

April 19, 2019

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Ontario Ministry of Environment, Conservation and Parks
Resource Recovery Policy Branch
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VIA EMAIL

Dear Ms. Acab,

Re: The Reducing Litter and Waste in Our Communities Discussion Paper Posted under ERO 013-4689 by the Ministry of the Environment, Conservation & Parks

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 38,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

OFA is pleased to comment on the Discussion Paper, presented as a *road map to advance an outcome-based approach to reduce litter and waste*. An outcomes-based approach with regular, measurable, practical targets will produce useful information needed to meet those outcomes.

Waste reduction requires regional solutions distinctive to agricultural, IC&I and residential sectors. For example, to deter dumping in rural and agricultural regions, we need adequate enforcement tools, combined with simplified access to more rural receptacles.

To achieve this provincial road-map, we need commercially scaled bio-plastic and compostable alternatives in place, before considering outright bans on some plastic wastes. We need full scale producer responsibility and product stewardships frameworks in place, before transitioning away from recycling programs. We need to better educate waste producers about correct recycling, before we add compostable packaging to waste streams. We need to pilot and develop local rural community and regional facilities to produce green energy, bio-fuels and bio-chemicals, before we consider landfill restrictions, landfill closures or other waste management restrictions.

Ontario proposes to increase diversion through recycling and technologies permitting more material recovery. The Discussion Paper includes eight areas Ontario will address to simplify waste reduction, reuse, and recycling. Our comments attempt to address those eight areas.

1. PREVENT AND REDUCE LITTER IN NEIGHBOURHOODS AND PARKS

Illegal dumping in and around rural communities burdens local landowners and harms farmland. Litter accumulates when people lack convenient waste options. Individual producer responsibility (IPR) and stewardship frameworks must promote diversion and provide better access to containers throughout rural regions to address illegal dumping in rural and northern regions.

In addition to ensuring receptacles are located at point of sale sites, municipal associations should consider that waste generated in one jurisdiction is often illegally dumped in another jurisdiction. To reduce illegal dumping, the Ontario Federation of Agriculture supports harmonizing material types suitable for recycling collection across the province, if accompanied by providing increased access to containers at municipal waste facilities including a transfer stations needed to concentrate dispersed loads.

OFA recommends Ontario promote education and awareness about added costs and environmental risks that result from illegally dumping waste including the harm wastes cause to shorelines and green spaces and the farmlands used to grow our food.

The provincial government needs to support municipalities taking meaningful, relevant actions against those who illegally dump waste. We support a review of enforcement tools, including Environmental Protection Act fines to ensure they are adequate and appropriate deterrents.

Farmers cannot allow contaminants to leach or decompose into soils. Government should help fund the added costs of managing these illegally dumped materials and simplify access to hazardous waste removal expertise needed to remove many types of dumped waste.

2. INCREASE OPPORTUNITIES FOR ONTARIAN'S TO REDUCE WASTE

The inconsistency of materials collected through Blue Box programs is confusing and lowers recycling rates. Cross-contamination of non-recyclable materials into diversion streams risks reducing the quality of processed materials. Smaller rural and northern communities are critically under-supported in managing the added expense to remove these unrecyclable materials.

Before transitioning from Blue Box Programs to full individual producer responsibility or stewardship frameworks, we recommend Ontario work with municipalities, packaging importers and manufacturers, to deter the use of costly and difficult to process composite packaging material, and to harmonize and expand the list of materials accepted for recycle programs to include additional plastics, films and styrofoams.

Farmers are proud of their roles as capable stewards of the land. We maintain and improve land productivity and water quality and we believe recycling sets the right tone for our children, our neighbors, and our communities. This duty to act also enforces an awareness that farmers take steps to protect the environment, such as investing in energy-efficiencies, continually improving the use and handling of chemicals and waste products and acting to preserve green spaces and wildlife habitats.

Ontario farmers engage in developing solutions to reduce farm plastic wastes and we recognize unique rural barriers that need to be removed.

Barriers include underdeveloped transport networks to collect plastics and other waste in rural and northern regions; thinly distributed network of container facilities needed to recycle and

process waste; weak market support for reprocessed plastics materials; and limited compostable alternatives to plastic wraps, films, twines and netting.

Solutions needed to address on-farm waste management barriers and deter illegal dumping in rural areas include advancing technology to develop biobased and compostable alternatives designed for Canadian climates; ensuring any required recyclable plastic material preparation is reasonable and not onerous; access to consistent and predictable Diversion and Processing (D&P) Programs, and low or no cost options.

To drive increased waste diversion, we support an approach that will engage directly with farmers to assess how and where waste reduction and recycling occurs and find cost-effective D&P solutions. This includes helping farm businesses innovate and apply this expertise to increase diversion and minimize regulatory burden while remaining competitive.

To better facilitate diversion in rural, northern and agricultural communities, Ontario needs to develop local facility solutions and expand bio-technologies to incorporate more types of recycled plastic feedstocks. To help these local community efforts, the Ontario Federation of Agriculture recommends the province backstop municipal sector - waste management partnerships that develop plastics-to-biochemical and bioenergy models.

Related data, information, clear rules and strong enforcement, are critical to reduce, divert and manage waste. We support the Ontario model of using existing resources such as:

The Resource Productivity and Recovery Authority to collect relevant information from packaging material producers and waste recovery/reduction managers. This should help

- determine whether environmental standards are being met,
- hold polluters accountable and
- reduce regulatory burden for responsible operators.

Clean Farms to assess the current and future resource recovery needs, waste reduction and waste diversion. This information will help:

- identify opportunities to recover resources and increase waste reduction,
- inform diversion and recovery cost benefit analysis, and
- assess performance against targets.

We recommend Ontario support research to generate regular, measurable and consistent data on waste generation, types of waste reduction and private sector diversion efforts, to drive action to reduce and divert more waste.

Ontario Regulations require IC&I sector businesses to identify waste they generate, develop reduction plans, source separate certain wastes and ensure that separated wastes are sent for reuse or recycling. Any individual producer responsibility regulations and policy should align with these requirements and require manufacturers, packagers and importers of packaging materials to develop reduction plans and review their processes to support stewardship programs which may be more appropriate regionally to execute.

3. MAKE PRODUCERS RESPONSIBLE FOR THEIR WASTE

It is important to highlight that reducing packaging used to transport and market agricultural products is beyond the reach of the agricultural sector. Wholesalers, retailers and grocery conglomerates dictate which packaging is used to market farm products. We support a clear distinction that it is packaging importers and manufacturers that are responsible to develop

reduction strategies, and that they should work with end decision-makers to meet these strategic targets. As price takers for farm input purchases and price takers for the products we sell, it is not reasonable for farmers to pay the added cost to finance packaging waste IPRs – we do not have the ability to pass that cost on to end consumers. The Ontario Federation of Agriculture encourages packaging producers, wholesalers, retailers and grocers to also fund material stewardship programs to ensure farmers are not unduly penalized with added costs related to regional D&P challenges.

An Individual Producer Responsibility (IPR) framework, including a waste D&P aspect, should help encourage competition and innovation among producers while reducing the amount of useful materials that end up in landfill. OFA supports the continued move of many existing diversion programs to IPR frameworks, such as the Used Tires Program that was replaced by an IPR. It is crucial that IPR levies remain at the same level throughout all regions of the province.

Plastic waste is a concern for farmers. We need to expand the types of plastics eligible for recycling collection and address concerns about source separating plastics before any transition. For example, in rural and remote regions it may be more efficient to collect all plastics locally for separation at strategic or regional transfer stations.

OFA supports using IPR frameworks to maximize D&P for low density plastics, Styrofoam, plastic films, bulky residential wastes and appliances. In determining which materials should be under IPRs or recycled, decisions are based on value of materials. High value material diversion already works. An IPR framework must support diversion for low- and no-value materials. Allowing producers and importers to determine the list of acceptable materials for IPRs, without engaging consumers, risks excluding low- and no-value materials.

A phased-in transition from away from Blue Box programs may be more manageable, with one phase to address basic recyclable materials – paper, cardboard, glass, tin and aluminum, and a second phase for plastics to align with an expanded list of recyclable materials.

4. REDUCE AND DIVERT FOOD AND ORGANIC WASTE

Waste diversion preserves land, energy, water and labour resources, supports healthy soils, reduces GHG emissions, and mitigates pests and parasites. Reducing food waste, rescuing surplus food, and diverting unavoidable food and organic waste is good for the environment and business.

However, there is a disconnect between the amount of IC&I sector food and organic waste going to landfills, and directions in the Resource Recovery and Circular Economy Act that set IC&I food and organic waste reduction targets. To raise awareness and improve food waste attitudes, OFA recommends establishing an environmental awareness curriculum including cooking and food planning/purchasing lessons. This should be available to all levels of learning, health care and for event management.

Ontario farmers support the safe donation and rescue of surplus food. The agricultural sector is closely linked into food and organic waste resource management.

- At the start food and organic waste resource circuit, waste generated during farm production is diverted and reincorporated - first to higher forms like foodbanks and gleaning, then reincorporation as farm inputs, finally to lower forms like bio-chemicals, biomass, biofuels.

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- The middle of the food and organic waste resource circuit is consumption; residential, and more significantly – hotels, restaurants, groceries, the IC&I sectors, where vast quantities of food, organic and inorganic wastes accumulate.
 - At the end, agriculture is integral to the re-distribution of waste by-product composts and post-digestates back into the environment.

To ensure the continuation of surplus food rescue, the Ontario Federation of Agriculture supports developing safe donation of surplus food guidelines to make it easier to rescue, donate, and use surplus food safely. We support the continuation of the Ontario Community Food Program Donation Tax Credit for recovered and donated agricultural products to eligible programs. Ontario also needs to ensure The Ontario Donation of Food Act continues to encourage donations and protect food donors from liability related to donated food. In addition to a Donation Tax Credit for Farmers, many farmers participate in gleaning to support food banks. Other farmers prefer to use their own employees to harvest crops for donation to reduce biosecurity, contamination and insurance concerns. OFA supports these farmers and recommends minimal funding could allow more farms to safely glean food.

Processed food companies contract farmers to grow and harvest many crops. To ensure the integrity of crop insurance, when crops are damaged or when processors cannot use some planted crops, the farmer must plow under or destroy the crop. OFA recommends AAFC and OMAFRA amend crop insurance regulations to allow these crops and other damaged crops be able to trigger insurance payments and be diverted to food donations. OFA recommends the provincial government conduct research to determine what funding support is needed to cover costs to harvest these crops and cover the overhead needed for food processors to process, freeze or dehydrate and package perishable crops for donation.

Greater amounts of food waste occur post-processor. Bulk produce displays lead to more product damage and disposal than do packaged food. OFA recommends government work with this sector of the food supply chain to clarify when the priority is reducing packaging waste or reducing food waste. Best Before and Use By dates are, in many instances, marketing tools to encourage new purchases. Where these labels are marketing tools, manufacturers should pay for the privilege of misrepresenting food safety dates.

OFA supports the province in considering a ban on food waste from landfills to reduce more waste, create more surplus food rescue and new approaches to resource recovery. A ban should consider additional resource recovery systems and barriers for rural and northern communities. OFA also recommends local and provincial governments work to leverage landfill infrastructure: most of Ontario's remaining small landfills are in rural and northern regions. Regional considerations could uncover effective use of landfills and transfer stations to divert organics to higher use, as could moving collection and diversion to earlier in the process such as at the point of generation.

A food waste landfill ban is only achievable, especially in rural and northern areas, if there are already alternate streams available, first to higher food use donation, then - if safely and securely possible - for processing into animal feed, then to lower use such as anaerobic digesters to produce renewable fuels and composts, or thermal and chemical treatment facilities to generate bio-chemicals and green fuels.

OFA recommends the provincial government consider these energy and chemical treatments as diversions to higher use. We encourage provincial and municipal governments to partner with bioenergy and biochemical industries, especially in rural and northern communities, to both manage waste diversion and establish local economic development opportunities.

Government support for private public partnerships will produce valuable alternative waste management streams. This process begins with research to quantify and qualify rural and northern waste resource feedstock potentials, through to innovative logistics pilots and technology models to process these resources, and finally, marketing support for end products.

5. REDUCE PLASTIC WASTE GOING INTO LANDFILLS AND WATERWAYS

Some 10,000 tons of plastic enter the Great Lakes each year. Research and flow simulations by Rochester Institute of Technology scientists show much plastic waste originates and accumulates in southern Lake Michigan, southwestern Lake Erie and western Lake Ontario. This plastic waste breaks down to create microplastics, accumulating in concentration levels higher than in oceans.

Clean-up efforts do not address the underlying problem. Reducing plastic waste can only be addressed by working with all levels of government, industry and consumers to better manage plastic waste, including single-use plastic waste, and taking steps to both prevent and clean up plastic pollution. The Ontario government has indicated the province will follow other jurisdictions and implement a ban on single-use plastics. The Ontario Federation of Agriculture recommends that any plan to introduce bans needs to coincide with introducing compostable alternatives.

OFA supports developing an FPT government plan to implement a Canada-wide plastic waste strategy. One of the challenges of dealing with plastic waste is that there is a lack of harmonization across local and regional zones. A Canada-wide strategy for single use plastic bans must also reach across national and international markets. The build-up of plastic waste in Great Lake waterways strongly infers efforts to reduce and divert plastic waste, including bans, must match efforts in neighbouring Great Lake States.

OFA supports a measured approach to banning single use plastics. We advise against a complete ban on single use plastics for agriculture. A complete ban cannot be reached unless governments aggressively support technologies to create affordable bio-based alternatives designed for extended outdoor use in Canadian climates while also able to decompose in that same environment.

OFA recommends governments engage industry to improve Individual Producer product labelling and packaging to ensure correct recyclable or compostable labelling. OFA supports the Ontario plan to seek stronger commitments from the federal government to develop national standards and to stop the import and use of difficult to recycle plastics and component plastic packaging.

Adding a 20-cent deposit to the cost of a 20-cent plastic water bottle will stop some people from sending these plastics to recycle or garbage containers or dumping plastic waste. But a deposit will not stop people from using these single use plastics. A ban on plastic water bottles and many other single use plastics will reduce plastic bottle waste in our environment and waterways.

Any consideration a ban on a type of plastic needs to coincide with compostable alternatives, and where there is no practical alternative, coincide with stewardship or IPR frameworks. As mentioned earlier regarding reducing and diverting plastic waste, research on plastic accumulation in Great Lakes waterways strongly infers efforts to introduce compostable alternatives and efforts to clean up existing accumulations in lakes and on shorelines, must match efforts in neighbouring Great Lakes States.

Compostable alternatives to plastics seem like a positive step to reducing plastic waste, but Blue Box rules are already difficult for people to follow. Compostable material inevitably contaminates recycle streams and undermines the integrity of plastic waste processing. Farming presents a

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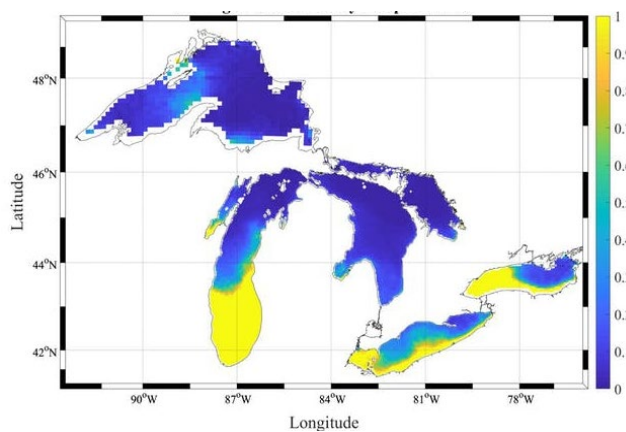
somewhat closed loop for plastic waste management that lowers the risk of compostable bioplastics contaminating traditional plastic recycling streams. Research should be focused on producing compostable plastic baling, twine, netting and films designed for medium- and long-term exposure to Canadian climates while able to reasonably decompose or to be shredding into livestock feed.

All levels of government have roles in a framework to reduce plastic waste generation and dumping. Municipal and provincial governments enforce IPR and 3R program frameworks anti-dumping regulations. They both should establish a network of containers at landfill and transfer sites, and support pyrolysis facilities and other plastics processing and thermal technologies at existing small landfill sites to produce local renewable natural gas, synthetic biofuels and biochemicals.

The federal government should guide new and revised standards for plastics, encourage pilots to reprocess plastics regionally, such as the pilot to reuse low-density Styrofoam monomers, and work with FPT governments and US State governments to align plastics bans, and introduce compostable alternatives and IPR frameworks.

Consumers and environmental advocates are aligned on an IC&I sector ban on single-use plastics as the inevitable next step to confront plastic waste. The initial stage would address single-use materials and culminate in a complete ban on all single-use, throw-away plastics, Styrofoams, and fragmentable and oxo-degradable plastics which break down into microplastics.

Great Lakes Average Plastic Particle Density



Developing a picture of how plastic pollution travels through waterways, and habitats at risk, is crucial for conceiving and testing solutions. Tracking different types of plastic through the waterway informs what ends up in sensitive habitats and predict their fate.

Stopping plastic from entering the waterway is the best way to eliminate the problem. But determining which toxic plastics are more likely to contact sensitive organisms, or enter a water supply, helps prioritize action steps. Great Lakes average density of simulated particles 2009-2014.

M. J. Hoffman and Eric Hittinger, [Rochester Inst. Technology](#)

6. CLEAR RULES FOR COMPOSTABLE PRODUCTS AND PACKAGING

Once compostable alternatives improve in durability and biodegradability, stakeholders must insure products are composted or remanufactured and do not contaminate other material streams. OFA recommends that, the government role should include ensuring IPR frameworks improve on existing recovery rates and ensure difficult to recover/divert/reprocess compostable material remain a part of IPR frameworks.

OFA supports the Discussion Paper outline surrounding compostable materials. Consumers already struggle to correctly sort waste and recyclable materials properly. Compostable materials mixed into organic waste do not decompose properly. Compostable material mixed into recycle plastic streams will compromise some reprocessed plastics or, at a minimum, lower feedstock quality and value. Introducing more compostable plastics into the equation will add confusion unless combined with education campaigns timed to coincide with single-use plastics bans.

The agricultural sector presents an opportunity to explore the use of compostable material in place of traditional farm plastics because of a lower risk of contaminating conventional plastic recycle streams. The agriculture sector is a preferred candidate for research and pilots using compostable plastics in outdoor environments, meant to balance decomposability and durability for use in Canadian climates.

There is little value to the waste management sector for complex packing using combinations of materials not easily recycled. The Ontario Federation of Agriculture supports a review of regulations to deter composite plastic packaging, compared to single type plastic or compostable material-only packaging. Compostable packaging producers should still be responsible for their materials.

7. RECOVER THE VALUE OF RESOURCES IN WASTE.

OFA supports a policy review to address waste resources where the cost to process vastly outweighs revenue, including organic wastes, or many types of plastic where end-product markets cannot be viably achieved.

To manage non-hazardous municipal and IC&I sector wastes Energy From Waste (EFW) thermal technologies can displace the burning of GHG intensive fuels to recover resins, bio-chemicals, green fuels and electricity, from waste that would otherwise be landfilled.

OFA recommends Ontario consider expanding thermal treatment beyond unrecyclable residues left over after D&P. As more landfills close and others restrict the types of materials accepted, there will be fewer options for low- or no- value materials. OFA recommends municipal, provincial and federal governments support chemical recycling and thermal treatment models to stimulate regional economic growth especially in rural and northern communities.

Ontario has about 840 small landfills in operation and a similar number of closed sites, mostly in northern and rural regions. As more landfills close or restrict the types of waste accepted, these sites can be repurposed as waste processing facilities. We support municipalities partnering with small business, IC&I sector companies, and farm operators to secure reliable consistent supplies of plastic and organic waste feedstocks for pyrolysis facilities to produce bio-char or bio-diesel and for anaerobic digesters to produce biogas for refinement to renewable natural gas.

Piloting these and other scalable commercial operations regionally, using local feedstocks and output configurations, may reveal the benefits and help address any drawbacks of chemical treatments to reprocess plastics back into primary monomers. Feedstocks for these treatments include high density plastics and synthetic rubber which are difficult to reprocess other ways, and films and very low-density plastics that are difficult to move through other types of processing or are too light and bulky to transport economically. OFA also recommends government encourage technologies that minimize, or do not require, external water supplies, which inevitably require either retreatment holding tanks to process water or draining processed water back into the environment.

Ontario's Food and Organic Waste Policy Statement considers Resource Recovery as reuse, recycle, reintegrate, regenerate activities to extract materials that would otherwise be waste. The recovery of nutrients, such as digestate from anaerobic digestion, is considered resource recovery. OFA supports a position that EFW and green fuels production should also be considered as resource recovery options for materials that would otherwise be waste.

The Ontario Federation of Agriculture supports the position that Resource Recovery systems that produce digestates or composted organic material for sale or application should:

- only accept source separated food and organic waste to avoid contamination issues
- demonstrate that recovered materials meet environmental quality standards
- adhere to Municipal biosolids management plans, including processing technologies and co-management practices that support nutrient recovery.

OFA considers excess soil as an important resource requiring stringent rules to limit the amount of soil being sent to landfill, while supporting beneficial reuses that are safe for the environment and human health. Contaminated soils must not be relocated to farms. Having clear rules and standards around soil management, relocation and reuse allows businesses to follow the safest practices for soils to be disposed of or treated before reuse.

We recommend municipalities and other law enforcement agencies increase enforcement on illegal dumping of excess soil, and we support adopting brownfields regulations to better enable the redevelopment of contaminated lands.

8. SUPPORT COMPETITIVE AND SUSTAINABLE WASTE END-MARKETS

We need some landfill space and municipalities must have a meaningful say in landfill approvals processes. As more Ontario landfills close and restrict materials accepted, remaining sites should be consistent in types of materials accepted. Genuine municipal engagement can be combined with provincial support for private – municipal partnerships to establish local waste processing using clean technologies including AD and clean chemical treatments such as low temperature pyrolysis to produce green energy and bio-chemicals. Energy and fuel production must be considered as sustainable waste end-markets.

We support Ontario engaging with communities that host or are near landfills. OFA recommends municipalities have more say in landfill approvals processes to protect the environment and ensuring landfill capacity. OFA supports consultation between landfill proponents and impacted stakeholders, Indigenous communities and adjacent communities early in the approvals process, while ensuring municipalities hold a determining role, with meaningful, auditable steps.

Easing regulatory burdens for rezoning rural landfills will help attract partnerships with municipal and community groups to establishing plastics and organics chemical treatment facilities, including AD and pyrolysis to convert wastes to bio-chemicals and green fuels.

OFA recommends government support local direct energy generation using waste and biomass feedstocks to produce biochemicals and biofuels. Ontario also needs to support research to establish economically viable plastic reprocessing into mono- and poly- mers, and support markets for reprocessed plastic products.

The final sections of the Discussion Paper focus on high priorities and quick results. OFA recommends government help rural and northern communities act and support ownership of facilities to reprocess organic and plastic wastes locally, using clean, environmentally sound processes, to produce local energy and local economic development.

To remain competitive and reduce the amount of waste to landfill, IPRs will be a priority. However, small business, commercial, industrial and agricultural sectors are often not able to pass IPR costs incurred during production onto the retail consumer. Ontario must work with these sectors

to ensure producer responsibility costs do not put Ontario businesses at a disadvantage, especially in rural, northern and remote regions.

The Ontario Federation of Agriculture supports the position that we can reach meaningful waste reduction and diversion by developing local, regional and rural bio-economies to re-manufacture waste and produce bio-chemicals and bio-fuels. We are concerned that many IPR frameworks (including waste servicing fees) will become a series of added costs levied on agricultural inputs and absorbed by farmers with no ability to pass these costs on to wholesalers, retailers and end-consumers. We are also concerned that some IPR frameworks may stipulate higher waste servicing fees in rural and northern areas and put agriculture at a disadvantage. Waste materials stewardship programs should be part of a complete outcomes-based approach to reduce litter and waste.

Under the previous Waste Elimination Act, the provincial government indicated support for thinly populated rural and northern solution would be driven through OMAFRA's Rural Affairs. OFA recommends the provincial government provide funds for a project to quantify and qualify our waste resource portfolio in rural and northern regions. These regions will struggle to support viable logistics needed to collect, divert and process waste materials. OFA challenges MECP under its Made-in-Ontario Environment Plan to supply R&D funds for these tasks.

Sincerely,



Keith Currie
President

Cc: Honourable Rod Phillips, Ontario Minister of Environment, Conservation and Parks
Honourable Ernie Hardeman, Ontario Minister of Agriculture, Food and Rural Affairs
Honourable Greg Rickford, Minister of Energy, Northern Development and Mines
OFA Board of Directors