

Transition of the Blue Box Program to Full Producer Responsibility – November 2020 Update: Draft Regulation Comments

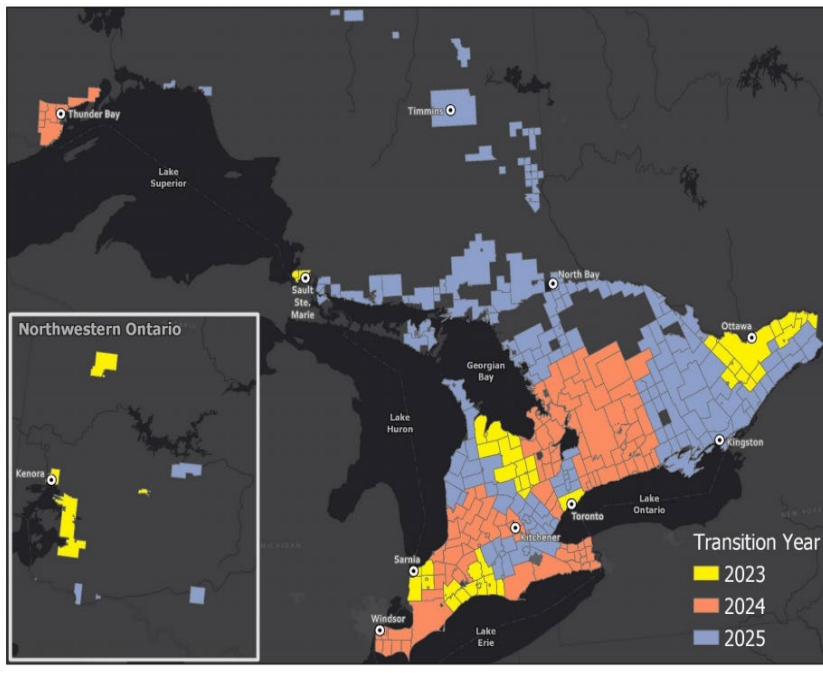
Waste Management Strategic Advisory Committee
November 19, 2020

Norman Lee, Director, Waste Management

Background

- On October 19, 2020 the Ministry of the Environment, Conservation and Parks (MECP) released the draft Blue Box Regulation
- The regulation will transition financial and operational responsibility of the Blue Box program from municipalities to producers
- The draft regulation has been posted on the Environmental Registry of Ontario for a 45-day comment period ending December 3, 2020

Transition Schedule



- In the draft regulation, Peel is scheduled to transition in 2024
- The Region supports the schedule and will advocate for a transition date of October 1, 2024 (or earlier should the opportunity arise)

Designated Materials

- The draft regulation lists the materials that producers would be responsible for:
 - Packaging
 - Printed & unprinted paper
 - Non-alcoholic beverage containers
 - Unprinted paper (**NEW**)
 - Single-use packaging-like products (foils, wraps, trays, boxes, bags) (**NEW**)
 - Single-use items supplied with food & beverage products (straws, cutlery, plates, stir sticks) (**NEW**)
- Staff supports this list of materials but will recommend that the Ministry apply collection and management requirements on producers for compostables as soon as possible

Eligible Sources

2024 (If Currently Collected by Peel)	2026 (If Currently Privately Serviced)	Ineligible (Even If Currently Collected by Peel)
Permanent and seasonal dwellings	Multi-residential buildings	Places of worship
Multi-residential buildings	Long-term care homes	Non-profit organizations (e.g. group homes)
Public and private schools	Retirement homes	Indoor public spaces in regional and municipal facilities (e.g. libraries, public arenas, community centres)
Long-term care homes	Schools	
Retirement homes		
Some public spaces (e.g. certain municipal parks and playgrounds)		Commercial component of Business Improvement Areas (BIAs)

- Staff supports this list as it is improvement over previous proposals and will advocate that this list be maintained and expanded to the ineligible list

Servicing Requirements

- The draft regulation includes service standards for the eligible sources (e.g. type of collection, minimum collection frequency, provision and replacement of receptacles) and maintains that recycling be as accessible and convenient as garbage collection
- Staff supports the servicing requirements and will advocate that the Ministry maintain them in the final regulation

Common Collection System

- The draft regulation proposes producers or PROs establish a common collection system to collect a consistent set of materials from all eligible sources
- Producers have the option to establish an alternative collection system for specific products and packaging (e.g. deposit/return or return to retail system)
- Peel supports the common collection and alternative systems and will seek clarification from the Ministry to inform advocacy to avoid unnecessary barriers to competition

Management Requirements

- The draft regulation sets out the following targets:

Target Category	2026-2029 Target	2030-onward Target
Paper	90%	90%
Rigid Plastic	55%	60%
Flexible Plastic	30%	40%
Glass	75%	80%
Metal	67%	75%
Non-Alcoholic Beverage Containers	75%	80%

- Staff supports the establishment of management targets but recommends that the Ministry also establish targets for material sub-categories and that producers report on these sub-categories

Responsible Producers

- The draft regulation sets out:
 - A cascading hierarchy of producers to ensure that the person with the closest connection to designated products and packaging is made the responsible producer
 - A mechanism to capture retailers located out-of-province but who supply blue box materials to Ontario consumers through online sales
 - A threshold that identifies obligated producers and exempts small businesses to minimize burden
- Staff supports the proposed hierarchy of responsible producers and will reiterate the need to obligate online distributors

Next Steps

- Ongoing meetings with Ministry staff and other stakeholders to address issues and get clarifications
- Submit comments on draft Regulation to MECP by December 3, 2020

Risks

- The final regulation may differ significantly from what is proposed in the draft regulation, which could negatively impact blue box service to residents
- Staff will continue to engage with the Ministry and other stakeholders to prevent significant negative changes in the final regulation

Thank you

Contact info:

Norman Lee

Director, Waste Management

905-791-7800 ext. 4703

norman.lee@peelregion.ca