
Niagara Region and the City of Hamilton - Working together for shared solutions

REPORT TO: Co-Chairs and Members of the Joint Working Group

SUBJECT: Report on WastePlan Next Steps

DATE: June 30, 2008

RECOMMENDATION(S)

It is recommended that:

- (a) This staff report be received.
- (b) The Niagara Region and City of Hamilton, represented by current members of the WastePlan Joint Working Group or other members of the Niagara Region Waste Management Planning Steering Committee and the Hamilton Solid Waste Management Master Plan Steering Committee members, continue to meet not less than annually to consider opportunities of mutual interest including but not limited to waste management.
- (c) The Councils of the Niagara Region and City of Hamilton be requested to enter into an agreement to terminate the Agreement for Joint Study of Waste Disposal dated January 1, 2004; and that the Chair of the Niagara Region, the Mayor of the City of Hamilton and the respective Clerks be authorized to execute the agreement within three (3) months of the approval by both Councils.
- (d) The WastePlan website at www.wasteplan.ca be posted with a notice that the site will be discontinued on a specified date to be three (3) months after, and subject to, the approval by both Councils to terminate the agreement and end the Environmental Assessment (EA) Study.
- (e) Subject to the approval by both Councils to terminate the agreement and end the EA Study, the Ministry of the Environment be so advised.

PURPOSE

The purpose of this report is to provide members of the Niagara-Hamilton WastePlan's Joint Working Group (JWG) with recommendations for next steps in the joint project following a recess in the project as approved on August 9, 2007. Additionally, diversion progress updates and other information as requested at the last meeting are also included in this report.

BACKGROUND

In 2003, the Niagara Region and the City of Hamilton commenced discussions related to the mutual need to pursue alternative waste disposal alternatives. By late 2003, it was determined that there was enough common ground to proceed with a formal working arrangement.

Appendix A to this report contains a list of activities around the formalization of the joint working arrangements and in the Environmental Assessment Study.

The 'Addendum Report to Draft Report on Evaluation of "Alternatives To" and Selection of a Preferred Disposal System' (Addendum Report) was received by the WastePlan Joint Working Group on August 9, 2007. Following presentation and discussion of the Addendum Report, a number of recommendations were approved and the resulting actions have occurred:

- 1) The WastePlan Environmental Assessment (EA) Study process recessed for a period of nine (9) months to allow staff to follow up on matters that potentially impact on the future of the EA study. The Joint Working Group is reconvening after this recess to consider next project steps.
- 2) The WastePlan website is being maintained through the recess by the City of Hamilton, at a cost to be shared by Niagara and Hamilton;
- 3) The e-mail contact information is being shared by Niagara and Hamilton staff;
- 4) The consulting arrangement with MacViro has been concluded; and
- 5) The request for a progress report is being fulfilled through this staff report.

Since that time, Niagara and Hamilton waste management staffs have been pursuing their respective waste diversion programs and initiatives, monitoring external activities around alternative disposal options and activities around provincial waste matters.

REPORT

This section of the report provides information that follows up on the recommendations from the August 9, 2007 Joint Working Group meeting, reviews the joint study arrangements and presents options for next steps and a recommended course of action.

Appendix B contains a status update of various long-term waste disposal projects across Ontario and Appendix C contains a summary of key provincial waste management policy issues.

1) Follow-Up on Matters Impacting on the EA Study Process

a) Municipal Waste Management Activities

The Niagara Region and City of Hamilton have independently continued to improve their waste management systems and waste diversion.

The two (2) municipalities, together with the Regions of Durham, Halton and Peel also worked on a joint initiative for compostable liners/bags for household organic waste programs. The goal was to ensure that only certified compostable products were used in the program through communication with retail organizations, retailers and product manufacturers. Municipalities have been promoting the acceptable compostable liners in their source separated organic programs and the retailers have been co-operative.

Niagara Region

Niagara Region's estimated diversion rate for 2007 is 41.4%. The diversion rate has been relatively stable since the introduction of the Green Bin organics collection program in 2004.

The Draft Level of Service and Rate Study was received by Council on August 16, 2007 and circulated to stakeholders for comment. The study recommends options for improving the existing waste diversion system in order to meet and exceed the 65% diversion target:

- 1) Organics Program
 - Expand Green Bin program municipality-wide in West Lincoln and Wainfleet;
 - Relaunch Green Bin program Region-wide and include kitty litter/pet waste; and

- Ban use of plastic bags in organics collection.
- 2) Reuse/Recycling
 - Three (3) reuse centres (partnerships with non-profits);
 - Two (2) additional municipal household special waste depots; and
 - Recycling programs in public spaces.
 - 3) Waste
 - Every other week waste collection beginning September 2009 and/or
 - Three (3) container (bag/can) limit every other week; and
 - Two (2) staff for outreach and enforcement of waste collection and landfill disposal bans of recyclables and organics, MHSW, etc.
 - 4) System-wide
 - Operate four (4) residential drop-off depots as landfills close;
 - Special set-out service for residents (for those who cannot physically set out their materials at the curb for collection) as a base level across the Region; and
 - Continued communication and education to support all programs.

Key diversion highlights include:

- Mandatory special events recycling through the area municipal approval/permit system beginning in 2007;
- Pilot Battery Recycling Collection Program for single use and rechargeable batteries at Regional facilities beginning May 2008;
- Implementation of organics program options from the Draft Level of Service Study (Green Bin relaunch and plastic bag ban (September 2008));
- New 20 year service contract with Integrated Municipal Services to process and market residential organics, beginning April 1, 2009, subject to negotiations;
- Launch of the Glass Recycling System, which manufactures a finished retail product (Niagara Ecoglass) from recycled glass and diverts thousands of tonnes of broken glass from landfills each year; and
- Moving forward with the installation of an optical sorter at the Recycling Centre.

A Long Term Landfill Utilization Strategy was completed in order to address a potential disposal capacity shortfall. As an outcome of the strategy, Niagara Region is negotiating an agreement with Niagara Waste Systems Limited (NWSL), for disposal of curbside collected waste and other waste collected by the Region or its contractors. The twenty (20) year contract would begin in 2009. Niagara Region would have the right to dispose of up to 120,000 tonnes of waste each year at the NWSL landfill site in Niagara Falls.

Numerous site improvements occurred at Niagara's five (5) open landfill sites and nine (9) closed landfill sites.

City of Hamilton

- Hamilton's diversion rate went from 30% in 2005, the full year prior to the roll-out of the household organics program, to 42% in 2007, the first full year of the program.
- A third Community Recycling Centre at the former Solid Waste Reduction Unit (SWARU) site on Kenora Avenue opened in June 2007.
- In November of 2007, Council approved a report on the Status of the Solid Waste Management Master Plan, Options for Increasing Diversion and Landfill Capacity. It was determined that the City would not reach its diversion target of 65% by 2008, so

this has now been changed to 2011. In addition, Council approved a three (3) year phase in plan to full implementation of a one (1) container limit for garbage in 2010, enhanced multi-residential diversion, continued education and promotion and the use of certified compostable liners in the household organics program. All of these activities are geared to improving diversion.

- In the fall of 2007, staff commenced a review of the operations of the landfill, leaf and yard waste composting site, transfer stations, community recycling centres, reuse store and haulage. A Request for Proposals (RFP) was issued and closed on June 26th. The goal is to award a contract for all or part of the services by the end of 2008 for new contracts to commence in early 2010. A segregated in-house team will also cost the operations for the landfill and leaf and yard facility to be compared in the evaluation process.
- The City of Hamilton commenced a five (5) year contract with a new recycling collection contractor, National Waste Services Inc. on March 31, 2008 for the entire city. This is the same contractor that co-collects garbage and organics for half of the City and provides front end collection for bin garbage in the multi-residential sector.
- A new container line is being installed at the Materials Recycling Facility which should be complete in the fall of 2008.
- A landfill gas to energy system will be operational this summer at the Glanbrook landfill. Energy produced will be managed by Hamilton Renewable Power Inc.

b) EA Reform

In this section a recap of the revised regulatory requirements only as they relate to WastePlan will be reviewed.

Regulation 101/07 was enacted on March 23, 2007 to address waste undertakings that are subject to the Environmental Assessment (EA) process and those that could be subject to an environmental screening process.

- Environmental screening is available for the following undertakings:
 - 1) A landfill site between 40,000 and 100,000 cubic metres;
 - 2) A thermal treatment site where no coal, oil or petroleum are used as fuel and where a portion of the energy/fuel generated is used other than in the treatment process;
 - 3) A thermal treatment site where no coal, oil or petroleum are used as fuel, a maximum daily capacity of ten (10) tonnes and where the energy/fuel generated is used in the treatment process;
 - 4) A transfer site with a maximum capacity of 1,000 tonnes per day.

When the regulation was enacted EA study proponents who met the regulation were given sixty (60) days to indicate their intent to switch to the screening process. Although the Joint Working Group recommended this to the respective Councils, and Niagara Region approved the switch, the City of Hamilton favoured continuing with the Environmental Assessment process.

2) The Joint Study Arrangements

The documents related to the joint study include the Agreement for Joint Study of Waste Disposal, the Joint Working Group Terms of Reference (ToR) and a Communication Strategy.

The agreement for Joint Study on Waste Disposal commenced on January 1, 2004 and was proposed to end when the EA Study was complete. Either party may terminate with sixty (60) days notice upon achievement of a milestone. Such termination is to be made by the respective Councils. The milestones relate to the significant points in the EA Study process including:

- selection of a preferred method (system) for managing post diversion waste
- selection of a preferred procedure (siting) for implementation of the preferred system
- request for proposals to select a technology provider for the preferred system
- applications for the necessary approvals for the preferred system

Although a milestone in the EA study process has yet to be achieved and the agreement does not directly offer other options for terminating the study, the Legal Services staff from Niagara has advised that parties to an existing agreement can mutually agree to end their contractual obligations to each other. While the Joint Working Group could certainly recommend termination, further approval of both Councils would be required, as would a written agreement to terminate.

The Joint Working Group Terms of Reference set out the operating rules for the group. There is nothing in the ToR that precludes the termination of the Joint Working Group.

The Communication Strategy was not the consultation plan for the EA Study. It was developed as the protocol for the distribution of information to the public and the media as the strategy did include the operation of the website, which has continued to be active as directed by the Joint Working Group in August of 2007. If the website was to be discontinued it would be appropriate to post a period of notice, perhaps three (3) months, after which the site would be abandoned. The WastePlan study documentation would continue to be maintained on each respective municipal Waste Management Division webpage.

Any media release resulting from this report would be issued jointly by the JWG Co-Chairs.

Should both Councils make a decision to conclude the EA study process, it would be appropriate that the Ministry of the Environment (MOE) be advised so they can address their file appropriately.

3) Options for Next Steps

There are two (2) general options for next steps including resuming the study or ending the study, the details of which are described below. In addition the potential to work together on future initiatives remains a viable alternative for either option.

a) Resume Study

If the EA Study was to be resumed, it would start with a public consultation process for the Addendum report and three (3) systems that were remaining. It would be necessary to retain a consultant to undertake the consultation process and resume work on the balance of the EA Study process. The process would be managed jointly by Niagara and Hamilton staff.

Both municipalities have the funding available to resume the study.

b) End Study

Both municipalities currently have sufficient short term landfill capacity and are focusing on their respective waste diversion programs. Ending the study will enable both municipalities to put a priority on waste diversion activities.

The municipalities could continue to meet on a regular basis to review opportunities for working together.

There are also a number of new and emerging alternative disposal technologies that should continue to be monitored for future consideration. The work and information resulting from WastePlan will serve as reference information for future activities relating to alternative disposal options for the two (2) municipalities.

The EA Study could be ended with the agreement of both Councils. An agreement to terminate the existing Agreement would be required to be signed by the Regional Chair in Niagara, the Mayor of Hamilton and the respective Clerks.

c) Future Initiatives

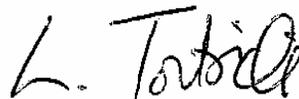
It is recognized that the municipalities can work together for common causes as evidenced by the WastePlan study and the compostable liner/bag initiative. It is also recognized that Niagara and Hamilton may find opportunities to work together on matters of mutual interest including but not necessarily limited to waste management. One of the opportunities that has been discussed briefly is a co-operative approach to the future disposition of plastic shopping bags in the Niagara and Hamilton waste streams.

CONCLUSIONS

Niagara Region and Hamilton continue to be committed to 65% diversion from landfill and this will continue to be a priority for the municipalities instead of jointly pursuing alternative disposal options. The two (2) municipalities will continue to work together on matters of mutual interest, where appropriate. Waste Management Steering Committee members could meet annually or as otherwise scheduled to discuss future initiatives. However it is in the interest of both municipalities to terminate the current agreement around alternative disposal options as they pursue their waste diversion goals.

A handwritten signature in cursive script that reads 'Pat Parker'.

Pat Parker, MCIP, RPP
Manager of Solid Waste Planning
City of Hamilton

A handwritten signature in cursive script that reads 'L. Torbicki'.

Lydia Torbicki
Manager, Waste Policy and Planning
Niagara Region

- c.c. Scott Stewart, General Manager of Public Works, City of Hamilton
Ken Brothers, Commissioner of Public Works, Niagara Region
Beth Goodger, Director, Waste Management Division, City of Hamilton
Catherine Habermehl, Acting Director, Waste Management Services, Niagara Region

Appendix A

Chronology of Events from the WastePlan Joint Study Agreement

Date/Timeframe	Activity/Event
2003	Region of Niagara and City of Hamilton commence discussions on alternative waste disposal needs
March 2004	Niagara and Hamilton Councils approve the agreement for the joint project, an Environmental Assessment (EA) study and striking a Joint Working Group to oversee the study (the agreement was effective commencing January 1, 2004)
January to August 2004	Development of the Draft Terms of Reference (ToR) for the EA study, including workshops and public information sessions
August 20, 2004	ToR submitted to the Minister of the Environment for approval, a public consultation process is undertaken
February 7, 2005	Minister of the Environment approved the ToR
February to November 2005	Development and evaluation of the "Alternatives to" including workshops and public information sessions
December 8, 2005	"Preferred Alternative" of thermal technology with recovery of recyclable materials presented to the Joint Working Group, who received the report for public consultation
December 9, 2005 to February 6, 2006	Public consultation period
March 9, 2006	Joint Working Group received the report on the Preferred Alternative and directed a study on the stabilized landfill option and a review of the systems comparison based on the results of the stabilized landfill study; Joint Working Group members and staff to visit the Otter Lake Landfill Site near Halifax
June 2006	Members of the Joint Working Group, public advisory committees and staff tour of Otter Lake Landfill Site
March 2006 to December 2007	Gartner Lee undertook the stabilized landfill study
April 12, 2007	Joint Working Group received presentation and report on stabilized landfill and asked that the results be considered in an Addendum report to the Selection of a Preferred Alternative report
August 9, 2007	Joint Working Group received the Addendum Report and decided to take a recess in the EA study process for nine (9) months (further details in Background Section of report)
June 2008 (present)	Joint Working Group meeting

Appendix B

Status Update on Similar Processes

1) Durham York

The Durham York energy-from-waste (EFW) facility update is based on information provided by Durham Region staff as of the end of April, 2008:

- Durham and York Regional Councils approved the recommended site for the EFW facility (Clarington 01 site at Highway 401 and Courtice Road, Clarington) in January 2008.
- HDR Consultants were hired to prepare the technical specifications for the EFW facility.
- Genivar and Jacques Whitford consultants are completing the Environmental Assessment (EA) and Environmental Protection Act (EPA) portions of the project in conjunction with HDR. The EA and Request for Proposal (RFP) processes are being completed in parallel.
- Deloitte prepared the Business Case based on the HDR specifications and the York-Durham tonnage proportions:
 - EFW plant size is proposed at 140,000 tonnes per year (tpy) based on 100,000 tpy from Durham plus 10,000 tpy for growth and 20,000 tpy guaranteed from York plus 10,000 tpy for growth.
- Following the release of the Business Case (see <http://www.durhamyorkwaste.ca/pdfs/businesscase/EFWReport.pdf>) on May 21st, it will go for approval to York and Durham Regional Councils.
- If the Business Case is approved and a memorandum of understanding is signed, the RFP for the design, construction and operation of the EFW facility will go out to the five (5) pre-qualified vendors.
- Anticipated completion of RFP and selection of preferred vendor is late 2008.
- Anticipated completion of EA is first quarter of 2009.
- Construction start date would depend on EA status and negotiations with vendor.

2) Plasco Trail Road Demonstration Facility

Monthly reports are prepared by Decommissioning Consulting Services (DCS) Limited on behalf of Plasco Trail Road Inc. and the MOE. The project summary below is based on the monthly reports and related data, as of May 22, 2008 from <http://www.zerowasteottawa.com/trailroadperformance/>:

- PlascoEnergy is operating a demonstration facility at the Trail Road landfill for up to a two (2) year evaluation period.
- The City of Ottawa is providing the site, the waste and is being charged a \$40 per tonne tipping fee during the evaluation period.
- Plasco will be processing up to 85 tonnes of waste into electricity each day by converting the waste to synthetic gas (syngas).
- The system will produce a small amount of inert residual solid that can be used as aggregate for concrete and asphalt.
- Small amounts of waste have been processed during the reporting period.
- Plasco expects to have the facility available for testing at a sustained run of twenty-four (24) hours at the maximum rate, as required by the Certificate of Approval for Air, during the first week in June 2008.
- Based on three (3) DSC monthly reports to date, Plasco Trail Road is 'in substantial compliance' with O.Reg. 254/06 - Plasco Demonstration Project, Provisional Certificate of Approval - Waste Disposal Site and Certificate of Approval - Air.
- After the evaluation period the City can contract with PlascoEnergy to build a facility of two-hundred and twenty-five (225) tonnes or more per day to process the residual waste going to landfill.

On June 10, the City of Ottawa's Planning & Economic Development Committee recommended to Council that staff be authorized to finalize and execute a Letter of Intent with Plasco. This will set out the terms and conditions under which a long-term agreement for a full-scale waste conversion facility could be executed. Council approved this recommendation, at its meeting on June 25, 2008.

3) Liberty Energy Inc. Thermal Treatment Facility

Liberty Energy Inc. is the proponent of a thermal treatment facility for biosolids (sewage sludge) and biomass (wood waste) to be located at 675 Strathearne Avenue in the industrial area of north Hamilton. The proposed facility would receive a maximum of 1,560 tonnes of material per day and the maximum storage on site could not exceed 14,560 tonnes per day.

In 2005, Liberty Energy commenced an environmental screening process under the relevant energy regulation. The City of Hamilton requested the Minister of the Environment to bump the proposal up to a full Environmental Assessment study. Liberty Energy was completing some final iteration in the screening process in 2007 when the EA Reforms discussed in Section 1b) of this report were enacted to provide a screening process for certain waste facilities. At the suggestion of the Ministry of the Environment, Liberty Energy switched to the screening process under the waste regulation and submitted all the information accordingly.

In February of 2008, the Ministry of the Environment accepted the environmental screening reports.

In January 2008, Liberty Energy had submitted its application for conditional Certificate of Approval (CoA), which was circulated for comment.

The City of Hamilton Council approved the City's comments on the CoA on April 9, 2008. As the comments relate to waste management and WastePlan, there is a memorandum of agreement that requires that the City Waste Management Division approves the feedstock for the facility on a quarterly basis to ensure that there are no conflicts with the City's waste diversion goals.

4) Lafarge Alternative Fuel Proposal at Bath

The following project description is based on information from the Government of Ontario Environmental Registry (<http://www.ebr.gov.on.ca>) and the site's Provisional Certificate of Approval (CoA) - Waste Disposal Site and Certificate of Approval - Air.

- In December 2006, Lafarge Canada's existing Bath Cement Plant was issued a Certificate of Approval (Waste Disposal Site) by the Ministry of Environment. Approval was given to burn solid non-hazardous waste for use as alternative fuels within the existing cement kiln.
- The following categories of municipal waste are accepted at the facility for use as alternative fuels:
 - whole and part used tires;
 - shredded solid waste;
 - pelletized municipal waste; and
 - meat and bone meal waste.
- The facility is approved to utilize alternative fuels at a maximum rate of one hundred (100) tonnes per day. However, pelletized municipal waste is restricted to at a maximum rate of 1.25 tonnes per day.
- Only alternative fuels generated within the Provinces of Ontario and Quebec and within the State of New York can be accepted.
- Applicants appealed the MOE's decision to issue the Certificates of Approval for air emissions and waste. The first step, which was the granting of appeal rights to the applicants by the Environmental Review Tribunal, was completed. The Tribunal concluded that the 'successful applicants provided sufficient information to establish that the Director's decision to issue the CoA could result in significant harm to the environment.'
- On June 18, 2008 the Ontario Divisional Court ruled that a citizen-led appeal of Lafarge Canada's plan to burn tires, plastics, bone meal and other waste will go forward. The Court

rejected the MOE and Lafarge's attempt to shut down an Environmental Review Tribunal hearing.

It should be noted that the Divisional Court decision to allow an appeal of the issuance of the CoA (for the burning of solid non-hazardous waste for use as alternative fuels), sets a precedent that may impact the integrity of the EA process.

5) York Region Refuse Derived Fuel

The following summary on the York Region Refuse Derived Fuel (RDF) initiative is based on York Region Committee/Council Reports completed over the past few years and a review by York Region Solid Waste Management staff.

- York Region has entered into an agreement to ship 100,000 tonnes of residual waste per year for twenty (20) years to Dongara Developments Inc.
- Dongara's waste pelletization facility, which is located in the City of Vaughan, will convert the waste to an alternative fuel source.
- The waste received from the curbside waste collection will be presorted and processed into pellets that can be used as burnable sources of fuel.
- The commencement date for the contract and the commercial operations of the pellet plant is July 1, 2008.
- The total tipping fee for York waste at the plant is \$84.00 per tonne, inclusive of transportation by York Region to the Dongara Pellet Plant and any transportation costs associated with the transportation of the pellet to the end user.
- The remaining residual waste would be directed to the proposed Durham-York Energy from Waste facility.

York Region had also requested that a Dongara representative review the project update. Dongara has noted that in terms of RDF markets: "Dongara has contracts with companies in Ontario and the United States permitted by regulators in their industries to utilize the pellets in the production of energy and alternative fuels." No further end market details were provided by Dongara.

6) Dufferin County Energy-from-Waste

Following a Request for Qualifications process in 2006, the County of Dufferin has issued a Request for Proposals for the design, finance, build and operation of a thermal treatment waste processing facility. Information of interest related to WastePlan includes:

- A request for a single proponent.
- The facility could be located on County-owned land or another site in Dufferin County.
- The term of the contract would be twenty (20) years.
- The minimum capacity would be 10,000 tonnes per year however proponents can propose a 25,000 to 50,000 tonne facility, but would be responsible for sourcing the feedstock beyond 10,000 tonnes.
- The proponent would be responsible for the sale of energy and disposal of process residual waste.
- Approvals are expected to be sought under Regulation 101/07, the environmental screening process, unless the project qualifies as a pilot project under Regulation 347.

The RFP is proposed to close September 18, 2008 with the contract being awarded in the fall of 2008. The agreement would be approved and executed in the spring of 2009. The construction period would be about two years with operations beginning in 2012.

Appendix C

Provincial Policy Issues

1) AMO/AMRC Discussion Paper for an Alternative Approach to Ontario's Blue Box Funding Model

The current Blue Box Program Plan model, which is used to determine the funding that municipalities receive from industry stewards, is coming to the end of its five (5) year term.

Ontario municipalities receive funding for approximately 33% of the net costs of their Blue Box program, versus the 50% committed by Stewardship Ontario. In order to address funding issues, the AMO/AMRC's *Discussion Paper for an Alternative Approach to Ontario's Blue Box Funding Model* proposes a series of recommendations. The key recommendation is:

- Phasing-in of Extended Producer Responsibility, where industry would eventually become responsible for 100% of the cost of managing all Post Consumer Packaging and Printed Paper, including the costs for managing what is in the litter and garbage stream.

Municipalities would no longer pay for Blue Box costs (processing, P&E, administration/overhead, revenues). Instead they would focus on implementing and managing other diversion programs where industry funding organizations are not easily identifiable, such as kitchen organics.

This Action Plan shifts the responsibility onto the industry stewards that produce the packaging and printed paper, and results in the following benefits as described in the discussion paper:

- It provides Stewards with the ability to achieve higher recovery rates through their involvement in the management of the entire life cycle of the product;
- It may result in product packaging design changes that become more recyclable;
- It provides for consistency of decisions across the Province, helping to establish a more uniform Blue Box program;
- It is good for business. Consumers become increasingly aware of the ill effects of excess consumer packaging and are more environmentally motivated in their purchasing choices.

Niagara passed a Council resolution, conveying support of the Discussion Paper. Hamilton Council supported the need to change the funding model and expressed concern about the future of a Blue Box program fully funded by industry.

2) WEEE Program Plan

The Draft Final Waste Electronic and Electrical Equipment (WEEE) Program Plan for the collection and processing of designated electronic equipment, was posted on the MOE Environmental Registry for commenting by May 9, 2008. Comments have been submitted by both Hamilton and Niagara Region.

The WEEE products will be collected in three (3) phases:

- Phase I - computers and peripheral equipment (including monitors) plus televisions;
- Phase II (one year later) - DVD players, radios, cell phones and other electronic products;
- Phase III will be announced later.

Ontario Electronic Stewardship (OES), which represents companies (i.e. Sony, Panasonic, HP, IBM, etc.) who manage this program, will use the following methods to collect WEEE:

- Special events (retail hosted, OES round up, municipal, co-site Municipal Hazardous or Special Waste);
- Municipal waste management sites;
- WEEE reuse/processor sites;
- Non-profit organization; and

- Waste haulers/recyclers.

The plan is good first step in creating a true extended producer responsibility model. However, a number of concerns have been raised by municipalities and some of which include the following:

- The plan needs to ensure all Ontario residents have access to a WEEE drop-off location.
- Waste diversion targets in the plan are too low and should be aligned with the Provincial diversion target of 60% by 2010.
- The proposed \$165/tonne funding may be too low for Phase I material, and this amount should be reviewed closely over the first year and adjusted as necessary.
- Reuse targets for WEEE should be established.
- More design for the environment principles should be included in the WEEE Plan.

3) Municipal Hazardous or Special Waste (MHSW) Program Plan

The new Municipal Hazardous or Special Waste (MHSW) Program commences on July 1, 2008. Stewardship Ontario will be entering into a MHSW Shared Responsibility Agreement with every municipality currently providing or interested in providing MHSW collection services.

Under the MHSW program, industry will pay for about 80% of the program cost for Phase I materials, while municipalities will cover the balance. The municipality/industry roles are

- Municipalities will be responsible for activities and costs associated with receiving, sorting, packing and manifesting MHSW.
- Industry will be responsible for post collection activities and costs associated with transporting, recycling (where appropriate) and disposing of MHSW and packaging of Phase I material.

Phase I encompasses items such as:

- Paints, stains, solvents;
- Used oil filters and oil containers (30 litres or less), antifreeze, hydraulic, power steering and transmission fluids;
- Single use, dry cell batteries (e.g. Non-rechargeable batteries);
- Propane tanks; and
- Fertilizers, fungicides, herbicides, insecticides and pesticides.

Until Phase II materials are included in the funding model, municipalities will continue to pay for all costs associated with items such as batteries (other than single use dry cell), aerosol containers, portable fire extinguishers, fluorescent light bulbs and tubes, pharmaceuticals, sharps, switches/measuring devices that contain mercury.

Additional facets of the MHSW plan include:

- Province-wide promotion and education campaign;
- Acceptance of small quantity waste from IC&I;
- Multi-year plan to improving accessibility i.e. expand events/depots and increase industry take-back programs; and
- Monitoring, performance benchmarks and tracking mechanisms.