



Overview of New Blue Box Regulation 391/21

**Presentation to General Committee
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1. Overview of Regulation 391/21

- On June 3, 2021 Ontario's new blue box regulation (O. Reg. 391/21) under the Resource Recovery and Circular Economy Act, 2016 was finalized
- The regulation will transition Ontario's blue box program to an Individual Producer Responsibility (IPR) framework





1. Overview of Regulation 391/21 (cont.)

The new regulation requires producers of paper, packaging, packaging-like products and single-use items to:

- maintain or improve existing blue box services – creating a common curbside blue box collection system across Ontario
- expand blue box collection services
- collect a consistent set of recyclable materials
- meet provincially established diversion targets
- implement a promotion and education program

All producers of blue box materials are required to register with the Resource Productivity and Recovery Authority (the “Authority”) by October 1, 2021



2. Eligible Sources

Expanded services provided to:

- permanent and seasonal dwellings
- multi-unit residential buildings
 - Producers are not responsible for collecting blue box material from retailers, restaurants, or other sources if located in a multi-unit residential building or other facility
- elementary and secondary schools
- long-term care homes & retirement homes (excluding for-profit operations)
- specified public spaces:
 - an outdoor area in a park, playground or sidewalk, or
 - a public transit station or stop under municipal or provincial jurisdiction, including a track-level stop, to which the public is normally provided access

Municipal facilities (municipal offices, libraries, arenas, community centres) and Business Improvement Areas are excluded



3. Public Space Recycling

- Producers are required to:
 - supply appropriate containers for public space recycling
 - empty/service before the receptacles are full
 - repair or replace any damaged containers within one week
 - where a blue box container is placed in a park or a playground, locate the receptacle at entry or exit points or where persons congregate

**Producers required to provide containers
based on a density formula.
For Markham = 583 public space
recycling containers**



4. What's in the New Blue Box?

- Metal, glass, paper or plastic packaging, including aerosols
- Printed and unprinted paper
- Single-use packaging-like products, like foils, trays, and boxes
- Single-use food and beverage service items like straws, cutlery, plates, food service ware





4. What's in the New Blue Box? (cont.)





5. What's Not in the New Blue Box?

- Materials made primarily from wood, textiles, wax
- Packaging-like products made of flexible plastics & used for food protection, containment, handling (i.e. saran wrap, cellophane)
- Materials recycled under separate diversion programs (i.e. LCBO/Beer Store)
- Books and hardcover periodicals
- Garbage bags





6. Transition

- Transition starts **July 1, 2023** (Toronto & London) and completed by **December 31, 2025**
- Assigned transition dates are published in the finalized Transition Schedule attached to Regulation
- Transition Schedule reflects **existing catchment areas** for regional blue box services, maintains geographic continuity for transition groups

**Markham, York Region local area municipalities, and
York Region transition December 31, 2025**



7. Transition Service Standards

Producers are obligated to:

- collect blue box material from residences at least every other week
- collect, in a single day, all blue box material set out for curbside collection (no requirement for collection day to align with municipal waste schedules or current municipal boundaries)
- provide a blue box and replacement program to residents (“blue box” means a container, bin, cart, bag or other receptacle)
 - Replacements provided within one week of request
 - Unknown if a fee will be charged by Producers to residents
- where curbside collection is provided, depot blue box material may be excluded from funding





8. PROs

- A PRO is a 'producer responsibility organization' established to help producers meet their recycling obligations - to provide collection, processing, management and administrative services.
- PRO's :
 - Input into the rule making process
 - Operate the collection/processing system
 - Provide promotion/education
 - Submit diversion reports to Producers/Province
- Current registered PROs are:
 - **Circular Materials** (consultants) representing large producers like Costco, Pepsi, CLOROX, Nestle, McDonalds
 - **Resource Recovery Alliance** (GFL (Green for Life), 4th largest waste management company in North America)
 - **Ryse Solutions Inc.** (Emterra, current PRO for tires, Styrofoam)

PROs are to be registered by November 1, 2021



9. Summary

- York Region and LAM's transition Dec 31, 2025
- New collection contract with Miller Waste Systems allows for the City to transition during the contract term
- Based on Markham's assigned transition date, it is anticipated that the City will begin negotiations for transition in the latter half of 2023
- Markham's WDO funding continues until transition
- No assurance of weekly collection service after 2026
- Community facilities, BIAs, retail in multi-res buildings and super mailboxes not included in new program
- Producers to supply/service public space recycling bins based on population
- Regulation does not require producers to offer municipalities the right of first refusal to provide collection services – must transition
- York Region and LAM's continue to meet regularly on transition issues
- Staff will actively monitor the transition experience of other Ontario municipalities to ensure a seamless process for Markham residents



10. Resolutions

1. THAT the Presentation entitled “Overview of New Blue Box Regulation 391/21” be received;
2. AND THAT the Environmental Services Department continue to actively participate in and provide comment on the Transition process;
3. AND THAT the Environmental Services Department provide regular updates to Council to ensure the smooth transition of Markham’s Blue Box diversion program;
4. AND FURTHER THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.