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**MEMORANDUM**

**WMPSC-C 24-2021**

**Subject: Hazardous and Special Products (HSP) Regulation**

**Date: Monday, June 28, 2021**

**To: Waste Management Planning Steering Committee**

**From: Emil Prpic, Associate Director, Waste Disposal Operations and Engineering**

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This memorandum is intended to provide Committee with an update on the upcoming Hazardous and Special Products (HSP) Regulation.

**Update**

In report PW 21-2021, staff informed Public Works Committee on April 13, 2021 that the upcoming Provincial HSP regulation would replace the current Municipal Household or Special Waste (MHSW) program and take effect on July 1, 2021. Staff submitted comments to the Environmental Registry of Ontario prior to the deadline of March 28, 2021.

On April 29, 2021, based on stakeholder comments, the Minister of Environment, Conservation and Parks (MECP) delayed the implementation of the HSP regulation until October 1, 2021.

On June 8, 2021, the final regulation (Reg. 449/21) was filed and has been posted to the Environmental Registry. Staff will review the final regulation and provide an update at a future Public Works Committee meeting.

**Overview of the Hazardous and Special Products Regulation**

As outlined in PW 21-2021, the proposed HSP regulation would require Producers to establish a collection system, manage and properly dispose of materials collected, and report and keep program records. Under the proposed regulation, Niagara Region will transition from the current MHSW program, which ceases on September 30, 2021, to

full producer responsibility on October 1, 2021 and would apply to all designated materials.

Staff submitted a number of comments as part of Niagara Region's submission to the Environmental Registry. Niagara Region's comments were focused on the following:

- Niagara Region supports the Association of Municipalities Ontario's (AMO) request to the MECP to delay the implementation of the HSP regulation.
- In addition to the current list of designated materials, the proposed regulation should identify which materials will be designated in future and timelines of when they will be added. The list of designated materials should be consistent with AMOs submission to the MECP in July 2020.
- Collection targets for all materials should be established in order to provide incentive to Producers to collect and manage HSP. A lack of targets may result in materials being inappropriately disposed.
- Producers should be required to report on the amount of material collected and therefore management targets must be included in the regulation.
- Producers should be required to collect any designated HSP that has been illegally dumped or reimburse municipalities for collecting such materials.
- Robust promotion and education campaigns / activities are needed to inform the public on how materials are to be managed and to encourage participation.
- The proposed HSP regulation should not require municipalities to accept any designated materials e.g. mercury containing devices.
- Annual performance audits need to be completed in order to determine program effectiveness.

Report PW 21-2021 provides a detailed summary of the proposed HSP Regulation and comments submitted by Niagara Region to the Environmental Registry.

Respectfully submitted and signed by

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Emil Prpic  
Associate Director, Waste Disposal Operations and Engineering