



Backgrounder on the Ontario Blue Box Program Transition to Producer Responsibility

Updated Version 2

Publication Date: December 16, 2022

(Version 1 dated September 29, 2021)

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Outline

Producer Responsibility

Legislative Framework

Benefits of New BB Program

Key Concepts & Terms

Eligible & Non-Eligible
Sources

Decisions for Council

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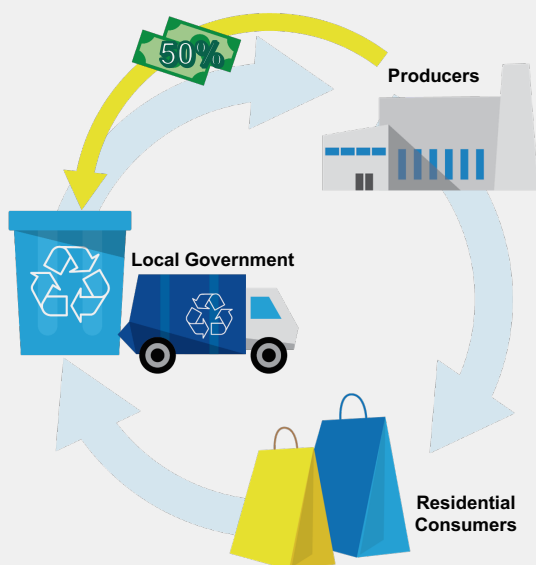
What is Producer Responsibility?

- A regulatory approach to waste management, where producers (companies that make and import products) are responsible for the waste generated from their products and packaging
- In Ontario, the blue box program is transitioning from a model of shared industry funding, to one of full producer responsibility where producers are operationally and financially responsible

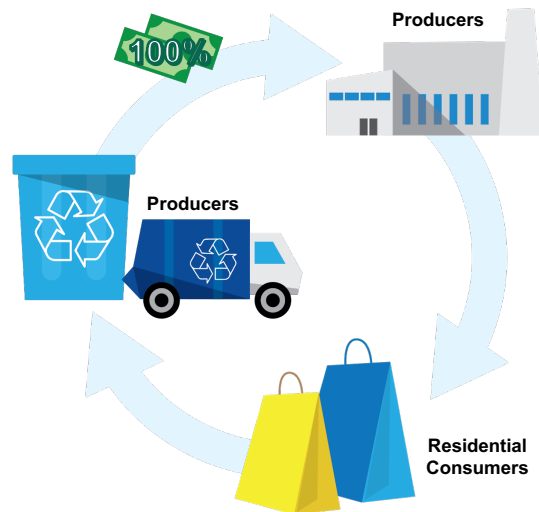
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Shared Industry Funding



Producer Responsibility



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Outline

- Producer Responsibility
- Legislative Framework**
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CIF Legislative Framework: Summary

	EPA, O.Reg. 101.94 Full Municipal Responsibility	WDA, BBPP Shared Responsibility	WFOA, WDTA, RRCEA, O.Reg.391/21 Full Producer Responsibility
Operational	100% Municipalities/First Nations	100% Municipalities/First Nations	100% Producer
Financial	100% Municipalities/First Nations	50/50 Municipalities/First Nations + Stewards	100% Producer








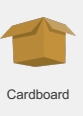

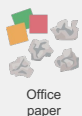

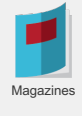

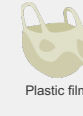
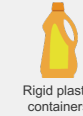

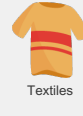




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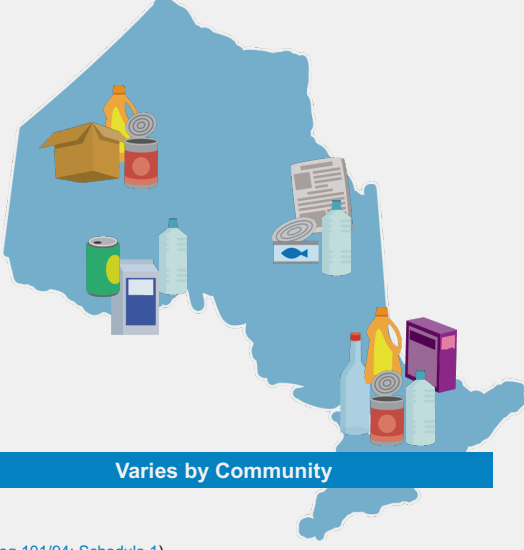

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CIF Pre-Transition: Shared Industry Funding	Post-Transition: Producer Responsibility
Designated Materials	
<p>All of these:</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Aluminum cans</div> <div style="text-align: center;"> Glass bottles & cans</div> <div style="text-align: center;"> PET plastic bottles</div> <div style="text-align: center;"> Steel cans</div> <div style="text-align: center;"> Newsprint</div> </div> <p style="text-align: center; margin-top: 5px;">for food and beverages</p> <p>At least two of these:</p> <div style="display: grid; grid-template-columns: repeat(6, 1fr); gap: 10px;"> <div style="text-align: center;"> Aluminum foil</div> <div style="text-align: center;"> Boxboard & paperboard</div> <div style="text-align: center;"> Cardboard</div> <div style="text-align: center;"> Polystyrene containers & packing materials</div> <div style="text-align: center;"> Office paper</div> <div style="text-align: center;"> Polycarbonate cartons</div> <div style="text-align: center;"> Magazines</div> <div style="text-align: center;"> Paper cups & plates</div> <div style="text-align: center;"> Plastic film</div> <div style="text-align: center;"> Rigid plastic containers (HDPE, PS)</div> <div style="text-align: center;"> Telephone Directories</div> <div style="text-align: center;"> Textiles</div> </div> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">Varies by Municipality</p> <p>(O. Reg 101/94: Schedule 1)</p>	<p>Packaging, Paper Products, & Packaging-like products:</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>✓ Typical "blue box packaging" items, made of paper, glass, metal or plastic</p> </div> <div style="text-align: center;">  <p>✓ Printed and un-printed paper (newspaper, magazines, flyers, office paper)</p> </div> </div> <div style="display: flex; justify-content: space-around; align-items: flex-start; margin-top: 20px;"> <div style="text-align: center;">  <p>✓ Single-use products used for consumption (e.g., straws, cutlery, plates, coffee cups)</p> </div> <div style="text-align: center;">  <p>✓ Single-use products used for containment (e.g., aluminum foil, plastic bag)</p> </div> </div> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">Consistent across the Province</p> <p>(O. Reg 391/21 s. 2)</p>

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	Pre-Transition: Shared Industry Funding	Post-Transition: Producer Responsibility
Blue Box Materials		
 <p data-bbox="381 840 592 871" style="text-align: center;">Varies by Community</p> <p data-bbox="227 924 430 945">(O_Reg_101/94: Schedule_1)</p>	 <p data-bbox="990 840 1307 871" style="text-align: center;">Consistent across the Province</p> <p data-bbox="885 924 1031 945">(O_Reg_391/21 s. 2)</p>	

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- Key Concepts & Terms**
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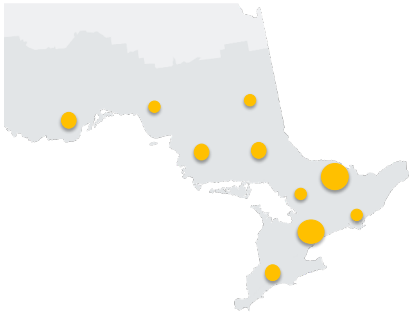
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Key Concepts

Eligible Community vs. Eligible Source


Eligible Community

- a local municipality or local services board area that is not located in the Far North, or
- a reserve,
 - that is not located in the Far North, and
 - is registered by a First Nation with the Authority



Eligible Sources

- Property types, as defined under O. Reg 391/21, (e.g., residence, apartment buildings) that will receive service
- See “Eligible Sources” section for further details




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Key Concepts

Producers vs. Producer Responsibility Organizations (PROs)




Producers

The brand holders, importers, or retailers of products that contain blue box materials

Any company that supplies products (containing packaging, paper products and packaging-like products) into the Ontario market, including online sales. Includes:

- Grocery store foods with packaging (cereals, cookies, frozen foods, dairy products)
- Retail stores items with packaging (cosmetics, games, household wares, dog and cat foods)
- Fast food packaging (burgers, fries, pizza, pop cans, water bottles)



Producer Responsibility Organization (PRO)

The Blue Box legislation allows for more than one organization/entity (called a Producer Responsibility Organization - PRO) to represent the producers of paper and packaging products

Producers may collaborate to meet their requirements and responsibilities in the new regulation under a PRO

Each Producer decides which PRO to join

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Key Concepts

Producers vs. Producer Responsibility Organizations (PROs)

Producers

PRO Producer Responsibility Organization (PRO)

CIRCULAR MATERIALS

(Source: [CircularMaterials.ca: Our Founders](https://CircularMaterials.ca/Our-Founders))

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Circular Materials Ontario (CMO)

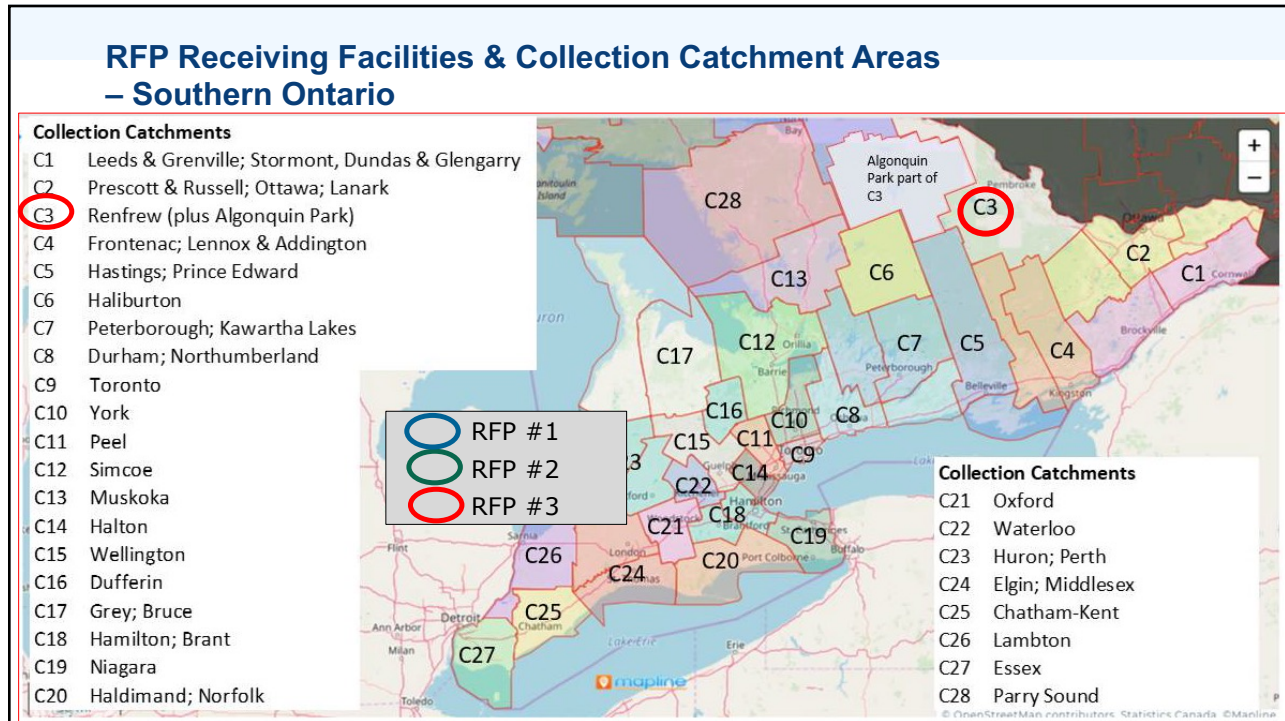
- As the majority PRO in Ontario, Circular Materials Ontario (CMO) is responsible for the **Common Collection System**
 - Will procure & award agreements for collection & consolidation of blue box materials
 - Has hired Reverse Logistic Group (RLG) to help arrange and manage its agreements
- Eligible Communities must share critical details about their Eligible Sources prior to the transition period to ensure a smooth handover of responsibility

CIRCULAR MATERIALS

RLG
REVERSE LOGISTICS GROUP

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CIF Pre-Transition: Shared Industry Funding	Post-Transition: Producer Responsibility
Eligible Sources	
<p>Local municipalities with 5,000+ population</p>  <p>Collect or accept from same sources as residential garbage</p>  <p>50% funding does not include costs for Industrial, Commercial and Institutional (IC&I), even if delivered through municipal program</p> <p>(O. Reg. 101/94 s. 7, BRPP p. 59)</p>	<p>All Ontario communities outside of the Far North, including First Nation communities.</p>  <p>single-family homes seasonal dwellings multi-unit residential buildings</p>  <p>public & private schools specified retirement & long-term care homes specified public spaces</p> <p>(O. Reg. 391/21 s. 1 & 4)</p>
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Eligible Sources	
 	<p>Transition Date to December 31, 2025:</p> <ul style="list-style-type: none"> PROs to maintain servicing as of August 15, 2019 for eligible sources already serviced and new developments. PROs will not be required to collect from non-eligible sources <p>January 1, 2026:</p> <ul style="list-style-type: none"> PROs to extend collection to all non-serviced communities outside the Far North, and non-serviced eligible sources, if registered
<p>(O. Reg. 391/21 s. 4)</p>	 20

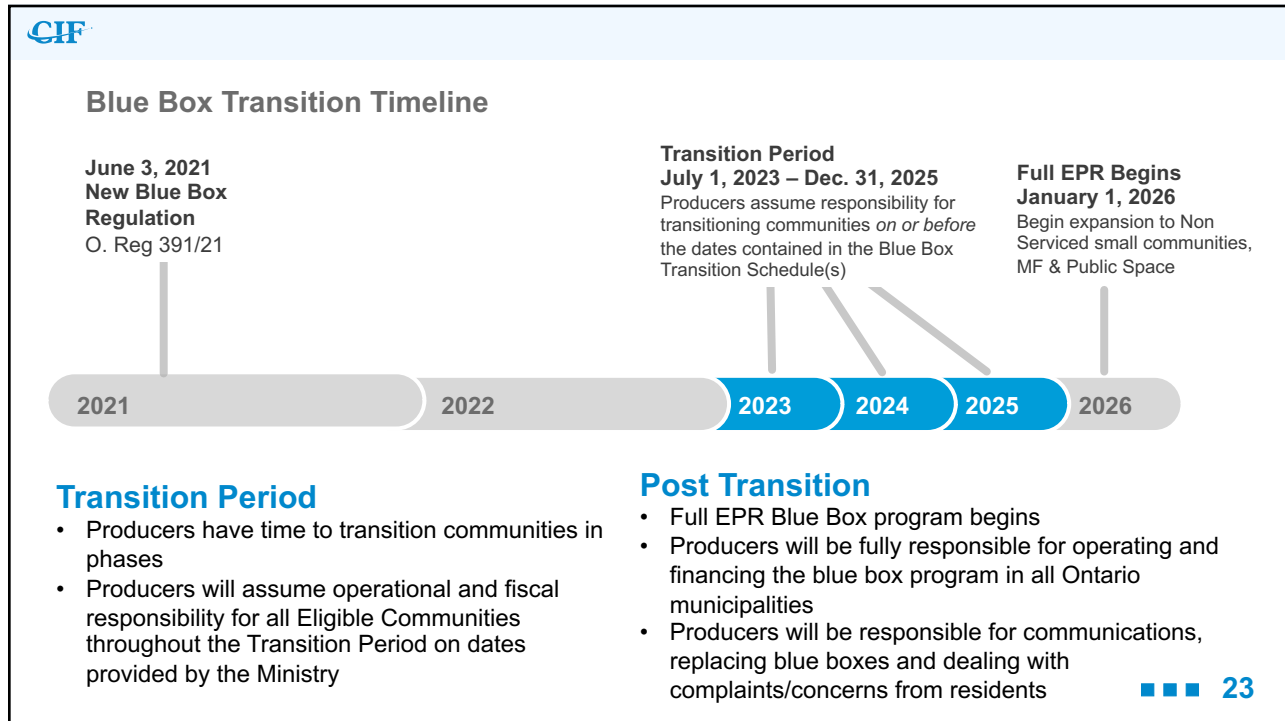
CIF Pre-Transition: Shared Industry Funding	Post-Transition: Producer Responsibility
Non-Eligible Sources	
 <p data-bbox="289 615 669 680">50% funding does not include costs for Industrial, Commercial and Institutional (IC&I), even if delivered through municipal program</p> <p data-bbox="358 930 596 951">(O. Reg 101/94 s. 7, BBPP p. 59)</p>	  <p data-bbox="1073 485 1219 520">Industrial or commercial properties</p>  <p data-bbox="1289 485 1378 520">Not-for-profit organizations</p>  <p data-bbox="857 674 1052 716">Municipal buildings or facilities (e.g., libraries, arenas)</p>  <p data-bbox="1117 674 1177 695">Daycare</p>  <p data-bbox="1304 674 1362 716">Places of worship</p>  <p data-bbox="943 842 1110 898">Campgrounds and trailer-parks (without permanent or seasonal households)</p>  <p data-bbox="1166 856 1292 877">Commercial Farms</p> <p data-bbox="1300 915 1414 940" style="text-align: right;">■ ■ ■ 21</p>

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Outline

- Producer Responsibility
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- Current vs. Future
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Blue Box Transition Timeline for Your Community


Community	Classification	Transition Date	Blue Box Service
Papineau-Cameron Township	Rural Collection, S	2025-01-01	Curb
Calvin Township	Rural Collection, N	2025-04-01	Depot
Bonfield Township	Rural Collection, N	2025-04-01	Depot
Chisholm Township	Rural Collection, S	2025-04-01	Curb
Town of Mattawa	Small Urban	2025-10-01	Curb
Municipality of Mattawan	Rural Collection, S	????	Curb

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Decisions for Council:

Opt In or Out for Transition Period




During the Transition Period, Eligible Communities may **OPT IN** to providing services by accepting the Master Services Agreement and the Statement(s) of Work being offered:

- Residence and Facility Collection
- Depot Collection
- Optional add-on: Promotion and Education

These documents can be found on [Circular Materials website](#).


Eligible Communities may also **OPT OUT** of providing services during the Transition Period and CMO will secure arrangements with an alternate service provider.



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Blue Box Curbside Collection During Transition



Opting In

- Municipality continue to manage blue box curbside service with existing service provider or in-house and receive payments from CMO
- Municipality responsible for delivering materials to designated receiving facility, CMO responsible for hauling from receiving facility and processing of blue box materials
- Municipality becomes a contractor to CM
- Reversal of roles – municipality will need to meet contract requirements identified in CMO’s Municipal Service Agreement (MSA) and Statement of Work (SOW) – called *Statement of Work for Eligible Community Residence And Facility And Public Space Collection*




Opting Out

- CMO takes over curbside collection services and contracts with a service provider through collection RFP process
- Municipality is no longer responsible for managing or providing blue box curbside collection service
- CMO is responsible for providing blue box curbside collection and delivering materials to receiving facility
- CMO also responsible for customer service calls and promotion and education of the blue box program

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Blue Box Depot Collection During Transition



Opting In – Collection SoW

- Municipality becomes a contractor to CMO (the dominant PRO representing producers)
- Municipality continues to manage blue box depot service but receive payments from CMO
- Municipality responsible for hauling and delivery of materials to designated receiving facility, CMO responsible for hauling from receiving facility and processing of blue box materials
 - Municipality responsible for costs to maintain, rent or purchase bins
- Reversal of roles – municipality will need to meet contract requirements identified in CMO's Municipal Service Agreement (MSA) and Statement of Work (SOW) – called *Statement Of Work For Eligible Community Depot Collection*



Opting Out – Operations SoW

- CMO takes over depot collection services
- Municipality is no longer responsible for managing or providing depot collection service
- Location of CMO blue box depot uncertain


Alternative Opting In – Operations SoW

- Alternative – Operations SoW - CMO responsible for hauling and delivery of materials to receiving facility
- CMO responsible for costs to maintain, rent or purchase bins
- CMO compensates for costs to operate the depot (i.e. attendant time, site maintenance associated with Blue Box operations)
- SoW Called - *Eligible Community Depot Operations Agreement* (incorporates MSA & P&E)


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Eligible Sources




single-family homes




seasonal dwellings




multi-unit residential buildings



public & private schools



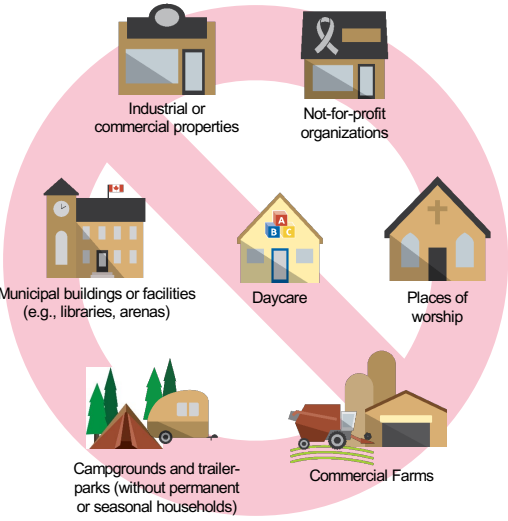
specified retirement homes



specified long-term care homes

(O.Reg. 391/21 s.4)

Non- Eligible Sources



Industrial or commercial properties

Not-for-profit organizations

Municipal buildings or facilities (e.g., libraries, arenas)

Daycare

Places of worship

Campgrounds and trailer-parks (without permanent or seasonal households)

Commercial Farms

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CIF



Non-Eligible Sources

- PROs are not responsible to service these sources
- Currently, some non-eligible sources are serviced through residential blue box programs (not covered in 50% Shared Funding model)
- During the Transition Period (July 1, 2023 to December 31, 2025) , PROs will allow continued service to non-eligible sources, if appropriate arrangements are made:
 - Communities that **opt in** are compensated for only the collection of eligible sources by the PRO
 - Communities that **opt out** can pay the PRO's private sector service provider, if an agreement is made
- After the Transition Period (January 1st, 2026) PROs will not allow blended collection of non-eligible and eligible materials
 - Communities to decide whether to continue servicing these non-eligible sources separately

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CIF

Considerations for Curbside Collection During Transition


<div style="text-align: center;">  <h4>Opting In</h4> </div> <ul style="list-style-type: none"> ▪ Maintain consistency over service delivery (e.g., continued co-collection, schedule, routing of trucks) ▪ Offer based on costs reported in 2020 datacall (determine if this is adequate and provide proof if costs have increased) ▪ Ensure you can meet CMO contract terms & contractor obligations (e.g., reporting, monitoring service provider, working to meet contamination threshold) ▪ Responsible for target of 4% contamination threshold (aspirational) ▪ Need to pay for collection, hauling and processing of blue box materials from non-eligible sources (CM charging \$200/tonne for processing, based on % non-eligible stops/total stops) 	<div style="text-align: center;">  <h4>Opting Out</h4> </div> <ul style="list-style-type: none"> ▪ No longer need to manage blue box service but may need to open existing curbside contract to unbundle blue box service ▪ Less control over service delivery details (e.g., co-collection with other materials no longer an option, schedule changes may occur, less control over routing, different blue box service provider, Savings (blue box budgets) can be used for other services; ensure you have budgeted accordingly to account for program changes) ▪ Need to secure agreement with CMO blue box service provider to collect from non-eligible sources (need to determine who that is) (CIF can help)
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CIF

Considerations for Depot Collection During Transition



Opting In

- Offer based on costs reported in 2020 datacall (determine if this is adequate)
- Ensure you can meet CMO contract terms (e.g., reporting, working to meet contamination threshold)
- CMO contractor obligations (e.g. reporting, monitoring service provider)
- Responsible for target of 4% contamination threshold (aspirational)
- If non-eligible sources account for less than 25% of blue box material, need to provide verification to CMO to avoid overpayment for non-eligible (CIF can help)
- Need to pay for processing of blue box materials from non-eligible sources (CM charging \$200/tonne for hauling and processing from receiving facility, based on % non-eligible stops/total stops)

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CIF **Timeline**

**RPRA
Initial Report**

- Number of
 - residents and residences
 - residences that received collection services
 - facilities that received collection services
 - blue box receptacles in a public space that receive collection
- Contact information of the person responsible
- Criteria or conditions used to determine which facilities were included in the WDTA blue box program on August 15, 2019.

**RPRA
Transition Report
Due August 31, 2023**

- Location of
 - residences that receive curbside garbage and blue box collection
 - residences that receive depot garbage and blue box collection
 - every garbage and blue box depot collection site
 - facilities that receive blue box collection services
 - each blue box receptacle in a public space that received collection
- List of blue box materials that are collected
- Frequency residences receive blue box collection
- The number of blue box collection streams
- Languages used for communications about the blue box program

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