



July 4, 2025

Via email: Marc.Peverini@ontario.ca

Marc Peverini
Resource Recovery Policy Branch
40 St. Clair Avenue West, 8th floor
Toronto, ON M4V 1M2
Canada

Dear Mr. Peverini,

Re: Proposed Amendments to the *Blue Box Regulation* (ERO Number 025-0009) and the *Resource Recovery and Circular Economy Act, 2016* (ERO Number 025-0536)

The purpose of this letter is to provide feedback to the Ministry of the Environment, Conservation and Parks (MECP) from the City of Ottawa on the proposed amendments to the *Blue Box Regulation* (ERO Number 025-0009) and to the *Resource Recovery and Circular Economy Act, 2016* (ERO Number 025-0536) .

The City of Ottawa is supportive of regulatory efforts that ensure a transparent and efficient Blue Box Program, while also ensuring strong recovery targets for products and packaging supplied to consumers. It is important to minimize divertible materials ending up in landfills given the dwindling landfill space in Ontario and risks with the use of landfills outside of Canada.

The City is of the view that some amendments made to the Blue Box Regulation since its release in 2021 have not aligned with the Province's intended outcomes related to the Strategy for a Waste-Free Ontario where producers are to be made fully accountable for the products and packaging they supply to consumers. Changes have included:

- Newspaper producers were exempted from producer-responsibility;
- A reduction for public space receptacles requirements; and
- An increase in permitted deductions to allow producers to deduct weight of Blue Box Materials managed outside the Blue Box System.

Though some of the amendments proposed by the MECP on June 4, 2025 provide clarification and transparency of the requirements, the contemplation to delay or decrease recovery targets and eliminate the expansion of producer-responsibility to public spaces and facilities in 2026 will continue to shoulder the costs of the program

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on municipal, City of Ottawa, taxpayers. It is unclear how eliminating producer-responsibility for residents in multi-residential properties aligns with the Province's focus of densification to support housing in Ontario. In Ottawa, in 2024 alone, approximately 5,000 new residential units were onboarded to the City's waste collection service on an annual basis. Year over year, this proposed amendment will have significant impacts on residents living in multi-residential buildings and will lead to an increase in regulated divertible material ending up in Ontario's diminishing landfill space. Further, the City of Ottawa has been made aware that at least one school board in Ottawa, with 85 schools and 45,000 students, will no longer be able to procure another processing contract with their current service provider due to capacity issues at the processing facility. With no opportunity to divert these materials for processing, it is expected that facilities will have no other option than to stop recycling efforts and send these materials to landfills.

The City of Ottawa values the MECP's proposed efforts to maintain collection to small businesses that previously received Blue Box services from municipalities as communicated to the City in an email dated June 26, 2025. However, work is currently underway to procure dedicated collection service and processing contracts for the Blue Box Materials collected from these locations in preparation for 2026 by the City, in alignment with the timelines outlined in the current regulation. Should amendments requiring continued recycling service for small businesses be enacted, it'll be important to ensure that any direction for Producer Responsibility Organizations (PROs) to continue to align this service must be appropriately detailed and provided at a reasonable cost for both collection and processing services rendered. The City of Ottawa was able to reach an agreement with Circular Materials for these services during the transition period and expects that this offer would continue into 2026 with the addition that the service would be expanded to new small businesses that meet the criteria, as new business locations cannot be added during the transition period.

The City is also concerned about the proposal to delay recovery targets for select materials. Any further weakening of targets will see an exasperated consequence of having decisions made on collection systems that are financially motivated instead of ensuring the maximum effort is done to recover recycling materials from the system. For example, if targets are softened, producers may decide to not align collection schedules with municipalities (which the regulation is silent on), in order to reduce costs to collect on their own schedules. The financial savings to the producers would outweigh the intent to make recycling accessible and easy for all residents of Ontario which in turn maximizes recovery. The delay of targets being proposed by the MECP

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are expected to increase divertible materials not being captured by producers and ending up in landfills.

The attached table includes details the City of Ottawa's feedback for consideration on each of the proposed amendments to the Blue Box Regulation and the RRCEA. Thank you for circulating the proposed amendments for the City of Ottawa's review and for allowing the opportunity to provide comments on these changes. Furthermore, the City of Ottawa provided input toward and is in support of the feedback submitted on behalf of members from the Regional Public Works Commissioners of Ontario (RPWCO) and the Municipal Waste Association (MWA) on July 3, 2025.

Please do not hesitate to reach out should you require any additional information or clarification on our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alain Gonthier', with a long horizontal stroke extending to the right.

Alain Gonthier
General Manager
Public Works Department

Attachment: City of Ottawa Feedback Summary Table

City of Ottawa Feedback Summary Table

A. ERO #: 025-0009

Proposed Amendments to the Blue Box Regulation – posted June 4, 2025

Item	Proposed Amendments	Reasoning for Proposed Amendment	Impacts / Comments
1	Delay Recovery Targets for Select Materials	Provide cost savings to producers	<p><u>Not in support</u> of this amendment given that it further delays the intent of this regulation, which is to make producers responsible for their materials.</p> <ul style="list-style-type: none"> • Producers had 5 years to prepare for meeting these targets, using established collection and processing systems put in place by municipalities. • Delaying increased recovery targets by 5 years is concerning given the decreasing landfill space in Ontario and increased challenges with sending Ontario waste across the border to the US. • Compostable packaging provided to consumers seems to be increasing, however there is a lack of appropriate end-of-life management option for these materials given that many cannot be broken down in many existing compost facilities. • Current targets could likely be achieved if the proposed reductions did not occur (i.e., eliminating the expansion to public spaces, facilities). • Delaying the recovery targets will encourage decisions made on collection systems that are financially motivated instead of ensuring the maximum effort is done to recover recycling materials from the system. For example, producers may decide to not align collection schedules

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			with municipalities (which the regulation is silent on), in order to reduce costs to collect on their own schedules, making recycling complicated for Ontario residents.
2	Remove expansion of IPR to Facilities (multi-res buildings, schools and specified LTC and retirement homes)	Provide cost savings to producers and allow producers to focus on current blue box services	<p><u>Not in support</u> of this amendment given that it will increase the amount of divertible materials that will end up in landfills rather than the recycling facilities</p> <ul style="list-style-type: none"> • Capacity concerns at MRFs as a result of the IPR-system may limit or eliminate the ability for these facilities to have options for processing their materials beyond 2026, even for those that previously had existing private contracts. <ul style="list-style-type: none"> ○ For example, a school board in Ottawa was advised recently that the only MRF in the area would be unable to renew their processing contract beyond July 2025. As a result, approx. 85 schools and 45,000 students may lose the option to recycle materials, many of which were intended for residential use. • Creates an unfair playing field for facilities (multi-res, schools). Those that previously received recycling collection and processing will continue to do so at no cost but newly developed facilities will have to incur these costs through private recycling contracts • New facilities may opt out of recycling if they have to incur those costs, resulting in an increase divertible materials ending up in landfills and increase the potential for operational challenges if these facilities receive municipal garbage collection <ul style="list-style-type: none"> ○ For example in Ottawa: approximately 5,000 new units are onboarded to municipal waste collection services each year in Ottawa. It is expected that an

Item	Proposed Amendments	Reasoning for Proposed Amendment	Impacts / Comments
			estimated 5,000 residents in Ottawa, year over year, may be impacted by the proposed elimination of producer-responsibility recycling.
3	Remove requirement to collect beverage containers “away from home”	Provide cost savings to producers	<p><u>Not in support</u> of this proposed amendment given the reduced recovery targets.</p> <ul style="list-style-type: none"> • This decreases recovery targets for producers of beverage containers by excluding beverage containers supplied for business purposes in a producer’s obligations. By also allowing deductions for products that are supplied to businesses, these changes appear to be a double reduction for producer recovery requirements. • The Ministry should reconsider its position on the deposit return in Ontario. <p><u>Response to Ministry’s ask:</u> Rather than pursuing target reductions (in addition to changes in producer’s obligations and added deductions), the regulation should expect producers to adjust their output to meet the requirements. The objectives of the regulation should be for improved recovery, not aligning the targets to the current standard.</p>
4	Remove expansion of public space collection	Provide cost savings to producers	<p><u>Not in support</u> of this proposed amendment. Public space recyclable materials are typically generated by residents, so the comment that producers can instead focus on residential materials is arguable.</p> <ul style="list-style-type: none"> • Public space receptacles are currently serviced by many municipalities across Ontario to ensure materials can be diverted, where possible. It’s unclear why this is such a challenge for producers to continue or to expand on. • Expansion of public space receptacles would likely lead to litter reduction, which has been a provincial objective – it’s

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			unclear why the Ministry would not proceed with this expansion of service to all municipalities.
5	Reduce and Delay Flexible Plastic Recovery Target	Provide cost savings to producers and limitations in processing technologies	<p><u>Not in support</u> of this proposed amendment given that it will reduce targets for recovery.</p> <ul style="list-style-type: none"> It is known that flexible plastics are more difficult to process based on available technologies. However, producers are only required to recover a small percentage of what they supply to consumers. If the target remains, producers would be incentivized to reduce or eliminate this difficult-to-recycle plastic, which would align with the intent of the regulation. Reducing or eliminating the need to recover this material will allow this material to continue to be used by producers and end up in landfills.
6	Allow energy recovery to count toward diversion targets	Eliminates an overly restrictive prohibition	<u>Not in support</u> of this proposed amendment given that it would de-incentivize and possibly encourage producers to reduce their use of unrecyclable materials.
7	Consider the best ways to ensure collected materials are sent for processing	Provide clarity to producers, PROs and service providers	<u>Not in support</u> of this amendment as it only requires that materials go to the processor but does nothing to ensure best efforts or an increase in materials collected from residents.
8	Clarify definition of a facility	Prevent challenges in identifying buildings that producers/PROs must service.	<p>Agree with this proposed amendment given that it aligns with the City of Ottawa’s Solid Waste By-law and other Provincial legislation.</p> <ul style="list-style-type: none"> Should the proposed amendment (item #2) be approved and eliminate the expansion of the blue box program to new multi-residential buildings in 2026, this amendment

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			would at least allow for any new building with 5 or fewer units to be included as a residential location for producer-responsibility.
9	Clarify collection requirements for schools	Prevents loss of service for other users in schools	Agree with this proposed amendment <ul style="list-style-type: none"> • Minimal impact on recovery of recyclable materials as this will not be applicable to all schools as of 2026 if proposed amendment item 2 is approved
10	Maintain depot access for residents in unorganized territories	Provide blue box access for all residents	Agree with this proposed amendment <ul style="list-style-type: none"> • No impact to Ottawa
11	Update Timelines for Providing Blue Box Services	Lack of clarity can make it challenging for RPRA and PROs to implement the regulation and could result in collection service inconsistencies	Agree with this proposed amendment but the consultation on the timelines by RPRA should also include Ontario communities who have been responsible for the successful and continued implementation of waste collection for their residents and have valuable input into this process. <ul style="list-style-type: none"> • Reasonable timelines are necessary to ensure that new eligible locations receive service as soon as possible. In Ottawa, there is minimal delay in residents receiving waste collection at new locations and this should continue for blue box collection. • Ottawa-specific example: the school board that is at risk of losing their existing processing contract with the local MRF mentioned that when they reached out to Circular Materials for service in 2026 and were told that they could be waiting up to 2 years to receive service. It's puzzling why there should be such a long delay for an eligible service to receive recycling collection, as specified under the current regulation.

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12	Provide More Flexibility on Printed Promotion and Education Materials	Provide cost savings to producers and reduce the amount of printed material required	Somewhat agree with this proposed amendment. This is reasonable and prevents unnecessary paper products to be provided to consumers. However, more detail is required to demonstrate how residents will be reached. <ul style="list-style-type: none"> Many Ontario residents are unaware of the province's other diversion programs due to insufficient P&E. The initial roll out in 2026 should include printed material to ensure residents without internet access or acumen are informed of the changes.
13	Provide Flexibility on French Language Requirements	Provide cost savings to producers	<u>Not in support</u> of this proposed amendment. To comply with the French Language Services Act and the City of Ottawa's Council-approved Bilingualism By-law (No. 2001-170) and Bilingualism Policy, promotional materials must be provided bilingually in French and English.

B. [ERO #: 025-0536](#)

Proposed Amendments to the Resource Recovery and Circular Economy Act, 2016 – posted June 4, 2025

Item	Proposed Amendments	Reasoning for Proposed Amendment	Impacts / Comments
1	Allow the MECP to order RPRA to gather information from specified parties (i.e., cost data)	Allows the MECP to understand the problems and make the appropriate changes to the blue box regulation.	<ul style="list-style-type: none"> Somewhat agree with this but the information should be subject to FIPPA, with some redaction to ensure full transparency

2	Increasing Transparency on Costs and System Data	Allows the government to require PROs to provide more information to producers (i.e., bills, invoices, etc.) and require improved annual reporting on system design, operation and costs to RPRA.	<ul style="list-style-type: none"> • Agree with this increased transparency
3	Maintaining Collection for Small Businesses	Allows the current approach to co-collection of small businesses along residential routes to continue.	<p>Somewhat agree with this proposed amendment, however the timing will be challenging for both PROs and municipalities to implement given that plans are currently underway for possible dedicated collection and processing of these non-eligible sources by municipalities – 6 months away from the end of the transition period. There is limited time to accommodate this potential amendment for it to be beneficial for the municipalities and small businesses. Collection and processing contracts can take several months to procure and implement and with less than half of a year left to accommodate the potential amendment if/once, the changes will be difficult to accommodate by either party.</p> <p>Further, it's unclear how the regulation would ensure that PROs offer this option to municipalities at a reasonable expense.</p>