Fact Sheet
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Ontario

Ministry of the Environment | Ministère de l'Environnement

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REGULATORY AMENDMENTS TO FACILITATE WASTE DIVERSION, USE OF ALTERNATIVE FUELS AND NEW AND EMERGING WASTE MANAGEMENT TECHNOLOGIES

The Ministry of the Environment has amended regulations under the *Environmental Protection Act* and the *Environmental Assessment Act* to help municipalities and waste generators divert more wastes from disposal and better manage residual waste.

Facilitating Waste Diversion

The ministry's goal is to help municipalities and industry divert more wastes from disposal by creating incentives to increase recycling. Apart from the environmental benefits of reducing the amount of waste disposed, producers who use recyclable materials can conserve renewable and non-renewable resources, and reduce both energy consumption and environmental emissions.

While many recycling activities already benefit under available exemptions, stakeholders have expressed concerns that the ministry's controls on waste that is destined for recycling are too stringent and act as a barrier to more recycling.

Prior to these amendments, those controls generally required generators to ship wastes that were to be recycled directly to the site where they were to be recycled if they were to be exempted. This meant that if the waste was to be stored, processed or transferred at an intermediate site prior to recycling, the intermediate site first had to obtain ministry approval. Another requirement was that a recycler (a manufacturer, for example) had to wholly use all the waste (i.e., all waste had to be fed into the manufacturing process as received). These requirements discouraged the recycling of some wastes.

The ministry has, therefore, made exemptions to make it easier to recycle certain wastes that do not meet the existing exemption criteria for one reason or another. These include:

- Waste paint or waste coatings recycled into paint or coatings.
- Printed circuit boards recycled by smelters.
- Spent activated carbon recycled by being reactivated.
- Metal bearing waste recycled by smelters.
- Crumb rubber recycled into products (not fuels).
- Batteries.
- Mercury containing devices and materials (electrical switches, thermostats, fluorescent lamps).
- Waste electrical and electronic equipment (WEEE).

Use of Alternative Fuels

The ministry has eliminated the waste approval process for converting certain wastes into alternative fuels in order to keep these wastes out of landfills and put them to beneficial use. All air emission approval requirements remain in place.

Ethanol and biodiesel are clean burning additives that can reduce the use of fossil fuels. Both are made from biomass, a renewable source of energy made from agricultural residues and waste from forestry operations and food processing. Biodiesel can be blended with petroleum diesel for use in diesel engines, and ethanol can be blended with gasoline for use in gasoline engines.

Prior to these amendments, the use of forestry and food wastes, if used to produce ethanol or biodiesel, had to go through the waste approvals process even though the environmental benefits are clearly better than sending these wastes to landfills.

Similarly, industries such as pulp and paper manufacturers that burn woodwaste as fuel had to obtain ministry waste approval. Only facilities that burned a small amount of woodwaste – up to 100 tonnes per day – as a fuel or fuel supplement, and stored only a relatively small amount of woodwaste, were exempt from waste approvals.

Removing the 100 tonnes per day limit and allowing more woodwaste to be stored will encourage greater use of woodwaste as an alternative to fossil fuels.

Facilities that burn large quantitities of woodwaste to produce electricity will continue to be subject to the Electricity Projects Regulation under the Environmental Assessment Act.

New and Emerging Waste Management Technologies

New and emerging waste management technologies, including energy-from-waste technologies such as gasification and plasma arc, are operating in other jurisdictions but are largely unknown in Ontario.

Ontario's existing approvals process did not distinguish between pilot, demonstration or full-scale operations or between proven and unproven technologies. This hindered the testing and development of new and emerging technologies.

The ministry has changed that by exempting these pilots or demonstration projects from the environmental assessment process and from a mandatory waste hearing.

These projects will be allowed to operate for three years and process no more than 75 tonnes of municipal waste per day. Upon request, a pilot could be extended for an additional two years by the ministry, if they meet the conditions set out in the regulation. They will still be required to apply for a certificate of approval under the Environmental Protection Act and to meet Ontario's tough air emission standards.

If these energy-from-waste projects prove viable and the proponent wants to continue operating as a permanent facility, it must go through the environmental assessment process.

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