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June 23, 2009

Ms. Gemma Zecchini  
CEO, Stewardship Ontario  
21 St. Clair Ave. East, Suite 503  
Toronto, ON M4T 1L9

Ms. Glenda Gies  
Executive Director, Waste Diversion Ontario  
45 Sheppard Avenue East, Suite 920  
North York, ON M2N 5W9

Mr. John Vidan  
Director, Waste Management Policy Branch  
Ministry of the Environment  
135 St. Clair Avenue West, 7th Floor  
Toronto, Ontario M4V 1P5

Dear Ms. Zecchini, Ms. Gies and Mr. Vidan,

### **The Inappropriateness of Implicating Compost within the Currently-Proposed MHSW *Fertilizer* Definition**

We respectfully submit that **compost**, whether created from animal or plant materials, **should not be included** in a municipal hazardous waste program whose "primary purpose ... is to divert hazardous household wastes from landfills or sewers". Nor can we believe that this was the intent of Minister Gerretsen's directive or that of his predecessor, Minister Broten.

While the intent of not including compost of any type (ie. from either a plant or animal source) was acknowledged in both the approved Phase I MHSW plan as well as the May 27, 2009 draft plan, another definition for fertilizer has been proposed in the most recent draft of June 17, 2009. This proposed definition will capture compost in a program designed for hazardous household waste and as such, does a tremendous environmental disservice to the advancement of composting and compost usage in Ontario.

While compost may contain some nutrients, it is impossible to consider it as a fertilizer in any practical sense. Although compost is included in the *Fertilizer Act and Regulations*, the level of nutrients contained in compost is extremely minimal and in no way compares to those levels found in chemical fertilizers.

The absence of engaging our Council and members in Phase II discussions until the definition error was inadvertently discovered at the May 19, 2009 consultation meeting and corrected in the May 27<sup>th</sup> draft is a clear indication to us that compost was never intended to be captured in a *Municipal Hazardous Waste* program.

We realize that you have deadlines. However, the environmental sustainability consequences of this decision are enormous.

As such, we respectfully request an immediate meeting between the Ontario Ministry of the Environment, Waste Diversion Ontario, Stewardship Ontario, and representatives from our Council as well as interested members of the fertilizer industry to resolve this issue.

Sincerely,

Tom Hennessey  
Ontario Chair      cc: Scott Gamble, National Chair; Susan Antler/Danielle Buklis, Staff

*Your Name*  
*Organization*

cc: Susan Antler/Danielle Buklis, The Compost Council of Canada