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Sent: April-12-16 3:18 PM
To: Bill White
Subject: AMO Policy Update - Bill 151 Waste-Free Ontario Now Sent to Standing Committee

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Bill 151 Waste-Free Ontario now sent to Standing Committee

Last week, Bill 151, *The Waste-Free Ontario Act*, passed second reading with unanimous support from all three parties and has been referred to the Standing Committee on Social Policy for public consultations and clause-by-clause hearings for April 18th and 19th (see [Standing Committee - Waste-Free Ontario Act, 2016](#)).

The draft legislation is high-level enabling legislation that will see much of the details on how services will be funded and delivered determined once the legislation is passed through Provincial Policy Statements and Regulations. AMO, City of Toronto, Regional Public Works Commissioners of Ontario, and the Municipal Waste Association submitted a comprehensive municipal sector submission on the Bill in response to the posting on the Environmental Bill of Rights (EBR) Registry ([EBR Registry Number 012-5832, Waste-Free Ontario Act, 2016 - Bill 151](#)).

We urge any interested Mayors, Heads of Council, Public Works Chairs or other interested elected officials to register with the Clerk of the Committee to be considered to speak to the Bill. Additionally, written submissions to the Committee will be important to ensure municipal governments' perspective on the Bill are heard.

To assist with your oral or written submissions to Committee, we developed an outline of the key municipal concerns on Bill 151 that your municipality can use as a baseline for your specific submission. We have also included the specific amendments AMO has developed that can be an appendix to your submission.

The Municipal Perspective

- Municipal governments have long advocated for a new legislative framework for waste diversion. We are encouraged that Bill 151 has passed through second reading.
- We strongly support the Province's legislative intent to move towards producers fully funding the end-of-life costs associated with managing products and packaging rather than relying on the property tax base to fund these costs. However, a number of issues need to be addressed in the legislation now as opposed to through future policy statements and regulations.
- Our primary concern is that Bill 151 does not provide the municipal sector with any ability to protect our interests in the operation and funding of our integrated waste management systems. Municipal governments will still be required to operate and fund the integrated waste management system for all materials that are not designated and materials that end up in our waste and/or litter streams. Given the impact new programs and recovery schemes will have on the systems we manage and pay for, municipal governments require a seat at the table when decisions are being made about these programs – both during the transition and after the legislation is in force.
- Currently, the language used in section 11 of the *Waste Diversion Transition Act, 2015* (WDTA) to describe payments from producers to municipalities for provision of the Blue Box program, is identical to section 25(5) of the *Waste Diversion Act, 2002*. This language of "Stewardship Obligation" has been interpreted differently by municipal governments and stewards, resulting in a costly arbitration in 2014 and remains in dispute between the parties. We implore the members of the Standing Committee to amend the language and take advantage of this great opportunity to finally fix this constant and unproductive conflict.
- Critical amendments to Bill 151 are needed to ensure municipal governments' concerns are addressed:

- to protect residents'/municipal taxpayers' interests;
- to protect the integrity of the integrated municipal waste systems; and
- to stop the on-going challenges with receiving what municipal governments are owed during the transition period.

The Municipal "Ask"

- We are asking the Committee to ensure that the legislation presents a fair and balanced approach for municipal governments.
- A fair and balanced approach would be achieved through changes to section 11, the establishment of a Municipal Advisory Body and other specific amendments to the WDTA and the *Resource Recovery and Circular Economy, 2015*.
- We have provided the Committee with a list of 13 draft Bill 151 amendments. We hope this wording will be used in clause-by-clause review and amendments to the Bill during the Committee process.

Note: Draft Amendments are included as an [appendix](#).

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