



Friday, September 27, 2024

Sent via email  
[minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

Hon. Andrea Khanjin  
Minister of the Environment, Conservation and Parks  
College Park 5th Flr,  
777 Bay St  
Toronto, ON M7A 1S5

Dear Honourable Minister Khanjin,

**Re: Support for Blue Box Program Extended Producer Responsibility for Industrial, Commercial and Institutional Sector (Non-Eligible Sources)**

On Sunday, August 18, 2024 the Western Ontario Wardens' Caucus passed the following motion:

**Moved by C. Peabody, seconded by A. Lennox:**

"THAT the Western Ontario Wardens' Caucus direct staff to write a letter to the Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks, citing the need for the Province to reconsider the criteria for including NESs in the O. Reg. 391/21; at a minimum to expand the producer responsibility to include IC&I properties not governed by O. Reg. 103/94 to bridge the gap between the two regulations' criteria while promoting continued participation in recycling programs." - **CARRIED**

The current Ontario Regulation 391/21 mandates producers to collect recyclables only from residences, multi-residential buildings, schools, and non-profit long-term care and retirement homes. However, this regulation excludes industrial, commercial, and institutional (ICI) sources that are presently benefiting from Blue Box curbside collection services. These excluded sources include not-for-profit organizations, municipal buildings and facilities, daycares, private schools, places of worship, campgrounds, trailer parks, and commercial farms.

Existing waste diversion regulations for the ICI sector, such as Ontario Regulation 102/94 (Waste Audits and Waste Reduction Work Plans) and Ontario Regulation 103/94 (Industrial, Commercial, and Institutional Source Separation Programs), focus on large ICI establishments. Unfortunately, they do not cover small and medium-sized establishments, which have been left out of the new Blue Box Regulation but currently receive collection services through their municipalities.

This gap in the legislation poses significant risks to waste diversion efforts. Without proper regulation, Blue Box materials from these sectors are likely to end up in landfills—at a time when Ontario's landfill capacity is nearing a critical point. Additionally, separating the collection and processing of eligible and non-eligible materials will reduce operational efficiencies, increase supply-chain strain, and drive up the costs of collection contracts. This arrangement is particularly unfair to municipalities that have successfully supported Blue Box material diversion from their landfills for over 30 years.

The Western Ontario Wardens' Caucus is calling on the Province to reconsider the exclusion of Non-Eligible Sources under Regulation 391/21. At the very least, we urge the Province to extend producer responsibility to include ICI properties not covered by Regulation 103/94, closing the gap between the two regulations. This would help maintain participation in recycling programs, ensure continued waste diversion, and extend the lifespan of provincial landfills.

The Caucus respectfully asks for your support in this effort and hopes you will advocate for this issue at this critical juncture for waste diversion in Ontario.

Sincerely,



Glen McNeil,  
Chair, Western Ontario Wardens' Caucus

cc:

Hon. Lisa Thompson, Minister of Rural Affairs  
Western Ontario MPPs  
Municipalities in Western Ontario