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July 20, 2009

Ms. Glenda Gies
Executive Director
Waste Diversion Ontario
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Dear Ms. Gies,

Draft Final Consolidated MHSW Plan --- Comments pertaining to *Fertilizer* Program

Compost is neither a hazardous or special waste. Whether a composted manure, compost-with-N-P-K claims or compost marketed as a soil amendment, all 3 products provide valuable soil-enhancing properties that have served *Mother Nature*, plants, ourselves and our environment well since time began.

When it came to our attention a number of weeks ago that, because of the proposed *Fertilizer* definition, compost was inadvertently captured in the expanded MHSW Plan, we have spent considerable time expressing our concern about having compost be included in a plan whose stated primary purpose is ..."to divert hazardous household wastes from landfills or sewers."

We respectfully submit that the *Fertilizer* definition and plan as outlined in the July 8, 2009 MHSW plan still does not capture the intent of the environmental initiative envisioned by the Ontario Ministry of the Environment.

Very recently, the value of the finished product, compost, was acknowledged by Ontario's Minister of the Environment, the Honourable John Gerretsen, at the opening of a compost facility when he stated: "*The resulting composted organics are used in a variety of ways that benefit soil, plants and the environment. This material can be used in gardens, on playing fields, and on the landscaped parts of roads, cycle ways and parks. It minimizes soil erosion, and cuts down on weeds. The end product of composting supplements petroleum-based fertilizers, sequesters carbon in the soil, and reduces irrigation requirements. Other environmental benefits include reducing emissions of several pollutants, including greenhouse gases, toxics and carcinogens.*"

Many of the recommended workplan details --- such as proposing:

- *Research to determine 'acceptable' quantities and concentrations of fertilizers that could be added to a residential, municipal or commercial compost system*
- *Development of handler training and educational markets to assist in differentiating between fertilizers safe for a compost system and those that require special handling* run counter to our efforts to promote composting/anaerobic digestion – be it backyard, on-site or centralized -- as the means to convert organic residual resources into valuable compost



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products. Compost facilities --- regardless of technology used – should not be treated or seen to be potential waste dumps for products classified as municipal hazardous or special waste.

Should the above concerns be insufficient to initiate a thorough re-examination of the proposed *Fertilizer* definition and plan, we bring to your attention our concerns about the serious financial impact that is contained in the current plan. Specifically, the projected Steward *Fertilizer* fee of \$0.411 per kilogram will in most cases result in an eco-fee that will far exceed the cost of the actual compost product. For example, a 18kg/40lb bag of composted manure which might retail at a cost of \$4 - \$5 will bear an eco-fee of \$7.40/bag! This holds the promise of devastating economic consequences for products that are environmentally safe and more importantly, beneficial to the health and vitality of our plants and soils.

To help advance the importance of the overall MHSW program in Ontario, we respectfully ask that Waste Diversion Ontario consider the product definition originally proposed by the Fertilizer industry, namely:

All N-P-K fertilizers, micronutrients, supplements that are registered under the Fertilizers Act (Canada), and therefore would bear a Fertilizers Act Registration Number and are packaged in 30 kilogram quantities or less.

We support the above definition recognizing that it includes all fertilizer/ pesticide combination products as well as all other registered fertilizers and supplements while appropriately excluding all Schedule II fertilizers not requiring registration, as outlined in the Fertilizer Regulations. The plan that can be developed from this definition will, we believe, focus energies and efforts on products of priority within a MHSW program.

Glenda, we very much appreciate the attention and time that you have given us since we learned of the proposed definition and direction of the MHSW Plan. Thank you.

We also appreciate the efforts of WDO as well as Stewardship Ontario to develop and implement a MHSW Plan in Ontario which provides the environmental benefits and care that we all believe in.

Respectfully Submitted,

Tom Hennessey
Ontario Chair

Scott Gamble
National Chair

Susan Antler
Executive Director