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August 30, 2009

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***Municipal Hazardous or Special Waste Program Plan
EBR Registry Number: 010-7325***

We respect the efforts of Stewardship Ontario and Waste Diversion Ontario to undertake the development of an expanded *Municipal Hazardous & Special Waste* plan. It is a complex task to involve so many product categories and inputs. They should be applauded for their efforts to meet a very tight deadline as well as deliver a plan for your review.

However, we respectfully submit that the *Fertilizers* plan is neither appropriate for the intent of Ontario's waste diversion requirements or the future benefits to our environment that we are all seeking to accomplish.

The focus of our Council is on organic residuals, composting (backyard, on-site, centralized including anaerobic digestion) and compost utilization. In addition to provincial environmental requirements, Compost products are also federally regulated under the *Fertilizers Act and Regulations*. As such, we seek your understanding to comment both on the proposal as it pertains to Compost as well as the overall Fertilizer plan.

Compost should not be implicated in a program designed for the management of municipal hazardous or special waste. 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, and our environment well since Time began.

We support the definition as unanimously submitted by those governed by the *Fertilizers Act & Regulations*. 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

This definition is appropriate in that it includes all fertilizer/pesticide combination products as well as all other registered fertilizers and supplements, yet it appropriately excludes all



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Schedule II fertilizers (such as bone meal, blood meal, feather meal and compost) not requiring registration, as outlined in the *Fertilizer Regulations*.

Many of the *Schedule II* fertilizers are created from otherwise waste or animal feed products. To now associate these products with the term, *Hazardous or Special Waste*, sends out an alarming message about their safety, the security of our food sources and their appropriateness for use in our soils.

While we cannot gain access to all the “fertilizer-related” correspondence submitted during the Stewardship Ontario/Waste Diversion Ontario consultation process, we would encourage you to request copies of all the letters and comments to understand our collective perspective and suggested approach. (Appendix I provides copies of the correspondence submitted by our Council once we learned that Compost was being implicated in the plan development.)

IF the current MHSW *Fertilizer* definition continues to be upheld by your Ministry, we would respectfully suggest that neither the plan details are well set out nor the spending of the *Fertilizer* plan are appropriately prioritized to meet the diversion needs of your Ministry.

According to the Plan, in Phase I to-date, 38 tonnes of targeted Fertilizer have been collected, representing 0.3% of total MHSW tonnage collected (p. 17; Volume I). Of the 6898 tonnes of Non-Phase I MHSW Material collected at the same time by Municipalities and by Other Channels, there was 0 tonnage of Fertilizers.

In Year I of the expanded Plan, it is estimated that there will be a significant collection increase to 616 tonnes (+578 tonnes; 15 fold increase) of Fertilizers versus Phase I (1.8% of total MHSW tonnage collected).

Against Years I – V overall MHSW collection and recycling targets of 223,711 tonnes and 166,655 tonnes respectively, there are no Years I – V collection targets for *Fertilizers* as well as no recycling targets.

The MHSW Plan recognizes *Fertilizers* are “consumables”. When used up, there should be no returns of fertilizers to municipal hazardous waste depots.

For a product category which is recognized in the Plan as a “consumable”, it is not a very “stretch” goal to have a collection tonnage target that essentially stays flat (Year I = 616 tonnes collected; Year V = 666 tonnes collected), accounting for a year-over-year population increase but no achievements in convincing residents to “B.U.D.” (Buy what you need; Use it all up; Dispose of it properly) or as promoted by the Fertilizer industry: Right Source; Right Time; Right Place; Right Rate.

It is very difficult to judge a proposed annual spending budget of nearly \$2 Million when there are very limited targets and the Phase I experience suggests that the amount to be collected in the expanded program is very minimal.

The current proposal details Year I spending as follows:

Material Management	\$1,141,300
Contingency	\$ 199,700
Material-Specific R&D	\$ 0
Material-Specific P&E	\$ 34,123
Common Costs	\$ 409,700
Deficit Recovery	\$ 185,000
TOTAL	\$1,969,823

Tonnes Managed	616
Total Cost/Tonne	\$3200

Fee Rate Measured Return Share

We respectfully suggest that the spending allocation is off balance.

The plan acknowledges that there is "limited reuse ... majority of fertilizers and containers (>99%) are landfilled".

The opportunity for this category is to ensure consumers understand: *Right Source; Right Time; Right Place; Right Rate*. Assigning a budget of \$34,123 (1.7% of total *Fertilizer* budget) for *Material-Specific Promotion & Education* is just not the right allocation of spending.

While we have serious concerns about some of the R&D initiatives proposed (ie. product classified as "hazardous/special waste" should not be using general composting as their disposal method nor should we be determining what might be an "acceptable" quantity), we do not understand why \$0 are allocated for R&D when the Plan states that:

The priorities that have been identified under this R&D plan are as follows:

- Consultation with existing waste fertilizer handlers, including municipalities, hazardous waste handlers, and others to determine current processing, capacity and opportunities;
- Consultation with experts and associations, including the Canadian Fertilizers Institute (CFI), Compost Council of Canada, Urban Fertilizer Council regarding generation and opportunities for alternatives to disposal;
- Identify all container material types used to contain fertilizers distributed into the Ontario market;
- Assess processes for recycling fertilizer containers, both within and outside of Ontario;
- 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 education materials to assist in differentiating between fertilizers safe for a compost system and those that require special handling;
- Investigation into the potential to implement regulations requiring standardized labeling for fertilizers to assist in consumer and handler identification, to improve potential for use as an alternative to disposal.



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With no stated *Eco-Fee* but rather a reference to "Measured Return Share" and the fact that the final *Stewardship Ontario* draft prior to *Waste Diversion Ontario* plan submission stated an *Eco-Fee* of \$0.41/kilogram --- equating to \$7.60/bag of composted manure/compost ---- there is too much of a financial risk to sell compost/composted manure in Ontario. We should be encouraging compost --- not saying that there is too much of a financial risk!

Your Ministry has helped support the advancement of composting and compost in Ontario as well as across Canada. We highly value the support that you gave our Council right from our very beginnings in 1991 and the work that we have done together since then.

We have to move forward but the *Fertilizer* plan as submitted is not the right one for your objectives.

Please give us the chance to work with you on an alternative approach that will respect the diversion and resource utilization goals that we all want and that our Environment needs.

Thank you for your time and trust.

With the greatest of respect,

Susan Antler
Executive Director

cc: Tom Hennessey, Ontario Chair
Scott Gamble, National Chair