



July 27, 2007

Lisa Mychajluk
Senior Policy Advisor
Ministry of the Environment
Waste Management Policy Branch
135 St. Clair Avenue West, 7th Floor
Toronto Ontario
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Via Facsimile: (416) 325-4437

Dear Ms. Mychajluk,

Re: Policy Statement on Waste Management Planning, EBR Registry Number 010-0420

I am writing on behalf of the Canadian Institute for Environmental Law and Policy (CIELAP) to provide comments on the Ministry's consultation on the proposed Policy Statement on Waste Management Planning. CIELAP was founded in 1970, with the mission to provide leadership in the research and development of environmental law and policy that promotes the public interest and sustainability. CIELAP has been involved in research and policy development on both solid and hazardous waste management since the 1980s.

Overall, CIELAP supports the introduction of the proposed Policy Statement on Waste Management Planning as a step towards the introduction of a broader, comprehensive waste management policy for the province of Ontario. CIELAP does, however, have a number of specific comments in relation to the plan.

The introduction to the proposed policy statement outlines some of the context for the need for waste management planning on pages 7 to 8. In considering this larger context the Ministry also needs to be mindful of how the decisions it makes to further other environmental protection measures, such as energy conservation, impact on waste management. For example, the Ontario government recently announced that it would ban the sale of old, inefficient incandescent light bulbs in Ontario by 2012 and instead promote the sale of more efficient lighting, such as compact fluorescent bulbs (CFLs). This should be an effective way to promote energy efficiency, but it will also present challenges for waste management. CFLs contain about four to five milligrams of mercury and require proper disposal as household hazardous waste. At present, Ontario municipalities are not equipped to handle these bulbs in their household hazardous waste programs. It is important that the provincial government ensure that future policy initiatives are evaluated for potential impacts on waste disposal.

Part II of the proposed policy statement sets out a Framework for Waste Management Decisions including waste management principles on pages 10 to 11. While principle (h) states that producer responsibility should be incorporated into waste reduction and management, this language could be strengthened to emphasize the vital role that extended producer responsibility and cradle-to-cradle design for the environment play in the achievement of significant waste reduction.

Part III sets out the Guidelines for Developing a Municipal Waste Management Plan. CIELAP is generally supportive of the scope and content to be required in municipal waste management plans, but wishes to make a recommendation with respect to the status of the plans. It would be appropriate for the Policy Statement on Waste Management Planning and for these Guidelines to be given a similar status to the Provincial Policy Statement under the *Planning Act*. This would mean that decisions by municipalities and other decision-makers, with regard to waste management, would be required to “be consistent with” these policies and guidelines, ensuring a consistent approach across the province.

Also, while it is important to achieve consistent and effective waste management across the province through these guidelines, they may be a burden for small municipalities, which may require additional funding from province in order to meet the desired standards of waste management planning.

On page 18 of the guidelines, the Ministry states that municipalities should focus on waste prevention, while recognizing that industry producers and stewards have a significant contribution to make in this area. It will be positive for municipalities to focus on waste prevention. However, industry producers and stewards are far better positioned to influence waste prevention, and further action on the part of the province will likely be required to ensure that they do so. This may involve:

- establishing short and long term reduction targets for waste generation to guide policy decisions, and creating strong policies and regulations that provide policy certainty to work towards the prevention of waste creation;
- introducing enforceable reduction targets and timetables;
- introducing strong policies and regulations on extended producer responsibility that require industry to take responsibility for managing consumer-generated waste itself;
- strengthening the powers of Waste Diversion Ontario through amendments to the *Waste Diversion Act* to increase the role of industry stewardship in reducing and recycling waste; and
- developing and implementing strict packaging regulations to prevent and reduce consumer goods packaging.

Finally, although CIELAP generally supports the proposed Policy Statement on Waste Management Planning, we would like to repeat that it should be part of a broader, comprehensive waste management policy for the province of Ontario. CIELAP strongly urges the Ministry of the Environment to work with stakeholders and the public to develop a comprehensive waste management policy that will ensure the maximum possible reduction and diversion of waste in Ontario.

Thank you for the opportunity to provide input on this proposal. Please contact me, or Maureen Carter-Whitney, CIELAP's Research Director, if you wish to discuss any of these comments further.

Yours sincerely,

A handwritten signature in black ink that reads "Anne Mitchell". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

Anne Mitchell
Executive Director

Cc: Hon. Laurel Broten, Minister of the Environment
Gord Miller, Environmental Commissioner of Ontario