
REPORT TITLE: **Peel's Comments on the Provincial Proposal to Amend the Food and Organic Waste Policy Statement**

FROM: Andrea Warren, Interim Commissioner of Public Works

RECOMMENDATION

That the comments outlined in the report of the Interim Commissioner of Public Works titled "Peel's Comments on the Provincial Proposal to Amend the Food and Organic Waste Policy Statement" be endorsed.

REPORT HIGHLIGHTS

- On April 30, 2018, the Ministry of the Environment, Conservation and Parks (the Ministry) issued the Food and Organic Waste Policy Statement under section 11 of the *Resource Recovery and Circular Economy Act, 2016*.
- On September 30, 2020 the Ministry posted a proposal to amend the Food and Organic Waste Policy Statement for review, with comments due by November 14, 2020.
- Staff supports many of the provisions of the proposal; however, does not support the proposal that source separated organics collection programs (including municipal green bin programs) should accept certified compostable pods and other items.
- Staff recommends an evidence-based, multi-pronged approach for the management of compostable products including provincial (or national) certification standards, designation under the new Blue Box producer responsibility regulations, and pilot programs between producers, municipalities and manufacturers.
- The comments included in Appendix I of this report were submitted to the Ministry to meet the deadline, with the provision that the comments were subject to Council approval.
- Staff will continue to participate in consultations related to the Food and Organic Waste Policy Statement and provide updates to Regional Council.

DISCUSSION

1. Background

In April 2018, the Ministry of the Environment, Conservation and Parks issued the Food and Organic Waste Policy Statement under section 11 of the *Resource Recovery and Circular Economy Act, 2016*. Staff provided the Waste Management Strategic Advisory Committee with an overview of the Policy Statement including targets in early 2019 (Resolution 2019-197). In September 2020, the Ministry posted a proposal to amend the Policy Statement with comments due by November 14, 2020. The amendments aim to clarify and expand the categories of food and organic waste as well as update the direction on the management of compostable products and packaging.

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2. Comments on the Proposal to Amend the Food and Organic Waste Policy Statement

Staff worked closely with the Association of Municipalities of Ontario, City of Toronto, Regional Public Works Commissioners of Ontario, and the Municipal Waste Association on their joint submission and showed support in Peel's comments.

Overall, staff is generally supportive of most of the proposed amendments, including efforts to meet targets beyond the stated 2023 and 2025 targets; innovation in new processing technologies; and pilot studies on proper management of compostable products.

Staff, however, is not supportive of the proposal that municipal source separated organics collection programs should accept certified compostable products and packaging such as pods. This is an area of concern, as many items labelled as compostable would not meet rigorous testing and strictly applied standards. Therefore, these materials do not fully break down in composting systems (Peel's existing system), or anaerobic digestion systems (Peel's future system).

Accepting compostable products and packaging in the green bin would require significant new capital and operating expenses to ensure the products and packaging are fully composted or, alternatively, removed as residue. Preliminary cost estimates are in the millions, however, staff is investigating in more detail to determine budget impacts. In Peel's case, it is necessary to estimate the impact of compostable products and packaging in the Region's current composting system and in its future anaerobic digestion system. Further, if communication campaigns are confusing or ineffective, compostable products and packaging could contaminate both the green bin and blue box streams due to consumer confusion.

Staff instead recommended that the province adopt an evidence-based, multi-pronged approach for the management of compostable products and packaging including:

- Development of an acceptable provincial certification standard and potentially a national standard.
- Designation of compostable products and packaging under the new Blue Box regulation under the *Resource Recovery and Circular Economy Act (2016)* complete with collection and management targets to ensure producers are responsible for the end of life management of any compostable products and packaging they introduce into the marketplace.
- Encourage pilot programs between producers, municipalities and the manufacturers of compostable products and packaging.

Staff also provided comments recommending that the province:

- Support and encourage producer funded innovation in new processing capacity.
- Develop detailed provincial guidance materials.

Comments on specific parts of the proposal to amend the Food and Organic Waste Policy Statement are included in Appendix I of this report.

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Staff submitted the appended comments to the Ministry by the deadline of November 14, 2020 with the provision that these were subject to Council approval.

RISK CONSIDERATIONS

The proposed changes to the Food and Organic Waste Policy Statement present the following risks to Peel:

- It could significantly increase processing costs for the entire organics stream.
- It could result in greater levels of contamination of both the green bin and blue box streams due to consumer confusion and lack of standardization amongst compostable products and packaging and non-compostable like items.
- It could decrease in the value and quality of Peel's compost from the presence of uncomposted products or packaging in the finished compost.
- It could lead to resident frustration if compostable items cannot be processed and are sent for disposal as residue.
- It could require additional support from by-law enforcement and public outreach to eliminate contaminants in the green bin resulting from resident confusion over acceptable materials.

To mitigate these risks, staff will continue to engage with the Ministry of the Environment, Conservation and Parks to push for:

- Inclusion of compostable products as a designated material in the new Blue Box Regulation under the *Resource Recovery and Circular Economy Act (2016)*, making Producers of compostable products to be fully responsible.
- Labelling that clearly identifies how to properly dispose of compostable products and packaging.
- Development of provincial or national certification standard.

FINANCIAL IMPLICATIONS

There are no immediate financial implications resulting from this report.

CONCLUSION

Staff reviewed the proposal to amend the Food and Organic Waste Policy Statement and submitted comments to the Ministry of the Environment, Conservation and Parks by the November 14, 2020 deadline, with the provision that the comments were subject to Council approval.

Staff will continue to participate in consultations related to the Food and Organic Waste Policy Statement to advocate for outcomes that support Peel residents and businesses.

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APPENDICES

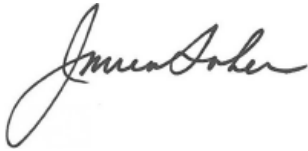
Appendix I – Food and Organic Waste Policy Statement Comments Submitted on November 13, 2020

For further information regarding this report, please contact Norman Lee, Director Waste Management, Ext. 4703, norman.lee@peelregion.ca.

Reviewed and/or approved in workflow by:

Department Commissioner, Division Director and Financial Support Unit.

Final approval is by the Chief Administrative Officer.

A handwritten signature in black ink, appearing to read "J. Baker", is positioned above a horizontal line.

J. Baker, Chief Administrative Officer