

Mandated Recycling at Gas Stations

Date:	March 31, 2010
To:	Public Works and Infrastructure Committee
From:	General Manager, Solid Waste Management Services
Wards:	All
Reference Number:	p:/2010/swms/April/008PW

SUMMARY

This report is in response to a Councillor Notice of Motion related to mandating gas stations and auto service centres to recycle. The report sets out why the City should take no action at this time in expanding recycling requirements to gas stations and auto service centres located in Toronto in light of the current Provincial review of the *Waste Diversion Act, 2002*.

Financial Impact

There are no immediate financial impacts arising as a result of this report.

DECISION HISTORY

At its meeting of January 5, 2010, the Public Works and Infrastructure Committee referred Item PW29.8 “Require Recycling at Gas Stations and Service Stations” to the General Manager, Solid Waste Management Services for consideration and report to the Public Works and Infrastructure Committee by April 2010.

The motion suggests that the City’s gas stations and auto service stations be required to recycle and that the recyclable materials be collected as part of the City’s recycling program.

The Public Works and Infrastructure Committee Decision document can be viewed at: <http://www.toronto.ca/legdocs/mmis/2010/pw/decisions/2010-01-05-pw29-dd.htm>

City Council on November 30, December 1, 2, 4 and 7, 2009 referred Motion MM42.2 to the Public Works and Infrastructure Committee. City Council Decision document can be viewed at:

<http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-11-30-cc42-dd.htm>

Motion MM42.2 can be viewed at:

<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-25413.pdf>

ISSUE BACKGROUND

The City does not collect waste from all commercial establishments in the City. The City collects waste, including recyclables, only from eligible commercial establishments as set out in Chapter 841, Waste Collections, Commercial Properties.

COMMENTS

Under Chapter 841, Waste Collections, Commercial Properties, eligible commercial properties may receive waste collection services from Solid Waste Management Services. Eligible commercial properties are commercial properties with a ground floor area not exceeding 500 square metres and with fewer than four above-ground storeys or are located in mixed residential/commercial properties or in plazas and malls where the residential area of the plaza or mall is at least one-third of the total area, and with fewer than four above-ground storeys.

Currently, gas stations and auto service centers do not meet the eligibility requirements set out in Chapter 841 and therefore are required to arrange for their own private garbage collection. At this time, it is suggested that the City not consider expanding Chapter 841 to capture gas stations, automotive repair shops or any other type of commercial properties, or investigate the licensing possibility of mandating them to recycle under the City of Toronto Act. The primary reason we are suggesting not considering this idea at this time is related to the current situation with the Province's *Waste Diversion Act, 2002* (the "WDA").

The WDA is currently under review and directions related to future changes to the WDA are expected to be announced by the Minister of Environment this year. These changes could mandate comprehensive recycling by the commercial sector, including gas stations and auto service centres.

The Minister of the Environment's report on the *Waste Diversion Act, 2002* review entitled **From Waste to Worth: The Role of Waste Diversion in the Green Economy** was posted on the Environmental Registry on October 28, 2009 and written comments were submitted by the City prior to the February 1, 2010 deadline.

A major premise of the Minister's report was Extended Producer Responsibility (EPR) where producers would be fully and financially responsible for ensuring that their share of all designated materials (products and packaging) sold in the Ontario marketplace are diverted from waste in both the residential and Industrial, Commercial & Institutional (IC&I) sectors. This would include packaging and printed paper sold at gas stations and auto service centres, such as plastic bottles used for windshield wiper fluid, antifreeze, oil and pop, as well as plastic bags, paper and cans.

Producers would need to meet certain diversion requirements including material specific diversion targets and minimum service (convenience and accessibility) standards. Penalties would be levied on producers for non-compliance and failing to meet their targets. A Province-wide EPR system for waste would likely provide a level playing field for businesses. For example, under a full EPR system the producers of windshield wiper fluid, antifreeze, oil and pop, and the plastic bottles used to contain these products would be responsible for the diversion of the plastic bottles from landfill regardless of where in the Province these products are sold.

In light of the significant local and Provincial impacts of the contemplated changes to the WDA, Solid Waste Management Services is suggesting that no action be taken on mandating recycling by gas stations and auto service centres until the details of the proposed legislative amendments become available and the implications are analysed. If the changes to the WDA do not adequately address recycling by gas stations and auto service centres or do not address other issues related to recycling in the City, Solid Waste Management Services will consider its options under the *City of Toronto Act*, including the expansion of the current waste collection by-laws or the use of licensing, and report back on any recommended changes.

CONTACT

Vincent Sferrazza, Director, Policy and Planning, Solid Waste Management Services,
Telephone: 416-392-9095, Fax: 416-392-4754, E-mail: vsferra@toronto.ca

SIGNATURE

Geoff Rathbone
General Manager
Solid Waste Management Services