His Worship Bob Bratina
Mayor
City of Hamilton
71 Main Street West, 2nd Floor
Hamilton ON L8P 4Y5

Dear Mayor Bratina:

Thank you for your letter of September 14, 2012 informing me about the City of Hamilton's position with respect to the County of Oxford resolution regarding future landfill construction or approval, and recommending a review of alternatives to landfills and waste minimization tools. I apologize for the delay in replying to you.

With respect to waste diversion, my ministry is working on many fronts with municipalities, business, industry and other stakeholders to divert more materials from disposal. Municipal efforts have been a key contributor to the success of Ontario's waste diversion programs. Waste Diversion Ontario data shows that Ontario's residential diversion rate increased from 38 percent in 2006 to 44 percent in 2010. In 2010, over 852,000 tonnes of organics were diverted - an increase of 36 percent from 2006 - including nearly 400,000 tonnes of green bin waste. Municipal Blue Box programs are keeping 64 percent of their waste out of landfills as of 2011.

It is a fundamental principle that producers should be responsible for the proper management of materials they put into the marketplace. Waste Diversion Ontario has established successful producer responsibility programs for the proper management of special household wastes, used tires and electronics. Information about Waste Diversion Ontario and its work is available on the website at www.wdo.ca.

On February 9, 2012, I announced the government is creating an action plan for diverting waste from landfill and keeping harmful chemicals out of our communities while protecting consumers from unnecessary charges. These changes are good for the programs, businesses and consumers.

In addition, the government has put in place a new regulation (Ontario Regulation 298/12) under the Environmental Protection Act titled "Collection of Pharmaceuticals and Sharps - Responsibilities of Producers". The regulation makes producers responsible for the management of pharmaceuticals and sharps, and requires producers to provide a take back system that is free and accessible to consumers. The new regulation and the results of the public consultation on the proposal have been posted on the Environmental Registry (EBR Registry No. 011-6671).
Moving forward, we will examine every tool available to maximize the amount of waste we keep out of our lands and waterways while protecting consumers and controlling costs. While these programs have been successful, we know that more can, and needs to be done.

With regard to waste facilities, including landfills and energy-from-waste projects, our first priority is to divert as much waste as possible from disposal through the 3Rs (reduce, reuse and recycle). For waste that cannot be diverted, energy-from-waste (EFW) projects are an option. Local governments and the private sector can consider EFW as long as the project meets Ontario’s strict air standards and they obtain the necessary environmental approvals, including meeting the requirements under the Environmental Assessment Act.

Landfilling is also an option that can be considered for waste that cannot be diverted. While we continue to encourage diversion first, the province is not considering a moratorium on future landfills as suggested by the County. The Ministry of the Environment will continue to ensure that these sites and other waste management facilities are built and operated according to the province’s strict environmental laws and regulations.

On the subject of the proposed Walker Environmental Group landfill in Oxford County, on March 18, 2012, Walker Environmental Group published its Notice of Commencement of a Terms of Reference (TOR). A TOR is a framework for how the proponent will prepare the environmental assessment. Before a decision is made on the approval of a TOR, it is mandatory for the proponent to consult with all interested parties during its preparation, and to document the results of its consultation when the TOR is submitted to the ministry.

If the TOR is approved, the proponent will be required, before any final decisions are made, to complete an environmental assessment which will determine any potential effects of a project on the environment and how to manage those effects prior to implementation. Public input is a very important part of the process. For detailed information about the project, please visit the project website at www.walkerea.com or contact Ms. Michelle Whitmore, Special Projects Officer at the Environmental Approvals Branch, at 416-314-7225 or e-mail michelle.whitmore@ontario.ca.

Once again, thank you for bringing the City of Hamilton’s position and suggestions to my attention.

Yours sincerely,

Jim Bradley
Minister