NOV 22 2005

His Worship Larry Di Ianni
Mayor
City of Hamilton
71 Main Street West
Hamilton ON L8P 4Y5

Dear Mayor Di Ianni:

Thank you for your letter of September 29, 2005 informing me about the City of Hamilton’s motion 7.6 regarding the disposition of municipal waste at Ontario landfills.

I understand and appreciate the City’s focus on this important issue. I know that many municipalities across Ontario have secured public and private landfill capacity at great expense, and often only through a long process that, at times, has been divisive for the community. It is not our intent to overlook or diminish these hard-won efforts.

As Minister of the Environment, I recognize the importance of working closely with our municipal partners to achieve our common goals. I commend the City’s dedication to waste diversion and effective waste-management measures, and I understand the region’s need to protect and conserve its landfill capacity.

I believe you are aware that section 29 of the Environmental Protection Act authorizes me, as the Minister, to exercise my authority to direct waste to municipal landfills beyond stated conditions in Certificates of Approval. You have my assurance that such an undertaking would only occur during an emergency and, under such a situation, I would consider all options that are available for redirecting waste, including options to encourage private sector landfills to assist us in managing the situation.

Our government and the Ministry of the Environment are working on a number of fronts to reduce waste, promote waste diversion, and to improve the Environmental Assessment (EA) process for new waste management projects. All of this work will help to reduce the volume of material that enters the waste stream and reduce our reliance on the need for landfills and waste.
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I know that you are familiar with our important work with Waste Diversion Ontario (WDO) and Stewardship Ontario to sustain and grow municipal recycling systems such as the Blue Box program. We have asked WDO to increase the diversion rate to 60 percent by 2008. New programs for the diversion of used tires, waste oil, and waste electronic and electrical equipment (WEEE) are under development. WDO is working with stakeholders, including the Association of Municipalities of Ontario, to develop a diversion program for WEEE, and household hazardous waste has been identified as a potential waste for designation under the Waste Diversion Act.

The ministry is also focused on determining the best course of action for improving the EA process in Ontario. As you know, an Expert Advisory Panel was established in June 2004 and mandated to identify ways to improve the EA process for waste management facilities, transit and transportation projects, and clean energy facilities.

The Panel’s report and recommendations were submitted to the Minister and posted on the Environmental Registry for public comment for 90 days, until July 4, 2005. Ministry staff are currently reviewing the submissions and comments from the posting.

I can assure you that facilitating waste management decisions remains a high priority for our government, and we are giving municipalities the tools they need to manage waste effectively. By diverting more waste from disposal, we will better protect our valuable natural resources, reduce the need for new waste disposal facilities, and curtail the need to export waste for disposal.

Once again, thank you for writing and please accept my best wishes.

Yours truly,

Laurel C. Broten
Minister of the Environment

c: The Honourable Dalton McGuinty, Premier
   The Honourable Dr. Marie Bountrogianni, MPP-Hamilton Mountain
   Ms. Judy Marsales, MPP-Hamilton West
   Mr. Ted McMeekin, MPP-Ancaster-Dundas-Flamborough-Aldershot
   Ms. Jennifer Mossop, MPP-Stoney Creek
   Ms. Andrea Horwath, MPP-Hamilton East