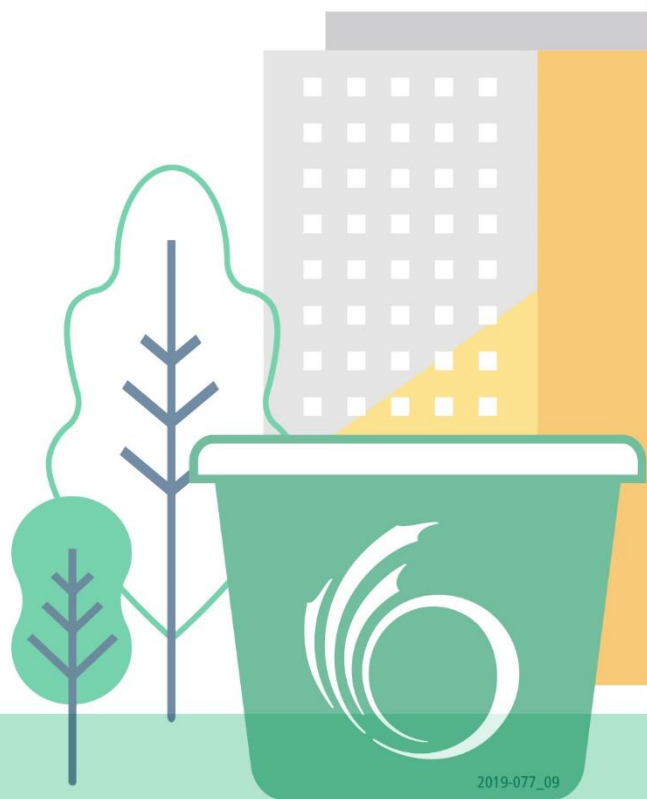




Legislative Review

EXECUTIVE SUMMARY

Technical Memorandum #2
January 2020





Executive Summary

The past three to five years have been a period of significant policy, program and legislative development across Canada in the solid waste area in general, and waste reduction and waste diversion in particular. All three levels of government have been very active in the field, which in itself is unusual (e.g. overall, waste has not been a focus for the federal government for some time). There is every indication that initiatives related to waste reduction and diversion especially will continue to increase, particularly with growing interest and concerns about the greenhouse gas (GHG) impacts of current waste management programs and practices, and the challenges and opportunities for waste related GHG mitigation at all levels of government, businesses and society.

The federal government has been unusually active, partly because of its international commitments (e.g. the Ocean Plastics Charter), its engagement on the issue of plastic waste - both through the Canadian Council of Ministers of the Environment (CCME) (e.g. the recently developed Zero Waste Strategy with a focus on plastics) - and independently through Environment and Climate Change Canada (ECCC) – e.g. the new strategy and plans for mercury-containing lamps. At the highest level, in June 2019, the Prime Minister spoke to the notion of European Union level action - the global leader - on waste plastics, singling out single-use plastics (SUPs). In addition, ECCC is in the midst of a process to determine whether plastics might be declared a toxic substance under the Canadian Environmental Protection Act (CEPA), which could be the most significant legislative action to be introduced at the federal level in many years to better address packaging and plastic waste issues nationally.

At the provincial level, Ontario, along with both B.C. and Quebec, has, again through CCME but more importantly on its own, been very active on provincial policies, programs and legislation, especially since 2016 with the passage of the *Waste Free Ontario Act (WFOA)*. Ontario was one of the first provinces to begin to frame its future waste policies and programs through the lens of circular economy thinking. The circular economy concept has recently been popularized by the UK-based Ellen MacArthur Foundation, using the definition that “*A circular economy is based on the principles of designing out waste and pollution, keeping products and materials in use, and regenerating natural systems.*” The Ellen MacArthur Foundation has linked the application of circular economy thinking to plastic waste specifically through the New Plastics Economy Global Commitment, a declaration of transformational change that has secured commitments from over 400 organizations, including national governments and multi-national corporations globally.¹

¹ Member companies are listed on the Foundation website: [newplasticseconomy.org](https://www.newplasticseconomy.org)



First through its Strategy for a Waste Free Ontario, and more recently in the new government's Made-in-Ontario Environment Plan, Ontario is developing waste legislation and resulting policies and programs with primary attention on three main areas:

- Extended Producer Responsibility (EPR), with a specific focus on Individual Producer Responsibility (IPR), as compared to collective responsibility programs for an increased range of materials;
- Increased food and organic waste diversion and reduction (in part driven by GHG concerns); and
- Plastic waste diversion and reduction, with a growing interest in single use plastics, litter and microbeads.

Interest and action on waste diversion also appears to be at an all-time high at the municipal level across Canada and around Ontario. For the past 25 years or more, municipalities have been the drivers, primary overseers and often operators of waste management programs, waste diversion innovations and best practice exchanges to improve both program cost effectiveness and environmental performance. With individual producer responsibility programs transitioning into effect in Ontario, decisions need to be made by municipalities like the City of Ottawa, regarding long-term roles and responsibilities in future waste management and waste diversion and reduction programs. What role does the City foresee for itself, for example, in the transition of tires, electronic and electrical equipment, municipal hazardous or special wastes, food and organic waste diversion programs and, perhaps most importantly, in Ontario's future Blue Box program under an individual producer responsibility regime?

Addressing these and other critical and timely questions will be central components of Ottawa's Solid Waste Master Planning process over the next 24 months.