

# PPSReview

**Product & Packaging  
Stewardship Review**

**MANAGING WASTE RESPONSIBLY**

**An information service for municipal governments**

**Vol 6, Issue 1, September 2005**

## CERB review of Ontario blue box program asks pointed questions

After 20 years of operation, Ontario's blue box is only capturing just 53% of recyclables, says a comprehensive new report.

Released at the end of August, the report comes from the Coalition for an Efficient and Rational Blue Box (CERB), an "informal alliance" of food and consumer product manufacturers, blue box stewards and packaging industry representatives.

CERB has issued what it calls "a report card" on the system and concludes it needs to do better.

In the categories of Rationale, Efficiency and Fairness the Ontario blue box gets a "C"; "Ds" are given for Transparency and Sustainability.

The report questions the number of materials collected in the system and notes the introduction of more materials "clearly impacts the

efficiency and effectiveness of curbside collection."

The CERB report points to the recovery rates in other provinces, most of which have deposit systems in place for some containers in conjunction with blue box programs and have far higher recovery rates for those items.

The role of Waste Diversion Ontario is examined in the CERB report.

**Continued on Page 3/8**

## No official word on WDO finances, but doors still open

More than two months after one of its board members questioned its financial future, there has been no official word from Waste Diversion Ontario (WDO) regarding its finances.

Staff are still in place and the telephones are being answered, even if no minutes from meeting are being posted to the WDO website.

Sault Ste Marie Councillor Steve Butland, a WDO municipal board member, said in July that unless the provincial government intercedes, the organization "could very well be in its death throes".

In a front page story carried by the July 12 *Sault Star* and posted on the Association of Municipalities of Ontario website (amo.on.ca), Mr. Butland was reported as telling his council that there

was no cash flow to meet the day-to-day operational costs of running the organization. He was to attend a WDO board meeting to discuss finances that week.

The WDO had assumed the Ontario Tire Stewardship scrap tire management plan, approved by the board last year, would generate the required cash flow. That plan remains in limbo (see story on Page 5/8).

A used oil management plan, also in limbo following its rejection by the board last year, would have seen additional revenues come to the WDO.

When it was set up a couple of years ago, the operation of the WDO was to have been financed by the industry funding organizations (IFOs) it set up. The only IFO with a program

currently in place is Stewardship Ontario's blue box program.

Mr. Butland said once the tire plan's approval was held up by the Minister of the Environment "the financial crunch wasn't far behind".

### **INSIDE THIS EIGHT-PAGE ISSUE**

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# Briefly...

## CHARGE 10P FOR PLASTIC BAGS— SCOTTISH POLITICIAN

About a billion plastic bags are given away each year in Scotland. Proposals to charge 10p (British pence—CAN \$0.23) for a plastic carrier bag were presented in June by Liberal Democrat Mike Pringle in a member's bill at the Scottish Parliament. The BBC reports the Scottish Executive has commissioned its own study on the proposal for a bag levy. The findings will be used to inform the decision-making process, a spokeswoman said. The 10p tax collected by the retailers would then be passed to councils which would have to spend it on local environmental projects. If the passage of the bill runs smoothly, it could become law some time in 2007. A plastic bag tax in the Republic of Ireland is said to have resulted in the number of bags changing hands being cut by about 90%.

*Resource Recovery Foundation,  
June 20, 2005*

## ...AND AN INDIAN STATE WANTS A BAN TO CURB FLOODING

After concluding that the dumping of plastic bags by people contributed to the choking of drainage lines and rivers that led to unprecedented floods in the metropolis in July, the Maharashtra Government (Mumbai, India) has decided to ban the use of plastic sachets and bags in the entire state. Before setting the start date of the ban, the state government will seek objections and suggestions, if any, from citizens during the next 30 days. The government is seeking objections from the citizens to ensure against any litigation in future. Plastic bottles have been exempted from the proposed ban and there would not be any ban on the manufacture of plastic bags. "People are free to manufacture plastic bags in the state and sell it other states. But they would not be allowed to sell their goods in the state," said Chief Minister Vilasrao Deshmukh.

*The Pioneer,  
August 25, 2005  
(www.dailypioneer.com)*

## ...AND A BAN COMING IN AUSTRALIA

Single-use plastic shopping bags will be banned in South Australia in three years. Speaking on World Environment Day, Premier Mike Rann says the state government is taking the lead nationally with a decision to phase out plastic bags by the end of 2008. The State Government will set up the Plastic Bags Phase Out Taskforce to help retailers with the transition over the next three years. The Small Business Development Council and the Shop, Distributive and Allied Employees Association will be represented on the task force. Under an existing voluntary Code of Practice for reducing supply of bags, major supermarkets have already made significant reductions—a 26% drop in supply at December last year. The target is for 50% reduction by end of 2005.

*Government of South Australia news release,  
June 5, 2005*

## CALL FOR BOYCOTT OF NON-RECYCLED POTTERS PUBLISHERS

Environmental groups are urging book buyers in the United States to order the Canadian version of *Harry Potter and the Half-Blood Prince*, which hit bookstores in July. Potter fans can order their copies through Canadian online booksellers like [www.amazon.ca](http://www.amazon.ca) or [www.chapters.indigo.ca](http://www.chapters.indigo.ca). Canadian and German publishers are printing the book on ancient forest friendly papers. Raincoast Books, Potter's Canadian publisher, is printing the J.K. Rowling novel on 100% post-consumer recycled paper. Consequently, the Vancouver-based publisher may save nearly 30,000 trees, according to a study by Markets Initiative, a coalition of environmental groups, including Greenpeace Canada and the Sierra Club. The US-based Scholastic Books is using regular paper, despite receiving 12,400 emails from customers who asked it to print the book on ancient forest friendly paper, claims Greenpeace. The group noted that 217,475 trees could have saved if the switch had been made before the 10.8-million print run.

*National Geographic news,  
July 18, 2005*

<http://news.nationalgeographic.com/news>

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Anyone wishing to support the Fair Comment Project may email Ben Bennett ([bbc@albedo.net](mailto:bbc@albedo.net)). Confidentiality is guaranteed.

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# Mr. Sorbara, before you file that LCBO report, please read page 38!

All of the short-lived media coverage about the (Ontario) Beverage Alcohol System Review Panel's recent report focused on its position on the sale of alcohol in the province.

While Ontario Finance Minister Greg Sorbara has said he was quite clear that he had no intentions of selling the LCBO when he asked for

the review of Ontario's beverage alcohol system, there were other issues covered by the 81-page report delivered in July. The panel's mandate also included looking at social responsibility, regulatory enforcement and reuse and recycling

The review panel received many delegations, including those from

environmental groups and recycling organizations.

In the report, called *Strategy for Transforming Ontario's Beverage Alcohol System*, the panel recommends the following measures:

- Ensure continuation of the deposit-return program for refillable beer bottles, with bottles return rates at least as high as at present, and require all retailers selling beer to participate.
- Undertake an independent study of the life cycle of beverage alcohol containers, focusing on different management systems (e.g. bottle return/reuse, blue box/recycle) in an effort to determine the best approach for Ontario's containers.

The idea for a study of alternative systems for the recovery of LCBO containers is not new. Indeed, many municipalities have recommended a deposit-return system as being more effective in recovering empty liquor and wine containers.

The issue was raised at the May Recycling Council of Ontario conference, shortly after a presentation by a municipal official about how much more efficient the blue box would be if glass containers were removed.

An LCBO representative, however, told the RCO audience he had "come to the conclusion that the blue box is the most effective way to collect materials—and stewards agree."

He offered no evidence to support this position.

## Broten approves WDO cost containment plan

Ontario's new Environment Minister Laurel Broten approved Waste Diversion Ontario's Recommendations to Support Cost Containment and Efficiency and Effectiveness and Small Business Measures, August 11.

The plan was first written in July of last year and revised in January to include an accelerated timetable for "reasonable cost bands" requested by the then minister Leona Dombrowsky. The 97-page report can be viewed on the WDO website ([www.wdo.ca](http://www.wdo.ca)).

## Pointed questions from CERB

(From Page 1/8)

It notes the potential for conflicts of interest "with many of same participants or industry representatives sitting on the same boards and committees". The role of CSR as secretariat to Stewardship Ontario is questioned, given that CSR is an industry organization "with an agenda of its own".

CERB suggests Stewardship Ontario should have its own executive director and staff "with no links to any other industry association."

The report notes how CSR represents interests who are opposed to any consideration of hybrid systems that include deposit-return. "This hinders an independent analysis of this option for Ontario."

Questions are asked about the municipal role. CERB is calling for "a clear trail" showing where the industry funds for recycling are going.

"Municipalities have a responsibility to their taxpayers to account for these funds."

The 53-page CERB reports notes the "benchmarking" or "cost bands" approach, with a municipal payment linked to efficiency improvements, is intended to drive system costs downward. An Efficiency and Effectiveness Factor comes into effect next year which will take \$10 million off the total net cost for that year and \$14 million of the total cost for the 2007. CERB says these figures were approved by the WDO board at its July 18 meeting.

(*PPSReview* is unable to confirm this as the most recent WDO board minutes posted on the WDO website are from the May 26 meeting. Representatives from packaging industry do however attend the WDO board meetings)

While this approach may help with individual costs it does not address the performance of the recycling system overall, says the report.

It is available from the *PPSReview* website ([www.productstewardship.org](http://www.productstewardship.org)).

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# You look after it, frustrated Kootenay Boundary tells BC Government

You look after it.

This is the message the board of directors of the Regional District of Kootenay Boundary (RDKB) sent to the British Columbia Government in August.

At their August 25 meeting, the RDKB, a strong supporter of the zero waste concept, passed a resolution returning responsibility for the management of all product waste to the Province.

The resolution arises from the RDKB Board's frustration with the delay in implementing extended producer responsibility (EPR) programs to cover electronic waste and milk and milk substitute containers.

The region recognizes that without the implementation of EPR programs to cover a much broader scope of products, "our goal will be difficult if not impossible to reach," says RDKB chair Rick Hardie in his letter to BC Environment Minister Barry Penner.

This frustration over what it sees as inaction on E-waste and milk containers is "only symptomatic of the underlying problem," said Mr. Hardie.

"Regional Districts have been given responsibility for managing the discards of our consumer society without being given adequate authority to do so in a way that doesn't impact the local taxpayer."

The Regional District of Kootenay Boundary with a population of less than 32,000, spends more than \$500,000 each year "to recover materials that should be managed by their producers".

The letter says "the obvious course of action" is for the Province to move as quickly as possible to establish EPR programs to cover all product waste.

"Both the Province and local governments know what needs to be done and how to do it. The enabling legislation



**MAKING THE POINT.** This is the message that it has been proposed be added to recycling containers in the Regional District of Kootenay Boundary to let people know who the RDKB considers is holding up progress in reducing waste.

is in place. We in local government fail to understand the delay."

RDKB says one option would be to require industry to fund and operate the recovery system. Alternatively, although "far more complicated", local government could collect fees to cover the cost of the program.

The letters notes however that this approach does not provide the necessary incentive to producers to minimize waste production and to internalize the cost of dealing with what cannot be eliminated.

As of press time there had been no response to the region's letter although at least two other major regions in the province had asked for copies of the resolution.

## GVRD ads its voice to those calling for an E-waste program in BC

The Greater Vancouver Regional District (GVRD) has sent a letter to the British Columbia Minister of Environment Barry Penner and all MLAs in the GVRD area expressing the its support for a regulated stewardship program for electronics.

It is the second time the GVRD has called for an electronics program, having urged the Province to act in 2002.

In a staff report attached to the

letter it is noted the October Regulation that consolidated all the existing industry product stewardship plans, did not introduce any new materials to the program.

Staff at the province's largest waste management jurisdiction say they have been advised that the electronics "may still be under consideration".

If electronics were included in a provincial stewardship regulation it is anticipated industry would have one

year "to develop, consult on and implement a stewardship plan", notes the report.

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ANOTHER BREACH?

# MOE told tire fee unconstitutional, plan withdrawn by WDO—CSR

According to a newsletter sent out by CSR: Corporations Supporting Recycling in late June, the Waste Diversion Ontario (WDO) board has withdrawn the proposed tire management plan from Ontario Tire Stewardship (OTS) “for further review of the key fee issue”.

*CSR National Newsbrief* says this took place at a June meeting of the WDO.

The *Newsbrief* also notes that “Concerns were also raised by government lawyers about the constitutionality of the use of the proposed fee for cleaning up existing tire piles in Ontario.” The *Newsbrief* does not say if this information came from the June WDO board meeting.

(*PPSReview* is unable to confirm either the status of the tire plan or the discussion about legal issues surrounding it. The most recent WDO board minutes posted on the WDO website are from the May 26 meeting. Representatives from both CSR and Stewardship Ontario (for whom CSR acts as secretariat) do however attend the WDO board meetings)

In the intervening three months, *PPSReview* has learned a memo from the Ministry of the Environment’s legal branch, contending the fee proposed by the OTS plan is “unconstitutional”, was sent in early June, approximately a week before the WDO board meeting. That memo was marked “Subject to Solicitor-Client Privilege”.

At the May 25 WDO board meeting, according to minutes posted on the WDO website, there was discussion about a series of questions from the ministry about the parts of the

OTS plan that dealt with tire derived fuel (TDF).

Clarification was sought as to how it would be a temporary measure—as indicated in the plan— if there were to be investments necessary to update cement plants to accept tires as fuel.

There were questions from board members about the need for incentives to kilns to accept tires in kilns if proper 3Rs programs were in place. It was noted by others that it is normal for an incinerator to charge a tipping fee.

It was then suggested that a more

detailed market development plan should be in place before the program commenced.

Andrew Horsman of Wal-Mart, representing OTS at the meeting, said the organization is hoping for a February 1, 2006, start date and suggested having a market plan in place within two months of the start date.

The board voted to officially request OTS to prepare a market development plan for review by the WDO “at a date to be determined”.

## WDO submits WEEE report to minister

A study on the state of waste electronic and electrical equipment (WEEE) management in Ontario was forwarded to Environment Minister Laurel Broten in July.

The previous minister, Leona Dombrowsky confirmed WEEE as a designated waste under the Waste Diversion Act, December 14, 2004.

Waste Diversion Ontario (WDO) established a WEEE Working Group, including stewards and stakeholders, to oversee the study process and retained consultants.

The research contract was awarded to a consortium led by CSR: Corporations Supporting Recycling and including RIS International, MacViro Consultants and Jack Mintz and Associates.

The WDO board approved the 216-page WEEE Study at its July 18,

meeting, according to the WDO website..

The consultants’ report looks at the WEEE study process, program funding and contains estimates of material flows in Ontario for the four priority categories of WEEE— household appliances, information technology equipment., tele-communications equipment and audio visual equipment.

The study concludes priority should be given to development of the WEEE IFO program plan and to resolving the issue of appropriate program targets before further work is undertaken on assessing possible program funding options.

The report is available on the WDO website ([www.wdo.ca](http://www.wdo.ca)).

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RECEIVING COMMENTS UNTIL SEPT. 30

# BC seeks input on its regulation guide

The British Columbia Ministry of Environment is looking for input on its draft Recycling Regulation Guide.

The Regulation, enacted last October, replaced the Beverage Container Product Stewardship Program Regulation and Post-Consumer Stewardship Program Regulation.

The Regulation provides the statutory basis for six existing industry product stewardship programs, and a legal framework for establishing new programs.

Under the Regulation all existing stewardship agencies are required to amend their stewardship plans to comply with the new regulation.

The BC Government says the enactment of the Recycling Regulation, continues the shift to results-based, extended producer responsibility, reflecting its commitment to an "outcome-based" stewardship approach.

The purpose of the Regulation guide is to provide existing, new and potential producers with direction and assistance on meeting their obligations under the Recycling Regulation.

The full text is available on the Ministry's website (<http://wlapwww.gov.bc.ca/epd/epdpa/ips/devreg/index.html>).

After September 30, the Ministry plans to review the comments, post a copy of the consultation summary report on this website and finalize the guide.

## Brewers report high recovery rates but say they can do better

The latest report from The Beer Store on shows impressive capture rates but there still room for improvement.

Under the Waste Diversion Act the Ontario brewers are committed to providing annual report on their packaging return system. *Responsible Stewardship 2004-2005* was released this month (September).

The report notes the standard refillable beer bottle enjoys a 98% system recovery rate, with non-refillable glass bottles showing a 85% return rate.

The report notes 67% of aluminum cans are being brought back. That represents 70 millions cans ("...it can be better", notes the report). While the 67% figure is much higher than the return rate for aluminum pop cans in the blue box system (about 40%), compared to other provinces it is the lowest beer can return rate.

PET beer bottles enjoy an 86% recovery rate for beer store sales but the overall system recovery rate (factoring sales at all retail outlets including LCBO) is 53%. While still higher than blue box recovery rates (about 40%) there is room for improvement.

"The Beer Store will continue our work to promote and educate beer customers about our deposit return program...not only through own stores but through our retail partners, agency stores and LCBO locations," says the report.

In all, 81% of beer sales are refillable glass, 7% are non-refillable glass and 12% are aluminum cans.

The full report is available from the brewers' website ([www.thebeerstore.ca](http://www.thebeerstore.ca)).

## SO reorg awaits minister's nod

A proposal to expand the Stewardship Ontario (SO) board of directors from seven members to 15 members is awaiting approval by the Minister of Environment after a 30-day EBR posting.

The proposal also calls for the creation of two new advisory committees reporting to the board.

A Policy Advisory Committee would be open to representatives from affected industry sectors not directly represented on the SO board and would be co-chaired by a SO board member and an elected committee member.

A Technical Advisory Committee would be open to representatives from packaging and material suppliers, recyclers, service providers, municipalities and NGOs and again it would be co-chaired by a SO board member and an elected committee member.

The proposed changes would see:

- input from non-stewards on policy/technical matters.
- restaurant and hardware sectors represented

- a better reflection of the current membership profile

The founding board members of SO were chosen from those members of the board of directors of Waste Diversion Ontario who represented stewards expected to be responsible for most of the blue box wastes.

The Blue Box Program Plan permits an expanded SO board to ensure representation from seven others sectors: electronic and electrical products, toys and sporting goods, non-prescription pharmaceuticals, quick service food, Importers; distributors, and hardware and automotive.

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## CAN/OCNA plan changes on EBR

A proposed amendment of Blue Box Program Plan to expand in-kind contributions from the Canadian Newspaper Association (CNA) and the Ontario Community Newspaper Association (OCNA) were posted on Ontario's Environmental Bill of Rights (EBR) registry in late August. The Ministry of the Environment (MOE) will accept comments until September 21.

The proposed amendment allows municipalities to use in-kind contributions for a broader range of services (such as inserted flyers for approved province-wide events like Waste Reduction Week). Ads can be used for all municipal diversion programs, not just blue box recycling.

Another provision would seek to offer financial protection against major drops in the price of old newspapers (ONP) by having the newspaper publishers make cash payments if the price falls below 50% of the 2004 value of old newspapers (about \$110 per tonne).

At the May 25 Waste Diversion Ontario board meeting, John Mullinder, of the Paper and Paperboard Packaging Environmental Council was asked if he could foresee a situation arising when the prices would drop by 50% of the 2004 baseline price. He replied that he could not. Executive director Glenda Gies noted however that a dramatic drop in demand from Asia might result in this type of market decline.

For more information see the EBR website (<http://www.ene.gov.on.ca/envision/land/wda/bluebox/CNAOCNA.htm>).

## Stewardship conference set for October 4

Major players from stewardship programs across Canada will be speaking at the Canadian Stewardship Conference next month.

To be held October 4 at the Delta Chelsea Inn in downtown Toronto, the one-day conference features presentations by provincial government representatives from British Columbia, Alberta, Manitoba, Ontario and Quebec.

Pollster John Wright opens the day with a presentation called "The Public's Mood on the Environment".

The keynote speaker will be Kerry Morash, Minister, Nova Scotia Environment and Labour, and president of the Canadian Council of Ministers of the Environment

Other sessions look at governance and benchmarking.

The conference, which is being organized by MGM Management of Toronto, closes with a session called Issues Facing Stewardship.

The conference fee is \$325. For more information visit the conference website ([www.canadianstewardship.com](http://www.canadianstewardship.com)).

## COMING EVENTS

### September 26-30

Union of British Columbia Municipalities Convention  
Vancouver, BC  
(604) 730-0535  
[info@lemaire-co.com](mailto:info@lemaire-co.com)

### September 30-October 2

Union of Municipalities of New Brunswick Annual Conference  
Fredericton, NB  
(506) 523-7991  
[umnb@nb.aibn.com](mailto:umnb@nb.aibn.com)

### October 4

Canadian Stewardship Conference  
Toronto, ON  
(905) 814-1748  
[www.canadastewardship.com](http://www.canadastewardship.com)

### October 5-7

Union of Nova Scotia Municipalities Annual Conference  
Halifax, NS  
(902) 423-8331  
[www.unsm.ca](http://www.unsm.ca)

### October 5-8

Alberta Urban Municipalities Conference  
Calgary, AB  
(780) 433-4431

### October 12-14

Recycling Council of Alberta and Composting Council of Canada 2005 National Conference  
Lake Louise, AB  
(416) 535-0240  
[www.compost.org](http://www.compost.org)

### October 26-27

Canadian Waste & Recycling Expo/Canadian Public Works Expo  
Vancouver, BC  
(770) 984-8016

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# Opinion Piece

*The opinions expressed in this column are not necessarily those of PPSReview*

## Hey buddy, can you spare a million for a stewardship organization?

by Jay Arthur

In my last column I talked about the potential death of the scrap tire plan and what might happen to finances at the WDO office if no other plans get approved in the future.

With the system dependent on administrative expenses being covered by industry fees from approved recovery programs, an ongoing supply of approved programs is going to be needed to keep the bills paid.

On top of this, there is a lot of work to be done after a material is designated, and no money coming in until a recovery plan is approved.

Any bumps in the road to recovery, so to speak, could prove to be big trouble. And we have seen some big bumps with both the oil plan and the tire plan.

But who knew the situation was so dire?

Well, one assumes the regulars knew because surely this would have come up at the WDO board meetings where all the regular attendees, observers and hangers-on would have had some notion from what was said that there might be financial troubles ahead. We don't know if there's anything in the recent minutes—they don't seem to be available.

Strictly speaking, of course, this is not the first time money troubles have been an issue. The delay in getting even the first program plan approved was causing some grief in late 2003 and it was only the offer of guarantees from the brewers and the retailers that put everyone's mind at rest. And a few days after the concern was raised, the plan was approved and we all slept better in our beds.

But then again in October of last year, one board member was concerned

that because of cash flow problems the board might approve programs that did not meet the standards but “were close enough”. (This meeting, curiously enough, was just one month *after* the board approved the scrap tire plan, despite its obvious flaws.)

Another board member at the October 2004 meeting wondered if an industry funding organization (IFO) could loan money to the cash-strapped WDO.

**The way things have been set up, it is difficult to figure out where CSR ends, Stewardship Ontario starts and WDO continues.**

In the meantime, there was a million-dollar line of credit available.

So it shouldn't really have come as too much of a surprise when a newspaper report was posted on the AMO website, saying the wolf had just returned to the WDO's door.

A Sault Ste Marie councillor was quoted as saying the finances were in trouble and the organization close to death.

Speaking to his council colleagues, and diligently recorded by the local Clark Kent, the good councillor said everyone was relying on the tire plan being approved to bring in the necessary dollars to pay the WDO bills.

So what happens now? Or has something already happened? By all appearances the WDO is still operating and there have been no plans to cancel the two-day retreat at the luxurious Kingbridge Centre (“a World-Class Environment For Meetings”).

The WDO website is still operating. No mention of money troubles there.

Of course, with only one IFO up and running, you don't have to look too far to see who might be a likely touch to tide the WDO over till payday.

Stewardship Ontario has lots of money, and with so many of the key players sitting on both boards it shouldn't be hard to have a quiet word.

But what if the money came from the Effectiveness & Efficiency Fund?

So far, \$9 million has been set aside, and the say-so about who gets funded is very much in the hands of the same players who call all the other shots.

Only about half has been spent or committed so it would be tempting.

But this would all be a little too close for comfort.

The way things have been set up, it is difficult to figure out where CSR ends, Stewardship Ontario starts and WDO continues. Money-lending would just make it worse.

If the Province doesn't want to privatize the LCBO, why would it privatize the WDO?

Because, make no mistake, that's what would be happening.

Then again, the Province could recognize what a dog's breakfast this whole thing is and start again.

Blame it on the Tories. They designed this mess.

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