



Environmental Services

Memorandum

To: Members of Committee of the Whole

From: Erin Mahoney
Commissioner Environmental Services

Date: December 8, 2017

Re: **Update on Consultation Timelines for Amending the Blue Box Program Plan towards Full Producer Responsibility**

In [June 2017](#), Council received a report providing an update on the transition of the Blue Box Program from the municipal sector to full producer responsibility, to reduce financial burden on tax payers. Following this report, a joint letter was issued on July 7 on behalf of municipal governments, including the Association of Municipalities of Ontario, Regional Public Works and Commissioners of Ontario, Municipal Waste Association and the City of Toronto, as well as Stewardship Ontario. The joint letter requested that the Minister of the Environment and Climate Change amend the current Blue Box Program Plan to promote earlier transition to full producer responsibility.

Minister directs Stewards to work with stakeholders to develop a proposed Blue Box Program Plan amendment by February 15, 2018

In response to the joint letter, the Minister of the Environment and Climate Change directed Stewardship Ontario and the Resource Productivity and Recovery Authority (the Authority) to work collaboratively with municipalities, stewards and affected stakeholders to amend the Blue Box Program Plan by February 15, 2018. This amended Blue Box Program Plan will outline the first phase of transition for the Blue Box Program and set the stage for a second phase resulting in individual producer responsibility under the *Resource Recovery and Circular Economy Act, 2016*. The first phase includes amendments to the current Blue Box Program Plan focused on increasing producer responsibility and improving environmental outcomes of the Blue Box program.

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Minister requests meaningful consultation with municipalities,
Indigenous Peoples, stewards and affected stakeholders

As directed by the Minister, Stewardship Ontario and the Authority developed a stakeholder consultation strategy that met requirements set out in the *Waste Diversion Transition Act, 2016*. Results from this consultation strategy will be provided in a final report and submitted to the Minister along with the proposed Blue Box Program Plan amendment.

Stewardship Ontario implements consultation in two Phases

Stewardship Ontario and the Authority developed the consultation strategy on the Blue Box Program to be implemented by Stewardship Ontario in two phases (see Attachment 1).

Phase 1 – Stakeholder Consultations: Combination of webinar and in-person meetings in October and November to obtain feedback and identify issues and concerns from affected stakeholders.

Phase 2 - Process for the Authority and Ministry Approvals: Includes a schedule for review of the proposed Blue Box Program Plan amendment by the Stewardship Ontario Board, and the Resource Productivity and Recovery Authority Board. This review will be followed by submission of the Plan Amendment to the Minister of the Environment and Climate Change.

Regional and local municipal staff actively engaging throughout the consultation process

Local municipal staff have attended Phase 1 consultations and meet regularly with York Region staff to ensure open and strategic two-way communication throughout the consultation process. Staff comments to Stewardship Ontario reflect principles approved by Council in [February 2016](#) that advocate for York Region and local municipal interests including: achieving full cost recovery, maintaining and improving service levels, and fair compensation for municipal assets and contracts.

On December 6, 2017 the Region and local municipal staff convened a workshop with Stewardship Ontario and Municipal Resource Recovery and Research Collaborative (Municipal 3Rs Collaborative), to discuss options for transition. This workshop helped to provide a better understanding on how a practical approach for transition can be achieved in York Region, given our unique service delivery as a two-tier government managing municipal processing and collection contracts.

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Region participates in Municipal Resource Recovery and Research Collaborative in order to advance municipal interests

To ensure a smooth and fair transition of the Blue Box Program, Region staff are participating in the Municipal 3Rs Collaborative to offer proactive and strategic support throughout this consultation process. Prior to Stewardship Ontario circulating the first version of the draft amendment on December 22, 2017, the Municipal 3Rs Collaborative noted deficiencies in Stewardship Ontario's proposed concepts and terms of the amended Blue Box Program Plan. These deficiencies along with recommendations for improvement were provided to Stewardship Ontario. Recommendations covered key concerns such as stranded assets, expansion of services, dispute resolution mechanism, and expanding and harmonizing the list of blue box materials collected. The Municipal 3Rs Collaborative also shared these communications with the Resource Productivity and Recovery Authority for consideration in advancing the amended Blue Box Program Plan.

Minister of the Environment and Climate Change will post amended Blue Box Program Plan for public comment

After the Resource Productivity and Recovery Authority submits the proposed amendment to the Minister of Environment and Climate Change, the Minister will post the amended plan for a specified comment period in early 2018. Staff will be bringing a report to Council in March 2018 and will include comments from Council received at that time as part of the Region's submission. This schedule aligns with the timing of council communications proposed by other municipalities including the City of Toronto, Peel Region and Durham Region.

Erin Mahoney M. Eng.
Commissioner, Environmental Services

LM/lm

Attachment

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Consultation Guide: Timeline to March 2018

Phase 1 - Stakeholder Consultations:

Combination of webinar and in-person meetings from October to November 2017

M3RC hosts teleconference on October 11, 2017

Module 1 Consultation

In-person /webinar October 12, 2017

Focus on: Consultation process, eligible costs for non-transitioned municipalities, transition criteria, procurement approach and expansion of services

M3RC hosts teleconference on October 26, 2017

Module 2 Consultation

In-person / webinar October 27, 2017

Focus on: Definitions of PPP for transitioned municipalities, standardized list of targeted materials for collection with proposed targets and proposed collection and post-collection management standards

M3RC hosts teleconference on November 7, 2017

Regional Sessions

In-person [meetings](#) November 9, 10, 14, 15, 21 & 22

Focus on: Material from Module 1 and Module 2 presentations (i.e. draft a-BBPP)

M3RC members in attendance at sessions

Late November/December 2017 municipal staff consider/bring forward updates to Municipal Councils

a-BBPP Development

Based on feedback from stakeholders and Indigenous Peoples, SO develops and submits an a-BBPP to the Boards of SO and RPRA at their respective December 2017 meetings for consideration – This is required to initiate Phase 2

Draft of a-BBPP Posted

SO will release the full draft proposal to all stakeholders and Indigenous Peoples by December 22, 2017 for comments to be received by January 15, 2018

a-BBPP: amended Blue Box Program Plan

AMO: Association of Municipalities of Ontario

EBR: Environmental Bill of Rights

M3RC: Municipal Resource Recovery and Research Collaborative

MOECC: Ministry of Environment and Climate Change

PPP: Paper products & packaging

RPRA: Resource Productivity and Recovery Authority

SO: Stewardship Ontario

Phase 2 - Process for RPRA and MOECC Approvals

January to March 2018

Finalize a-BBPP Proposal

SO to finalize the proposal and accompany consultation report for consideration by the SO Board in mid-January 2018

Three webinars to be held on January 8, 2018 by SO. Written comments invited until January 15, 2018

Submission to RPRA by SO

SO submits the a-BBPP to RPRA for consideration in late January 2018

If approved by RPRA, final a-BBPP is due to MOECC by February 15, 2018

Submission to the MOECC by RPRA

Required submission by RPRA Board by February 15, 2018

Potential for RPRA to approve with recommended changes to the Minister

Post on the EBR for public comment

Decision by Minister

Potential for the Minister to approve, approve with changes, not approve or make no decision

Any decision will likely be needed by mid to end of March due to impending provincial election

