Mr. Jagmeet Singh):** I recognize Mr. Fedeli.

**Mr. Victor Fedeli:** Welcome again, Mr. Rygus. I wanted to go to your last page, the "organics action plan." When you talk about the organics coming from consumers, and that that's out of your control—why do you bring that up? I'm just not familiar with that here.

**Mr. Gary Rygus:** The organics piece is grocers, in general. We also represent the grocery industry, and I think a lot of the commentary in today's marketplace, social media and what have you, is talking about how you need to have tighter control in the grocery sector. I would suggest to you that the only area where there has been a reduction in overall food waste has been through the supply chain that the grocers use.

A lot of it is going to be raising the awareness at the consumer level: what "best before" means, "best by" dates, how to handle your food in refrigeration processes, and that kind of information. We may not all be up to speed. I know I'm not, and I'm sure a lot of people in Ontario are not as well.

**Mr. Victor Fedeli:** Thank you. Through you, Chair: When I served as mayor of the city of North Bay for those two terms, we handled that so differently, our

organics. We did not pick up organics. We encouraged them to come to the landfill, and we captured the methane. First we trapped it, and then we flared it under the old PERRL program. Once we could afford it in our two-phase program, then we bought a multi-million-dollar generator, and we now manufacture 1.7 megawatts of power from the methane. I think there's about 40 years' worth of methane there. We've even gone back to our old landfill.

Some municipalities take a different way; they collect organics. To me, the real way to handle it is to do what we did and generate power from it.

**Mr. Gary Rygus:** I can't argue with you at all. I think all options should be looked at, and the ones that work appropriately in the respective municipalities should be encouraged.

**Mr. Victor Fedeli:** Okay. Thanks, Chair.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for the deputation.

## STEWARDSHIP ONTARIO

**The Vice-Chair (Mr. Jagmeet Singh):** Now, without further ado, we are going to hear from the Stewardship Ontario deputation. Debbie Baxter, I believe, is the deputant, and the chair of the board of directors. Thank you very much, Ms. Baxter. You have five minutes to present.

**Ms. Debbie Baxter:** Thank you. Good afternoon, Mr. Chair and committee members. I'm appearing before this committee because I am the chair of Stewardship Ontario, an industry funding organization established under the current Waste Diversion Act. Stewardship Ontario operates the Blue Box Program and the municipal hazardous or special waste program, which operates under the consumer-facing name Orange Drop.

There are three key messages that I would like this committee to hear from us today. First, we support the concept of the circular economy, which dictates that control of materials must be assigned to those parties that distribute those materials into the marketplace. Secondly, we believe that any increase in producer funding must be paired with a commensurate increase in control over recycling operations, enabling producers to manage outcomes and costs. Thirdly, we support passage of the Resource Recovery and Circular Economy Act as is, and believe that it should be sent back to the Legislature for third reading without amendments.

Stewardship Ontario has distributed over \$1 billion to municipalities to support blue box recycling. Over 95% of Ontarians participate in blue box recycling programs, contributing to the diversion of 900,000 tonnes of valuable resources from landfill each year. The Blue Box Program operates as a transfer payment program whereby producers provide payments to municipalities, and municipalities have full autonomy in how they operate their local recycling programs.

This has resulted in over 200 individual blue box systems operating throughout the province, each making

decisions about what materials their residents may recycle, how to educate their residents on proper behaviour, when and how a resident may set out their materials for collection, and the end markets to which they sell recyclable commodities.

Today, a resident living in Thornhill, with a cottage in Durham region and a family in Cambridge, is confused about what materials they can recycle, because each local government runs their programs differently. Because local governments are making decisions about where to sell recyclable commodities, producers are restricted in their ability to operate within a circular economy today.

Most large producers have aggressive sustainability mandates, and a common thread is a target to reduce waste. The Waste-Free Ontario Act sets out a framework for producers to accept full responsibility to manage the printed paper and packaging they supply, enabling them to achieve their corporate sustainability mandates.

#### 1540

Stewardship Ontario supports the direction taken with the Resource Recovery and Circular Economy Act and applauds the foresight of the legislators in creating a framework that clearly recognizes and appropriately assigns roles and responsibilities for Ontario's residential recycling systems.

Stewardship Ontario supports the premise of the circular economy that requires the control of valuable resources, such as packaging materials, to remain with the producers who put these materials into the marketplace.

Stewardship Ontario supports the alignment of responsibility, authority and accountability with the producers who pay for this service.

Stewardship Ontario supports the transfer of operational responsibility for packaging and paper to producers, as well as the increased financial responsibility that comes with that. Producers cannot be held responsible for recirculating resources into the economy if they do not control the material flows from beginning to end.

We support the immediate transition of the MHSW program.

We support the orderly transition of the Blue Box Program as outlined in the draft strategy. The strategy provides ample consideration for a smooth transition achieved through co-operation amongst all parties whereby roles and responsibilities between municipalities and producers are reassigned while ensuring no disruption in service to Ontario residents.

We support an immediate review of regulation 101/94 once legislation is passed. This reg must be amended and/or repealed to ensure that recycling responsibilities can be assigned to producers.

Stewardship Ontario, on behalf of stewards, will play an active role in ensuring that smooth transition with continued service to our consumers.

We do not support allowing an increase to the amount producers have to pay for blue box services to an amount greater than the current 50% without a corresponding increase in producer control over recycling services.

In conclusion, Stewardship Ontario supports the idea that manufacturers of products that end up as waste should be fully responsible for recovering and reusing that material in a circular economy.

We support legislation that will enable producers to work in a commercial partnership with municipalities and the private recycling industry to modernize recycling in Ontario. Municipalities should be encouraged but not required to provide collection services to their residents based upon competitive commercial terms and/or agreed-upon standards.

We support an expanded, universal list of packaging and paper materials that can be left at curbside in every Ontario community, without exception, to satisfy consumers' expectations that all packages and paper should be welcome in their blue box. Consumers should have access to a first-class recycling system with the economies of scale necessary to support capital investments in modern technologies that are critical to effectively recycling the volumes of more modern packaging materials.

We support a Blue Box Program with specified performance targets on the condition that producers are able to exercise control over the recycling system, allowing them to achieve established performance targets.

Thank you for allowing me to present to this committee.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your presentation. In rotation, we'll move now to the NDP. I recognize Ms. Forster.

**Ms. Cindy Forster:** Thanks, Ms. Baxter, for your presentation. There was a presentation before you with regard to organics: that organics should be the sole responsibility of the people who buy the groceries. What kind of comments do you have about that?

**Ms. Debbie Baxter:** Organics are actually outside the scope of the blue box and the municipal hazardous waste program. To be honest, I don't have a comment on that.

**Ms. Cindy Forster:** Okay. The other thing that came to mind in your presentation—your proposal is basically that producers take it over, be responsible for it, pay the costs.

I know that some of the municipalities have direct employees who work for the municipality and pick up the recycling and do those kinds of things. Has there been any discussion about how that is going to work? What's going to happen to that workforce? Where are they going to end up? Are they going to end up in jobs making just over minimum wage in the process?

**Ms. Debbie Baxter:** We would not anticipate that there was a disruption in that model or any change to the jobs, etc., in the municipal sector. From our perspective today, we pay for a portion of the cost, and municipalities are executing that pickup at curbside. We would expect the contribution that producers would make to escalate, but we would also want to have control over the governance of the program, not necessarily the delivery and pickup and all of those activities. Those could still be operating in a similar fashion.

**Ms. Cindy Forster:** With respect to the composition of the board of the authority: Any comments on that? There have been some suggestions that it be two thirds producers and one third others.

**Ms. Debbie Baxter:** I think that from a best-practices standpoint, our position would be that we would support skills-based, merit-based positions on the board, and look for appointments that were aligned with that—financial knowledge and different things like that.

**Ms. Cindy Forster:** Okay, thank you.

**The Acting Chair (Mr. Victor Fedeli):** Thank you very much, Ms. Baxter.

#### TOWN OF INGERSOLL

**The Acting Chair (Mr. Victor Fedeli):** We'll now move to the town of Ingersoll.

If you would both state your names.

**Mr. Ted Comiskey:** Certainly. My name is Ted Comiskey. I'm the mayor of Ingersoll.

**Mr. Bryan Smith:** And I'm Bryan Smith.

**The Acting Chair (Mr. Victor Fedeli):** Your Worship, please proceed.

**Mr. Ted Comiskey:** Mr. Chairman and committee members, thank you very much for the opportunity to speak on the Waste Free Ontario Act and the Circular Economy Act. Let me be clear from the outset: Both of these are pieces of legislation I support and endorse. To my right, like he said, is Bryan Smith. He is the chair of Zero Waste Oxford. I am the mayor of the town of Ingersoll and also an Oxford county councillor.

Being a small-town boy from southwestern Ontario, I'm always impressed when I come to grand buildings such as this. When I venture into the big city, I notice that there are renovations going on here. When it comes to the trash created by these renovations and restorations, I do not want that waste in my backyard. My citizens do not want that waste in our backyard. Zorra township and South-West Oxford township do not want a proposed landfill in their area. People in Oxford county do not want another landfill. We are not welcoming hosts.

We have to get rid of the notion of burying our trash in the ground. That is outdated and antiquated technology. Unless the province lays down some firm timelines, waste will continue to be planted in the ground. That is why implementing these pieces of legislation in a timely manner is vital.

I spoke to the city of Toronto's public works committee about not wanting waste from the GTA in my backyard. I pointed out that if they really wanted to bury the garbage, there is an old quarry on the corner of Christie and Bloor Streets called Christie Pits that has been used as a temporary dumpsite in the past; make it permanent. Needless to say, the suggestion met with a great deal of public outcry from the people who do not want their trash buried in their backyard. My question to them is: If they do not want their trash buried in their backyard, why should I have to accept their trash in my backyard?

The long-range waste management strategies of Toronto, York and Peel region all call for the need to find another landfill to bury the garbage. They are not really serious about the focus of these bills—reduction, reuse, recycling, repurposing and recovery. There were all sorts of promises made back in the early 1990s, when Toronto was scouting around for another hole in the ground and there needed to be an elimination of landfills.

By having landfills in their long-term plan, they have given themselves an out. They can say, "We did everything we could, but could not eliminate all of the waste." They had an out. Without the "out," they would find a way. I can guarantee it. If the major urban centres do not find a way out, I can guarantee that the private companies will, because there is money in garbage.

In Oxford county, we have established a zero waste policy to be in place by 2025, which means that any trash produced in the county will stay in the county and be dealt with in the county. We have started working on programs to help preserve our landfill to last to 2100. Our goal is: We will not need a landfill, because everything will be dealt with.

In the meantime, we are considering programs such as tearing apart items that are picked up during our annual large material collection when they arrive at our waste management facility. Think of a couch and the amount of space it consumes. Now think of a couch broken down, with the metal taken out and the wood removed as well as the material.

We know that there may be programs to handle waste that may have to be done on a smaller scale or even on an experimental basis. Bring your ideas to Oxford county. We are striving to become the world's environmental leaders in waste management and renewable energy. We want to take the lead. We will be happy to work with you to help implement Bill 151 any way we can, but we need it done quickly.

Let's face it, folks: Dumps leak. And when dumps leak, the leachate will find its way to the water table, destroying any drinking water for hundreds of thousands of people. We're on well water. A dump near Ingersoll would be in a limestone quarry, which is extremely porous. The polluted water would end up in the Thames River and flow towards London. I know that in the scale of things, people might not think that 12,000 people being stressed and upset is a big deal, but if hundreds of thousands are stressed and upset, it is a big deal.

#### 1550

If I am to read the legislation correctly, a waste diversion program could be created and, if approved by the minister, take on responsibility of figuring out how to reduce, reuse, recycle and recover goods from waste, as well as doing research and development activities to manage the waste, develop and promote products created by diverting the waste, and by education.

In Oxford county, we are not playing NIMBY, or "not in my backyard." We are willing to deal with all the trash created by Oxford county and get to zero waste. We are more than happy to do that, but it does seem counter-

productive for Oxford county to expend all these efforts and money to do it when we have suddenly become the potential home of the third-largest dump in the province.

In conclusion, I want to thank you for your time and patience. I will congratulate you on working co-operatively on these important pieces of legislation. I ask you that you move quickly on adoption, enactment and enforcement to protect people from the unnecessary need for landfills.

Finally, I want to invite each and every one of you to come to Oxford county. We would be happy to show you around so you can admire our rural beauty, attend the zero-waste Canterbury Folk Festival, and discuss opportunities that will help enact the Waste-Free Ontario Act and the circular economy act as quickly as possible.

We have an opportunity here in Ontario to stop landfills now. Let's use that energy and knowledge we have.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, Your Worship. Thank you very much for the deputation.

Moving in rotation to the government side, I recognize Ms. Albanese.

**Mrs. Laura Albanese:** Your Worship, thank you for presentation and for the passion that you have towards this zero-waste strategy and towards a waste-free Ontario.

I want to say that I represent a riding that is here in the city of Toronto. We have the garbage transfer station, and many of the parks in my area are on old landfills. We even have a school where the students play on a field which they can never level it out because it was an old landfill. So I understand your frustration.

I wanted to ask you: Do you think that this proposed legislation and the draft strategy provide enough support—strong support—to the town of Ingersoll and to the county of Oxford in achieving this zero-waste target?

**Mr. Ted Comiskey:** Yes. I believe that the direction is there and the drive is there. What it needs—it's a timing thing. That's what I'd like to say and impress upon you. Everything has a timing factor. The longer we postpone, or the longer we do not make some things mandatory within the legislation, the longer we ease off on entering into some of the programs we are—to allow private industry to be able to look at some of the projects that are available to them. The longer we take, the longer we have to rely upon landfills. We know that Ontario has a phenomenal number of landfills in existence, and we know where their capacity is. We know that, down the road, if we keep on the direction we have been going in, we're going to need more landfills to get to the point where the zero takes over.

We have the opportunity to say, "Hey, no more landfills as of today." You would say that necessity is the mother of invention. I would say that legislation to say that there aren't going to be any more landfills would be the mother of invention, because if you cannot put it in the ground, you're going to find another means of recycling, reusing and reclaiming. I think that if the municipal-

ities and the government cannot direct and find sources for these means, then I'm certain that private industry can.

**Mrs. Laura Albanese:** Okay. I had one more question, if I have enough time.

**Mr. Ted Comiskey:** Sure you do.

**Mrs. Laura Albanese:** Well, I'll have to ask the Chair.

The legislation outlines skills-based criteria for the selection of the initial board. Do you have any suggestions of any additional criteria that maybe could be useful to what you're trying to achieve?

**Mr. Ted Comiskey:** Could you start your first question—the first part of it I—

**Mrs. Laura Albanese:** The proposed legislation outlines skills and criteria for the selection of the initial board. The initial board will have some skills that are outlined in the legislation. I'm trying to ask you if there is any additional feature that you would like to see added to that criteria.

**Mr. Ted Comiskey:** I think that when you have landfills so close to municipalities, thoughts and ideas come up more readily than if it's far away. I'm sure that the farther away a landfill is, the less people are concerned about it. I know that Toronto is very concerned about a landfill, and they're worried about the procedure, but it's so far away—potentially in Green Lane, which is 100 miles away, or Ingersoll—that, really, the concern of the people is, "As long as it's not my backyard."

I think that having those board members or those people who are interested to be on board—those people who are surrounding landfills; those people who are going to potentially receive the damaging effects of landfills, whether it's through air, soil or water—if I'm answering the question correctly, board members should have a stake in it, in a sense of "Where does this continue? Where does it go from here? How can we prevent this from happening? How can we reduce what's going in there now?"

I think what we have to do is analyze what's going into our landfill and, then, certainly let municipalities and private companies take a look at it and say, "How can we deal with that?"

**Mrs. Laura Albanese:** Okay. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much, Your Worship. That completes our time.

**Mr. Ernie Hardeman:** Chair, on a point of order.

**The Vice-Chair (Mr. Jagmeet Singh):** There's a point of order.

**Mr. Ernie Hardeman:** In the interest of full disclosure, I would like to point out that the landfill that the mayor is talking about is in my backyard too. I want to thank him for being here to speak in opposition to it, and I do wish him well. Thank you very much for that presentation, because I don't want it in my backyard, either.

**The Vice-Chair (Mr. Jagmeet Singh):** Well, that's certainly not a point of order, but thank you so much, Mr. Hardeman.

**Mr. Ted Comiskey:** Vice-Chair, thank you for being patient and thank you for the opportunity.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, Your Worship.

#### COVANTA DURHAM YORK

**The Vice-Chair (Mr. Jagmeet Singh):** The next deputation will be from Covanta Durham York. I notice some folks coming forward. Do we have Paul Gilman and Scott Henderson present? Yes? Excellent. You have five minutes to present. Thank you so much for being here. Please begin.

**Mr. Paul Gilman:** Thank you, Mr. Chair and members of the committee for the opportunity. My company has been in the business of assisting communities and businesses for over 30 years, trying to find more sustainable ways to deal with their waste and the materials of that waste. We're here today to really try and underscore for you the beneficial consequences of passing the legislation that's before you.

I will refer to the European Union, who have sort of led us into this arena with their own policies in packaging and efforts to reduce landfilling. The waste sector has actually been the sector in the European Union economy that has had the greatest greenhouse gas reduction: over 34%.

I think that Ontario has the potential to do similarly with legislation like this and your efforts. Currently, the province is landfilling 76% of its waste. That's over nine million tonnes of waste. There is the potential to reduce the greenhouse gas emissions that flow from that landfill waste, which creates methane. Even with methane-capture methods, oftentimes somewhere between 50% and 25% of that methane escapes into the atmosphere—a very potent greenhouse gas, much more potent than even CO<sub>2</sub>. Current scientific estimates are that it's 38 times more potent in creating that greenhouse gas effect.

With the opportunity to try and reduce landfilling, increase recycling and what's left in between—energy recovery, anaerobic digestion, composting and the like—the province really has an opportunity to save over eight million metric tonnes of greenhouse gases by saving the energy that goes into making new materials for things that aren't recycled and by avoiding the generation of methane gas.

That amount of greenhouse gas reduction may not be easy to relate to, but if you convert it to something we're all a little bit more familiar with, you see that we're talking about the equivalent of taking 1.7 million cars off the roads, annually. So I'd put to you that doing something significant in terms of the stewardship of our waste and moving more towards a circular economy is not just good for the economy, but it's also very beneficial for our climate and for our energy use as well.

Thank you for this opportunity.

1600

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for the deputation.

We now move to the official opposition. I recognize Mr. Coe.

**Mr. Lorne Coe:** Thank you, Chair, and through you to the delegation: In your presentation—it's the second-to-last page—it begins with the sentence, "Therefore, we recommend that the government include specific regulatory mechanisms to maximize diversion and minimize the environmental impact of landfills to the environment." Can you speak specifically to what you think they ought to be?

Chair, I should disclose that I was a regional chair in the region of Durham for 13 years, when we made a decision concerning Covanta.

**Mr. Paul Gilman:** Thank you for the question. In our experience, the success of places like the European Union is that they have been setting binding targets for the different sectors that they want to see, whether it be recycling or energy recovery, and a specific target for landfilling for the future.

I don't know that I would necessarily make a recommendation for the province; that certainly is something that the envisioned process could explore. But a general rule of thumb for many places in our modern world is to try to achieve a recycling rate on the order of 65%, with landfilling of no more than 10%, and doing some form of energy recovery in between.

**Mr. Lorne Coe:** Thank you for your answer. To my colleague, Chair, through you.

**Mr. Victor Fedeli:** On the last page, you end with, "If Ontario really wants to divert more waste from landfills, create jobs and help fight climate change, it should follow the best practices suggested above." Can you give us a couple of specific examples of precisely what it is you do?

**Mr. Paul Gilman:** What we do as a company is one thing; what I would say for the waste sector is that it's a number of things. You are, with your legislation, anticipating them by saying, "What can we do to increase our recycling?" That's complicated by the fact that commodities and markets of the modern world help dictate just how successful that recycling program will be. To try to minimize landfilling, that can include organics diversion for anaerobic digestion or for energy recovery, as the regions of Durham and York have pursued.

So I would not suggest that there is a specific route for any given province, state or country. I think you need to look at what your current system does well and improve upon that. But I think we can all agree that there's room for improvement in our recycling programs and room for improvement in our energy recovery, and certainly, we can make an effort to reduce waste going to landfills.

**Mr. Victor Fedeli:** Can you give me an example of energy from waste? A couple of examples, then?

**Mr. Paul Gilman:** Sure. Anaerobic digestion is when organics are taken, placed in a container and, if you will, allowed to rot in a controlled fashion where you can get complete capture of the methane. You also then have the residual that's left that, depending on the system you use, can be used as a fertilizer or other enhancement in the agricultural sector.

The facility that the regions of Durham and York have, which we operate for them, is a facility that takes the residual after recycling and combusts it, converts it to steam and uses that steam to make electricity. Other facilities use the steam in industrial processes, for example.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, Mr. Fedeli.

Thank you very much for your deputation.

#### CANADA'S NATIONAL BREWERS

**The Vice-Chair (Mr. Jagmeet Singh):** We now move to Canada's National Brewers: Brian Zeiler-Kligman. Are you present, Canada's National Brewers?

**Mr. Brian Zeiler-Kligman:** Yes.

**The Vice-Chair (Mr. Jagmeet Singh):** Excellent. I see you there.

Thank you so much, sir. You have five minutes to present. You may begin when you're ready.

**Mr. Brian Zeiler-Kligman:** Honourable Chair and members of the committee, thank you for the opportunity to address you today on this important piece of legislation. My name is Brian Zeiler-Kligman, and I am vice-president of sustainability for Canada's National Brewers, which I'll be referring to as CNB.

In my remarks today, I will outline CNB members' packaging management, and I will also address the proposed Resource Productivity and Recovery Authority. Further details can be found in the submission provided to the Clerk.

Canada's National Brewers serves as the trade association for Labatt Breweries Ltd., Molson Coors Canada and Sleeman Brewing and Malting Co. Ltd. Each company's largest brewery is in Ontario, with our members owning and operating five breweries in the province. In 2014, CNB member companies brewed the equivalent of 92 million cases of beer here in Ontario, thereby directly employing over 2,000 skilled workers and paying over \$150 million in wages and benefits annually.

CNB member companies also purchase from over 2,000 local suppliers, representing over \$400 million in economic activity. The members of CNB, together with about 20 other Ontario-based brewers, participate in the operation of the Beer Store.

CNB members strongly support the Ontario government's move through Bill 151 to embrace the circular economy. Since the end of Prohibition in 1927, through the Beer Store and its predecessors, CNB member companies have been driving a fully cost-internalized packaging management system built upon the refundable container deposit as an economic incentive for consumers to return empty containers and their associated secondary packaging. The Beer Store's deposit-return system is the basis for the most successful consumer product circular economy system in Canada.

In 2014-15, the Beer Store collected containers and associated packaging from 879 retail locations and over

19,500 licensed bars and restaurants. As a result of this extensive coverage, the Beer Store recovered over \$1.6 billion—that's with a B—beer containers, achieving a 91% overall recovery rate. In addition, the Beer Store reports collecting more paper and plastic packaging than was generated as packaging for these beer containers. As a result, the Beer Store not only diverts from landfill nearly all beer containers sold, but also has a net positive impact on the blue box system, further adding to waste diversion and resource recovery here in Ontario.

The Ontario government also benefits from this circular economy infrastructure, having contracted the Beer Store since 2007 to be the service provider for the Ontario deposit-return program, covering other beverage alcohol containers sold through the LCBO. Piggybacking on its beer packaging management system, the Beer Store makes all necessary arrangements for recovered LCBO containers to be consolidated, transported and properly recycled in high-order recycling applications, almost all of them here in Ontario.

In 2014-15, 78.5% of the over 404 million ODRP containers sold by the LCBO were recovered. Since the program began in 2007, over 2.5 billion ODRP containers have been returned to the Beer Store for the deposit refund. In 2015, the Ontario government renewed the program for another 10 years.

In concert, the Beer Store's beer packaging management system and its provision of ODRP container redemption and recycling services to the LCBO results in overall waste diversion of almost 407,000 metric tonnes of beverage alcohol containers and secondary packaging from municipal waste systems. This is equivalent to over 45% of the total material collected through the blue box system in a year.

As a complement to Ontario's Blue Box Program, the Beer Store's beverage alcohol packaging recovery, reuse and recycling system avoids about \$40 million in municipal waste management costs annually.

The Beer Store packaging management system exemplifies the environmental performance the Ontario government seeks to foster through the passage of Bill 151: exemplary, long-standing commitment to the highest possible environmental outcomes, with packaging management costs fully borne by producers and their consumers.

Like many of those making submissions before you, we believe the Resource Productivity and Recovery Authority can be an effective oversight body. The key to success is ensuring the authority's mandate is narrowly focused. A clear and specific scope will ensure the authority is truly effective in enforcing compliance while keeping costs reasonable for the regulated community. The authority's costs and fees must be transparent with accountability measures to producers in order to limit their obligations.

Thank you once again for the opportunity to present to you today. I look forward to your questions.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your deputation. We now begin the rotation with the NDP. Ms. Forster, I recognize you.

**Ms. Cindy Forster:** Thanks so much for your presentation. Of the percentage of sales, what percentage are you actually having returned?

1610

**Mr. Brian Zeiler-Kligman:** On the beer side, last year it was 91%. On glass bottles it's around 97% to 98%, and it's in the lower 80s with metal cans. On the other beverage alcohol containers, it's 78.5%.

**Ms. Cindy Forster:** And can you also return the cartons?

**Mr. Brian Zeiler-Kligman:** You can, yes.

**Ms. Cindy Forster:** You can. And is there a deposit return for those as well?

**Mr. Brian Zeiler-Kligman:** There's no actual refund associated with them, but we end up getting so much back that we actually recover more packaging than the industry generates.

**Ms. Cindy Forster:** Right.

Can you see an expanded role for other plastic products in the province? I know that more than 20 years ago, when I lived in Alberta, you could return two-litre plastic bottles and other size pop bottles and those kinds of things instead of having them either go through the recycling process or into the landfill.

**Mr. Brian Zeiler-Kligman:** Well, Ontario is a bit of an anomaly in Canada. Most other provinces have deposit-return programs for all of their beverage containers. In Ontario, it's just beverage alcohol; it's a voluntary program for the beer industry and then a contract with the Ontario government for the other beverage alcohol containers.

We have gotten that question quite frequently about collecting other materials, and certainly there are conversations that could be had on that. Ultimately, though, it is also recognizing that we are a retail store and we already collect almost two billion containers a year, so collecting the billions of other containers that are out there would be quite a task.

**Ms. Cindy Forster:** So you're not only supporting the circular economy but you're actually acting on it at the moment.

**Mr. Brian Zeiler-Kligman:** Indeed. The entire program is actually, first and foremost, an economic program in order to recover the bottles so that they can be refilled. The average bottle is refilled 15 times. Again, it's all for the recovery cost of the bottle for the producers to bring down production costs.

**Ms. Cindy Forster:** In closing, I actually just want to congratulate the Beer Store as well for the work they do with community charities. I know in my community they support all kinds of youth groups with barbecues that encourage recycling, and they encourage people to actually give the proceeds of their returns to different boys' and girls' clubs and different charities in my community. I know they do that across the province, so it's great work that you do.

**Mr. Brian Zeiler-Kligman:** Thank you very much.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your presentation, sir.

## CITY OF TORONTO

**The Vice-Chair (Mr. Jagmeet Singh):** We will now move to the next presentation. We have the city of Toronto, and the representative is Jaye Robinson.

**Ms. Jaye Robinson:** Good afternoon, and thank you very much for allowing us to speak today. My name is Councillor Jaye Robinson and I'm the chair of the Public Works and Infrastructure Committee at the city of Toronto.

**The Vice-Chair (Mr. Jagmeet Singh):** Councillor Robinson, before you continue, can you just also introduce—

**Ms. Jaye Robinson:** I will, and thank you very much. I'd also like to introduce our director of policy, planning and support for our waste management team. This is Vince Sferrazza. We'll both be here to speak and take questions. We'll try to move very quickly because I know we have limited time.

I'd like to begin just by stressing that the city of Toronto supports Bill 151's intention to establish full extended producer responsibility in the province of Ontario, a model where the polluters pay. It's great news.

Waste management and diversion is a major issue for Toronto, as well as municipalities across the province. I'm pleased to advise that the city of Toronto has worked closely with other municipal organizations to provide the province with a single unified municipal voice. Our position, comments and recommendations align with those provided by the Association of Municipalities of Ontario, the Regional Public Works Commissioners of Ontario and the Municipal Waste Association.

For EPR to properly reflect "polluters pay," Bill 151 must shift 100% of the total cost for management of producer waste from the city to the producer. This includes collection, processing costs, litter management and any required final disposal, whether it be blue box materials, organics or garbage.

As currently drafted, Bill 151 gives the province the flexibility to set financial responsibility requirements for designated materials such as blue box material at less than 100%. The bottom line is that we want to avoid downloading additional waste costs to the city of Toronto, its residents and its taxpayers.

The city of Toronto has several specific concerns with the current bill, and I'd like to briefly outline these. We've also provided a detailed written submission with the requested amendments, and hopefully that's before you.

Our first concern is in regard to establishing extended producer responsibility. We're concerned that the proposed Resource Recovery and Circular Economy Act does not actually create a full, 100% EPR regime. Not all waste materials and their producers will be subject to EPR—only those waste materials that the ministry designates through regulation. For EPR to cause the producer to incur the cost of collection and processing, it solely relies on the consumer disposing of the product in a producer-controlled bin or depot. If this doesn't

happen, municipalities collect and process at their own expense. Municipalities need to be formally recognized within the bill for providing essential waste management services, and we need to be fully reimbursed for these costs.

Without the province's commitment to full EPR, we have concerns that producers may be able to meet their diversion obligations through packaging light-weighting or material changes, potentially resulting in additional materials being landfilled. For example, what if a producer changes their packaging from something that could be recycled but now that material goes into the garbage bin? This means that Toronto and other municipalities would keep on paying for the management of producers' packaging and designated items. Diversion rates could also suffer, and as a result, the province's zero-emission goals would not be met.

The second area of concern for Toronto relates to fair compensation for blue box reimbursement and funding. The Waste Diversion Transition Act language regarding blue box payment fails to address a long-standing conflict between municipal governments and producers. Under the current Waste Diversion Act, 2002, producers are required to pay for 50% of program costs. Over the years, municipalities and producers have disagreed on what is to be included in the definition of "program costs." Municipalities say that program costs include the actual costs spent. Producers say that the program costs only include actual costs up to a cap. The end result is that municipalities have often received less than 50% of their actual costs. In 2014, municipalities and producers arbitrated the issue and the arbitrator awarded municipalities 50% of their actual costs. Despite this result, producers have not agreed that they will pay 50% of the actual costs in future years.

Our concern is that the Waste Diversion Transition Act uses the same open language of "program costs" as the current Waste Diversion Act. There is no clear definition on how to calculate these costs, meaning that it will continue to be a subject of dispute between municipalities and producers. We're hoping that you'll help us address this.

The third thing is that we are also concerned about how municipalities will be consulted. The bill does not establish any formal role for municipal governments during the transition period, and consultation opportunities are limited during the new EPR program development. For example, in terms of regulations, both the RRCEA and WDTA do not provide municipalities with any formal advisory role. They are also unclear as to whether the draft regulations will need to be posted to the Environmental Registry for public review and comment. Since municipalities will be affected by any policy and/or regulatory changes, their role in consultations needs to be absolute and clearly defined.

The last major area of concern I'd like to speak about is the issue of penalties and fines allocation. There is also no formal requirement in the bill for the province to use penalties or fines collected for producer non-performance

to compensate municipalities for waste management services, yet the municipalities will be footing the bills in cases of producer non-performance. They should be compensated.

Currently, Bill 151 does set out circumstances in which administrative penalties can be collected by the province or the new authority from producers who do not meet certain obligations. It also creates offences for producer non-performance in which fines could be imposed if there's a conviction. We're supportive of these initiatives, but we want to ensure that these penalties and fines will be given to municipalities to recover the costs they incur when producers don't meet their obligations.

To conclude, I'm here as the chair of public works and infrastructure and I'm requesting that the standing committee act on our recommendations for critical amendments to Bill 151. These amendments are needed to ensure municipal governments' concerns are addressed, to protect the integrity of the integrated municipal waste systems, to go beyond the status quo with regard to blue box funding and stop the ongoing challenges with receiving what we are owed, and to protect residents' and municipal taxpayers' interests and not just the interests of producers.

**1620**

We need these changes to the bill to ensure producers are held accountable for their product and packaging decisions and that they're not placing any costs of their EPR on taxpayers, residents and businesses in the city of Toronto.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you—

**Ms. Jaye Robinson:** Again, I'd like to thank you very much for your time today.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much. We went over a bit, but I didn't want to cut you off. I thought it was—

**Ms. Jaye Robinson:** Thank you very much. That was very kind. Sorry.

**The Vice-Chair (Mr. Jagmeet Singh):** The voice of Toronto, you know?

Moving now to the government: Mr. Anderson.

**Mr. Granville Anderson:** Thank you both for being here and for your passionate presentation this afternoon. Was there anything else you wanted to cover?

**Ms. Jaye Robinson:** Well, I'm going to turn it over to Vince, because I dominated the time. He's—

**Mr. Granville Anderson:** I noticed you were on a roll there.

**Ms. Jaye Robinson:** Yes, but Vince has been working on this, as has our whole staff team. So I'll turn it over to Vince.

**Mr. Vincent Sferrazza:** Just to add to what the councillor mentioned and also what the previous municipal speakers had talked about, municipalities have very successfully been operating diversion programs for over 30 years. The success of the Blue Box Program is because of municipal initiatives. You heard previously from other stakeholders about the Blue Box Program. I want to underscore that it is municipalities that created,

developed, maintained and improved the Blue Box Program plan. All the many other diversion programs that have been established under the Waste Diversion Act were previously up and running with the city of Toronto and other municipalities. It's because of our engagement that you have seen success within the residential community.

Another interesting point is, when there have been initiatives established by the private sector and they have failed, the fail-safe has always been municipalities. Residents always continue to bring their materials to municipalities, where they know that it will be properly managed and it will be diverted from landfill.

**Mr. Granville Anderson:** Okay, thank you. What are the key factors to ensuring the seamless transition of the Blue Box Program to the new producer responsibility regime?

**Mr. Vincent Sferrazza:** I'm sorry?

**Mr. Granville Anderson:** What are the key factors to ensuring the seamless transition of the Blue Box Program to the new producer responsibility system or regime?

**Mr. Vincent Sferrazza:** Okay. You've heard the councillor talk about the current challenges that have existed for many years with respect to what is included in program costs. This has been ongoing since the inception of the Waste Diversion Act, and we feel that there's an opportunity now, within Bill 151, to add clarity and to have a solution to ensure that the proper language is there for what constitutes eligible program costs.

The municipalities are saying that there is a system, a verifiable Datacall system, where actual program net costs are there. We would like that to be recognized within the bill; also, that municipalities be part of the consultation process during that transition—that we be at the table to ensure that the service standards that have been established by municipalities for over 30 years are in no way compromised; and that services that we provide now are not compromised but enhanced. So we want to be at the table and engaged in consultation to ensure that that transition occurs.

**Mr. Granville Anderson:** Do I have more time?

**The Vice-Chair (Mr. Jagmeet Singh):** You have about 30 seconds.

**Mr. Granville Anderson:** Okay. In your view, what are the appropriate timelines to transition blue box programs to the new producer responsibility?

**Mr. Vincent Sferrazza:** Well, we certainly believe that this is a priority of the act, so we would like to see some form of resolution within a year to 18 months with respect to the transition. We would like it to be the first priority of this government to ensure that there is that transition. I see it happening immediately, and hopefully within the year.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much to the city of Toronto for the deputation.

**Ms. Jaye Robinson:** Yes, if I could just say that the way you've set this up is so impressive and so respectful of people's time—the timed items, the timed deputations. I really appreciate that. I wish the city of Toronto did

that. I've just run here from executive, but thank you very much.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you.

#### DART CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** Next up, we have Dart Canada: Joe Hruska, I believe. He's here? Yes. Excellent. Good afternoon, sir. How are you?

**Mr. Joe Hruska:** Fine, thank you. Thank you for having us here today too.

**The Vice-Chair (Mr. Jagmeet Singh):** It's a pleasure to have you.

You have five minutes to provide your deputation. Please begin.

**Mr. Joe Hruska:** My name's Joe Hruska. I'm with Dart, and I'm their technical and sustainability consultant. To my left is Allan Rewak of the Pathway Group.

I'd like to thank you for the opportunity of being here today. Dart is a leading manufacturer of single-use food-service containers. We produce plastic, paper and bio-resin containers, which include products made from polystyrene in foamed and also in rigid form, like cups.

Headquartered in Mason, Michigan, Dart operates in seven countries, including manufacturing facilities and offices right here in Ontario. The company has more than 14,000 employees and it acquired Solo Cup, which is here in Toronto, in 2012. We also operate foam recycling facilities and collection depots.

We're deeply committed to product stewardship and minimizing our carbon footprint to achieve our goal of sustainability. Our environmental strategy includes ongoing efforts to maximize efficiency in the materials and processes we use and promote the environmental attributes of Dart's products. As well, we conduct research and development on new materials, products and technologies that will further reduce our energy use and carbon footprint, coupled with promotion of recycling through the use of recycled content or utilization of renewable resources.

Due to our strong commitment to environmental sustainability, I am pleased to say that Dart fully supports the goals of Bill 151, which will allow for the creation of a broad waste diversion framework that will enhance both economic and environmental opportunities for our citizens, our consumers—everyone in this province. However, there are a few areas of the act which we believe can be strengthened to support our shared goals of environmental sustainability and economic prosperity.

Primarily, we would recommend that new materials be designated under the act for mandatory collection, specifically polystyrene. We believe the best way to accomplish this is through curbside collection. However, depot collection may be viable in more rural parts of Ontario where curbside collection is not economically or environmentally suitable. We believe this will divert more polystyrene resources from the waste stream and support the creation of a wider circular economy by building a critical mass of feedstock to supply manufacturers who

actually turn polystyrene waste into everything from picture frames to architectural mouldings. The potential of these manufacturers is immense. However, they have historically struggled due to a lack of suitable supply from the recycling system. Bill 151 allows for the creation of a mandatory collection regime that would ameliorate the long-standing issue of supply and make Ontario a national—indeed, international—leader in this emerging sector.

Beyond this, there are a few areas of the act we believe can be clarified in regulations: specifically, definitions related to responsible party obligations linked to transport packaging and the potential implementation of disposal bans.

Firstly, in regard to whom this act determines is the responsible party, we recommend inclusion of language based on existing standard practices that clarify brand owner definitions. This would clarify that the brand owner is the responsible party who specifies the packaging and/or distributes their product in the packaging to the final consumer. There is more detail in our February 26 response.

Secondly, with regard to disposal bans, they should only be implemented when recycling infrastructure has been put into place. However, as previously stated, these matters can be addressed in regulations, which we expect will be expansive due to the wide scope of this bill.

Thirdly, Dart also has a concern with elements of the legislation that allow for the government to prescribe product and packaging design—that's in part IV, section 67, subsection (3)—which would arbitrarily impact a company's manufacturing and product/packaging design processes. The design and manufacturing of packaging must meet a number of priorities and goals that may be contrary to the provincial interests of source reduction and the 3Rs, primarily in the name of health and safety of the food supply.

The legislation also starts to prescribe how collected materials must be reused, and specifically states or causes a restriction by saying “reused for a purpose that is the same as or similar to its original purpose.” That's in part IV, section 69, clause (a) of subsection (2), on page 38. This, again, could be problematic due to health and safety issues where and when it pertains to the food supply. This is because, while Dart foam service packaging designed for its customers is source-reduced with the minimum of resources and energy used to make the package, and while PS foam is highly recyclable, it can be diverted into other uses.

**1630**

Moreover, such restrictions could lead to a potentially higher carbon footprint as more energy may be required to clean and make recycled PS foam service packaging suitable for food use. As such, we'd like to have further discussions with the government on this.

In closing, Dart would like to thank the government and, indeed, all of the members of the Legislature for supporting this important bill and for allowing us to be here today to offer our thoughts and support. I would be pleased to take some questions.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much for your presentation. We'll now move to the Conservatives. I recognize Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you very much, Mr. Hruska, for your presentation.

In your written submission, there were a tremendous amount of recommendations from Dart on the issues that you spoke of. Do you want to take a couple of minutes and talk about some of the more salient points and why you feel these recommendations should be adhered to?

**Mr. Joe Hruska:** Yes. First of all, Dart, in terms of its sustainability, has been pushing recycling of their packaging because it is highly recyclable, highly efficient environmental packaging. We've wanted to see recycling expand in Ontario to meet our sustainability goals and, also, I believe, the sustainability goals of this province. We have to keep this material out of landfill. It has a much better use being manufactured into picture frames and other products—too many to go into. We believe that's really needed. It also meets the legislation's need to have a circular economy.

In terms of the producer framework, our main concern about transportation packaging is that brand owners order packaging; we produce it for them to meet their needs. We believe that they are the responsible party. Having said that, Dart is also a steward. Solo Cup makes drinking cups that we also pay stewardship fees on currently. So we do have a role, but our role right now is to help ensure packaging gets recycled.

In terms of the responsibilities, we believe that has been defined on page 5 of our document. That definition has been in previous acts and we think that is a good definition; I know others have spoken to it earlier in the day.

When it comes to design and best use of materials, I think that's critical. Manufacturers know the best way to design materials; it has to meet health and safety needs. Just like Ontario wants to bring down its carbon footprint through efficiency, we believe that a life-cycle approach is needed to ensure that we meet those goals.

Obviously, there are priorities; everyone wants the three Rs—reduction, reuse, recycling—but we have other priorities, which are the economy and people's health. We spotted that in the act and we believe proper consultation is needed to meet all our goals, but food safety and delivery of food in a safe way are paramount.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much, Mr. Fedeli. Thank you very much for your presentation. That completes this presentation. We'll move on to the next.

**Mr. Joe Hruska:** Thank you so much to the committee.

#### ONTARIO COMMUNITY NEWSPAPERS ASSOCIATION

**The Vice-Chair (Mr. Jagmeet Singh):** We'll now move to the Ontario Community Newspapers Association: Caroline Medwell.

**Ms. Caroline Medwell:** I was told that I was the last one to speak, so I'm standing between you and the bar—or you and the sunshine.

**The Vice-Chair (Mr. Jagmeet Singh):** Well, you're not anymore because there is one more deputation, so all of that responsibility is not on your shoulders.

**Ms. Caroline Medwell:** Excellent. That's so good. My name is Caroline Medwell. I'm the executive director of the Ontario Community Newspapers Association. On behalf of the OCNA and our members, thank you very much for the opportunity to comment on Bill 151, the proposed Waste-Free Ontario Act.

I think you heard from my colleague at Newspapers Canada, John Hinds, earlier this afternoon. I'm fairly new to the association and my background is more in marketing and advertising; I'm not an expert on recycling or waste diversion. What I'm here to do is really speak to what our members are concerned about going forward.

The OCNA is a non-profit industry association made up of more than 300 weekly newspapers publishing in every corner of the province, including in your own communities. Ontario's towns, cities and neighbourhoods continue to rely on the community newspaper for local news and information, and readership and interest is strong in every market.

Bill 151 seeks to reduce the amount of waste produced that goes into landfill, as well as to promote a circular economy. These are certainly goals we can fully support: a future with zero waste.

In order to achieve its zero waste goals, Ontario intends to embrace extended producer responsibility as the model. Under this approach, product stewards are expected to take responsibility for the full life cycle of their product or packaging.

We don't take issue with the government's interest in expanding EPR, nor are we here opposing Bill 151. We are here to make the argument that newspapers should be exempted from the responsibility of operating or funding an EPR model for printed newsprint.

Let me explain: The legislation and the strategy are intended to address areas where we are failing as a province, and newspaper recycling is actually an area where Ontario has not been failing. In fact, newspapers are one of the bright spots, and have been for quite some time, when it comes to waste reduction and recycling. Including newspapers in an EPR program will do nothing to improve an already impressive diversion rate—we're in excess of 90%—but will cause a great deal of harm to Ontario's community newspapers by imposing a new cost on our product.

Newspapers are struggling, as you probably know. You hear about it in the media; you read about it in newspapers. Newspapers are struggling. Our readership remains very strong—it's as strong as ever—but we are facing significant challenges due to changes to our business, particularly in the advertising market.

The imposition of new fees on Ontario's community newspapers to cover the cost of recycling would be devastating for our publications. As most of our publi-

cations are free, we do not have the means of recovering the cost from our readers, nor are we able to simply recover it from our advertisers. We are already in an extremely competitive advertising market, and we would note that the media we compete with—radio, television and online—are not subject to stewardship fees.

Nor is it appropriate for newspapers to be included in EPR. Indeed, in most EPR regimes, newspapers have been specifically excluded. Newspapers represent a unique material in the blue box because we are a product and not a package.

As such, extended producer responsibility and stewardship policies that hope to drive a reduction in the amount of materials introduced into the waste stream are not appropriate for Ontario's newspapers. Given the role that newspapers play in our communities, public policy intended to promote the environment should not come at the price of a weaker newspaper sector. All Ontarians would be poorer for it.

Ontario has historically exempted newspapers from paying cash toward the current shared-cost model for the blue box. We think this approach works quite well, and that it could be considered in the rollout of the waste-free Ontario strategy by providing an exemption to newspapers. It is our understanding that the legislation, as drafted, would allow an exemption to be provided by regulation, and I think this would possibly help you in the mandate to communicate your strategies going forward and the value and importance of waste-free Ontario and recycling.

While we applaud the government's interest in reducing waste and promoting a circular economy, there remain important questions about how the strategy might impact our members in the newspaper sector. Specifically, my newspapers across the province are looking for clarity as to whether the current exemptions to Ontario's stewardship programs, which were made in recognition of the uniqueness of newspapers within the blue box, will continue.

Thank you for your time today. I'm pleased to answer any questions and hope I know the answers.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much for your deputation.

We move now in rotation to the NDP. Ms. Forster, I recognize you.

**Ms. Cindy Forster:** Thanks very much for being here today.

It sounds like there is an exemption in the bill.

**Ms. Caroline Medwell:** I don't believe the current bill states the exemption, but what we currently have is that we pay our dues in kind: Instead of paying cash for what we're assessed as blue box costs, we provide advertising space and manage it all as well.

**Ms. Cindy Forster:** So, if you were charged a fee, that likely would result in either the weekly newspaper folding under that pressure—

**Ms. Caroline Medwell:** Yes.

**Ms. Cindy Forster:** —or job losses for reporters or people who are actually working for that particular newspaper?

**Ms. Caroline Medwell:** Well, some of them are close to possibly closing, but the first trend is usually to cut back on the cost of content, which usually means coverage of local news. You see it in your national media as well. I would say that reporters—journalists—would probably be the first to suffer.

1640

**Ms. Cindy Forster:** I actually see better news in my weekly newspaper than I see in my daily newspaper, at least in the Niagara Peninsula, where one company is now producing four newspapers in Niagara and the content is the same in all of them. They're not really bringing local news to many of the municipalities. I certainly hear you.

If you want to use my other two or three minutes to expand, we're certainly happy to listen to you.

**Ms. Caroline Medwell:** Thank you for understanding the position we are in. Being a group of independent publishers—and some who are part of corporations—it has been a hard struggle, mainly because of advertising revenues. An additional fee on top of the costs we incur right now would be, in some cases, fatal.

At the same time, we really feel very strongly that we could use the in-kind program really successfully and build that to be even stronger. Helping create messages around waste diversion, waste-free Ontario, circular economy: All those kinds of things could actually be a very strong credit to the program, and more valuable, I would say, than cash.

**Ms. Cindy Forster:** Thanks so much.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you very much for your deputation.

#### COMPOST COUNCIL OF CANADA

**The Vice-Chair (Mr. Jagmeet Singh):** And now, the person who is standing between us and the beautiful weather outside—no, I'm joking. Our final deputation is the Compost Council of Canada; Susan Antler, executive director. Please don't take my comment seriously.

**Ms. Susan Antler:** It's fine.

**The Vice-Chair (Mr. Jagmeet Singh):** You're free to spend your full five minutes.

**Ms. Susan Antler:** We could talk all night if you'd like.

**The Vice-Chair (Mr. Jagmeet Singh):** Perhaps not, but we'll definitely give you the five minutes.

**Ms. Susan Antler:** My name is Susan Antler. I serve as executive director of the Compost Council of Canada. On May 15, we will have our 25th anniversary. We're based in Toronto—I took the subway down—and I'm going to use the five minutes, as a start, to tell you a story and take you back to childhood.

I think all of us grew up on fairy tales and heard the story about the emperor who wore no clothes. The emperor had a whole bunch of team members who told him how wonderful he was and how great he looked, but the reality was that when he had his latest costume on, he really wasn't wearing anything. He walked on the street,

and it was only one little boy who had the courage to say, "Hey, you're not wearing any clothes." Quite honestly, right now, the Waste-Free Ontario Act is focused on the wrong set of clothing.

This is a garbage bin. If you want to go ahead and focus on diversion and want to get your biggest focus—get the best; get away from stalling—which colour would you pick? I suggest that you would pick the largest piece of the pie, which is green. The green represents 40%, which is organics. Right now, there is very little attention being paid to organics in the Waste-Free Ontario Act.

What you're focusing on is something we've been focusing on for 25 years, and that's recyclables. Quite honestly, I would say, after 25 years, at what point do you say, "You're not wearing any clothes"? If you're not focusing on the green part, the 40% organics, you're not going to hit the diversion numbers.

Right now, the Waste-Free Ontario Act does not set dates and rates, but the reality is that if we go ahead and look at WDO, in the document it said that it's stalled in Ontario. But if you dig deep into the numbers, which you can because the Waste Diversion Act and Ontario actually has the numbers, there's a difference. It's almost like the difference in the Toronto housing market, where there's the condo market and there's the housing market, and the housing market is going crazy and the condos are kind of there.

If you go ahead and dig into the numbers in terms of municipalities, the municipalities that are only focused on recycling are stalling. It's the organics that are hitting the Guelph numbers and the region of Peel numbers, which are hitting above 50%. Right now, all of the focus on the work you're going to have is only on the blue box and producer-pay.

The reality is that we have good organics in products that we can't get out. This is a tea bag. If you were to go ahead and look at any backyard compost brochure—we've written many of them and said that tea bags are great to put into a compost bin. But this manufacturer doesn't have a paper package, and in fact this doesn't even count in terms of any money that will go to WDL. I don't know if it's a plastic or a linen, but this encapsulates the organics, and we can't catch them. They actually become a contaminant in the compost that we're producing.

I think you need to really applaud the organics programs that are out there in Ontario because the reality is, if you dig into the numbers, 50% of the diversion amount that is being realized by Ontario is because of the organics. Yet, right now, in terms of blue box and MHSW, your focus has been to catch \$200 million that's paying for half of the blue box and MHSW, and all the conversation in the act right now is to go ahead and go into full producer-pay. Organics is getting zero, no dollars whatsoever, and yet we're delivering 50% of the diversion numbers right now.

If you dig into the numbers, the cities and the municipalities that are underfunded—completely, on everything, but definitely in terms of organics—are basically fronting the load. These manufacturers are escaping.

In fact, some of the materials, like fruit peels—you know the fruit peels that you have in terms of bananas and everything like that? Generally, they will land into our compost, and they become a contaminant, and it becomes very difficult for us to get them out.

At this point, we have, quite honestly, 25 years of results. In fact, I was around in 1994 when we had a diversion study, and we didn't achieve it. I was around in 1998 when we had a 10-year—we were going to hit 60%, and we didn't achieve it. In fact, I wrote a letter on December 31, 2008, to the minister and said, "We didn't achieve it because you didn't focus on organics."

Right now, your ministry, your staff, is under-supported in organics. You have 22 people on that staff; only three of them are assigned to organics. They have absolutely no money. WDO basically gives us absolutely no money to solve any of our diversion opportunities as well as any of our problems that are caused by packaging that either can escape—or do not fund into our direction.

**The Vice-Chair (Mr. Jagmeet Singh):** Ms. Antler, my apologies for interrupting you. We've just exceeded the five minutes by about 30 seconds, but I wanted to give you a little bit of leeway. We'll go on to questions, and perhaps somewhere along the way you can wrap up some of your other thoughts.

**Ms. Susan Antler:** No problem. Thank you.

**The Vice-Chair (Mr. Jagmeet Singh):** I believe now we're moving to the government side, and it's Mrs. Mangat. I recognize you.

**Mrs. Amrit Mangat:** Thank you, Susan, for your presentation and welcome to Queen's Park, and thank you for your advocacy on organics.

I understand, in the draft strategy—I don't know if you have read it or not—we explain the intention to develop an organics action plan under this act. Do you think that will help in diverting organics?

**Ms. Susan Antler:** Absolutely, but let's speed it up because, right now, there's no money associated to focus on it.

As soon as you pass this act—all the folks that are behind me and have been here and are going to come forward—the hounds of hell will break loose. They will all have issues. I can almost tell you where the focus—you must, as our leaders, as our chosen leaders, say, "This is a number one priority." I understand we need to go ahead and deal with the funding of blue box and MHSW, but I want at least equal time and equal money on organics.

**Mrs. Amrit Mangat:** Do you think the organics action plan will achieve real goals in reducing greenhouse gas emissions?

**Ms. Susan Antler:** Absolutely. We wrote a letter—and I'd be pleased to give it to you—to Mr. Trudeau because he has an objective in terms of methane. Methane emissions are 25 times as potent as carbon dioxide. Landfills represent at least 20% of the methane emissions. Even in the WDO act it shows that it's the organics that—we have to get those out either through anaerobic digestion or composting. What's very exciting is carbon farming. The Environmental Commissioner of Ontario has a number of reports in terms of soil health. The opportunity is that at least one third of our problems in terms of greenhouse gas can be rectified if we put compost back into the soil. That's a known fact.

**The Vice-Chair (Mr. Jagmeet Singh):** Thank you so much for your presentation.

That is all the time for the day, so thank you so much.

We will be adjourning this committee until Tuesday, April 19, at 4 p.m. in the same room. Thank you so much, everybody.

*The committee adjourned at 1650.*







## **STANDING COMMITTEE ON SOCIAL POLICY**

### **Chair / Président**

Mr. Peter Tabuns (Toronto–Danforth ND)

### **Vice-Chair / Vice-Président**

Mr. Jagmeet Singh (Bramalea–Gore–Malton ND)

Mr. Granville Anderson (Durham L)  
Mr. Lorne Coe (Whitby–Oshawa PC)  
Mr. Vic Dhillon (Brampton West / Brampton-Ouest L)  
Mr. John Fraser (Ottawa South L)  
Mrs. Marie-France Lalonde (Ottawa–Orléans L)  
Mrs. Gila Martow (Thornhill PC)  
Mrs. Kathryn McGarry (Cambridge L)  
Mr. Jagmeet Singh (Bramalea–Gore–Malton ND)  
Mr. Peter Tabuns (Toronto–Danforth ND)

### **Substitutions / Membres remplaçants**

Mrs. Laura Albanese (York South–Weston / York-Sud–Weston L)  
Mr. Victor Fedeli (Nipissing PC)  
Ms. Cindy Forster (Welland ND)  
Ms. Sophie Kiwala (Kingston and the Islands / Kingston et les Îles L)  
Mrs. Amrit Mangat (Mississauga–Brampton South / Mississauga–Brampton-Sud L)

### **Also taking part / Autres participants et participantes**

Mr. Ernie Hardeman (Oxford PC)  
Mr. Percy Hatfield (Windsor–Tecumseh ND)  
Mr. Peter Tabuns (Toronto–Danforth ND)

### **Clerk / Greffier**

Mr. Katch Koch

### **Staff / Personnel**

Ms. Carrie Hull, research officer,  
Research Services

## CONTENTS

Monday 18 April 2016

Subcommittee report .....	SP-901
Waste-Free Ontario Act, 2016, Bill 151, Mr. Murray / Loi de 2016 favorisant un Ontario sans déchets, projet de loi 151, M. Murray .....	SP-902
Environmental Defence.....	SP-902
Ms. Natalija Fisher	
Coalition for Effective Waste Reduction in Ontario .....	SP-903
Mr. John Bailie	
Mr. Bruce Rebel	
Food and Consumer Products of Canada .....	SP-905
Ms. Michelle Saunders	
Newspapers Canada .....	SP-906
Mr. John Hinds	
Canadians for Clean Prosperity.....	SP-908
Mr. Tom Chervinsky	
Canadian Plastics Industry Association .....	SP-910
Ms. Krista Friesen	
Electronics Product Stewardship Canada.....	SP-911
Ms. Shelagh Kerr	
Regional municipality of Durham.....	SP-913
Mr. Craig Bartlett	
Carton Council of Canada.....	SP-914
Ms. Isabelle Faucher	
Retail Council of Canada .....	SP-915
Mr. Gary Rygus	
Stewardship Ontario.....	SP-917
Ms. Debbie Baxter	
Town of Ingersoll.....	SP-919
Mr. Ted Comiskey	
Covanta Durham York .....	SP-921
Mr. Paul Gilman	
Canada's National Brewers.....	SP-922
Mr. Brian Zeiler-Kligman	
City of Toronto.....	SP-923
Ms. Jaye Robinson	
Mr. Vincent Sferrazza	
Dart Canada.....	SP-925
Mr. Joe Hruska	
Ontario Community Newspapers Association .....	SP-926
Ms. Caroline Medwell	
Compost Council of Canada .....	SP-928
Ms. Susan Antler	