

# Hazardous Special Products (HSP) Regulation

Waste Management Public Steering Committee

Monday August 30, 2021

# Terminology

- HHW – Household Hazardous Waste
- MHSW – Municipal Hazardous and Special Waste
- HSP – Hazardous Special Products

# Niagara Region HHW Depots

Prior to 2016, Niagara's MHSW program was set up as a mobile monthly collection event, rotating through the various local area municipalities

A permanent MHSW depot has existed at the Niagara Road 12 Landfill site since 1996. Initially, only residents from West Lincoln, Lincoln, Grimsby and Pelham could take their material to this site

In 2014, the Niagara Road 12 site was opened up to all residents of Niagara

In 2016, Niagara Region established permanent HHW depots in Fort Erie, Thorold and Welland

At the Bridge Street Site in Fort Erie, residents are allowed to drop off a portion of MHSW materials including paint, propane cylinders, vehicle batteries and used oil.

# Background - Original MHSW Program

## Phase 1

Started July 1, 2008 with nine materials –paints and coatings, solvents, pesticides, fertilizers (with pesticides), used oil filters, empty oil containers, antifreeze, pressurized containers (refillable and non-refillable), and single-use batteries. The current MHSW Program only manages these nine materials.

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## Phase 2 (2010)

The program expanded to include pharmaceuticals, sharps, rechargeable batteries, fluorescent lamps, mercury thermostats and switches, and fire extinguishers. These items were later removed from the program.

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## Phase 3 (2010)

Further expansion to the program to include corrosives (e.g. drain cleaner), irritants (e.g. dish soap/detergents), ignitables (e.g. fuels), toxics (e.g. metal cleaners/adhesives), and other wastes. These items were also later removed from the program.

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# MHSW Phase 1 – Funding Organizations

Stewardship Ontario was in charge of the program for the first seven years.

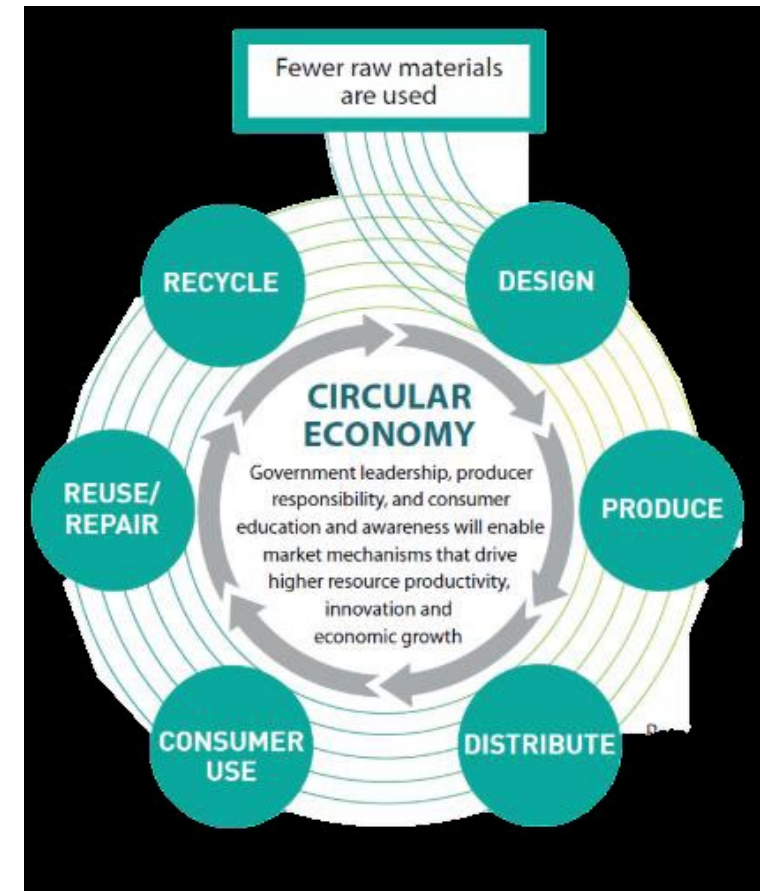
In 2015, Product Care Association became the Stewardship organization overseeing and providing funding (through the collection of fees from their members) for paints and coatings, aerosol, and lighting material.

In 2017, Automotive Materials Stewardship Inc. (“AMS”) was approved to be the Stewardship Organization for antifreeze, used oil filters, and oil containers.

Since 2017, over 85% of the funding Niagara Region receives for the operation of MHSW depots come from these two organizations, and the remaining funding coming from SO.

# Ministry of Environment, Conservation and Parks (MECP) – Producer Responsibility Directive

- **On June 28, 2019**, the Minister of the Environment, Conservation and Parks issued a revised wind-up direction indicating that the MHSW Program will continue to operate and meet or exceed the current performance until it ceases operation on June 30, 2021.
- **On July 1, 2021**, the new HSP Regulation was introduced which makes the Producer's responsible for the end of life of these materials, replacing the MHSW Program



# MECP Timelines

**FEBRUARY 11,  
2021**

Draft Regulation was issued, which identified the new regulation would take effect July 1, 2021

**APRIL 29, 2021**

MECP delayed the implementation of the new regulation until October 1, 2021

**Transition Period**  
Producers have a 15 month transition period, October 1, 2021 to December 2022

MECP  
Consultation  
started in 2020

**JUNE 8, 2021**

MECP issued the new Regulation for the HSP program

# 5 Categories of HSP Regulation

## Category “A” Products

- Non-refillable pressurized containers
- Oil filters

## Category “B” Products

- Antifreeze
- Paints and coatings
- Pesticides.
- Solvents.
- Oil containers.
- Refillable pressurized containers

## Category “C” Products

- Barometers
- Thermometers
- Thermostats

## Category “D” Products

- Fertilizers

## Category “E” Products

- Propane Cylinders

# Producer Requirements for Number of Collection Sites

- Identifies difference between small and large Producers based on number of tonnes put into the marketplace
- Identifies the minimum number of collection sites for large and small Producers
  - The amount of sites required in Niagara Region for large Producers is based on LAM's populations:
    - ❖ Collection of Oil Filters / Oil Containers and Antifreeze
      - Estimated Number of collection sites should be approximately **485 sites**
    - ❖ Collection Sites for Non Refillable Pressurized Containers / Solvents and Pesticides
      - Estimated number of collection sites should be approximately **11 sites**
    - ❖ Collection of Paints and Coatings
      - Estimated number of collections sites should be approximately **17 sites**

# Items Not Covered Under HSP Regulation

## Items Currently Under MHSW Program (will no longer be funded)

- Aerosol container
- Fertilizers
- Insect repellent
- Sanitizers/ disinfectants
- Flammable Organics
- Pool chemicals
- Stuccos and spackling compounds
- Polishes and Waxes
- Caulking and Sealants

## Items Paid for by Niagara Region for Disposal (historically paid by Niagara Region)

- Sharps
- Bases (caustics)
- Organic peroxide
- Vehicle batteries
- Used oil
- Cooking Oil
- Pharmaceuticals
- Acids
- Fire extinguishers

## Light Bulbs (moved to the Electronic Regulations)

- Fluorescent Tubes
- Compact Fluorescent
- Halide Bulbs

# HSP Regulation – Financial Impact

## Potential Cost Savings

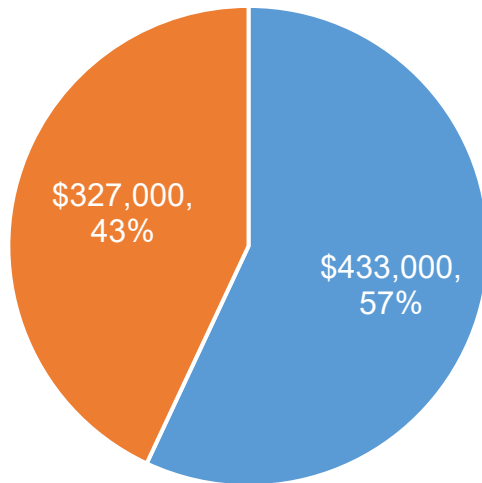
- Mercury and pesticides are now included under the new regulation
  - 2020 Cost to Niagara Region: \$450 on mercury; \$18,700 on pesticides
- Beginning in 2023, Florescent Lights will be covered by the Producers
  - 2020 Cost to Niagara Region: \$36,000

## Potential Increased Costs

- Reimbursements for aerosol cans and fertilizers will likely no longer be received.
  - The cost impact to the Region (\$46,000)
  - There will be potentially addition cost for items that are excluded – cost impacts TBD

# Niagara Region Cost to Operate HHW Depots

Niagara Region 2021 HSP Budget-  
\$760,000



■ Stewardship Funding Programs ■ MHSW Depot Operations

- Under the HSP regulations, if Niagara Region continues to collect the same materials, it is estimated that Niagara Region's annual cost will potentially increase by at least **\$46,000**, or more, if unable to enter into a contract with a PRO for materials (fillable and non-refillable cylinders) that SO currently covers.

# Stewardship Organizations becoming Producer Responsibility Organizations (PRO's)

- Product Care has registered as a PRO and have indicated that they are willing to amend current agreement until the end of the 15 month transition period (December 2022), with the exception that they will no longer be covering the cost of fertilizers
- Automotive Materials Stewardship has registered as a PRO and also want to extend the current contract until December 2022 under the same conditions.
- Stewardship Ontario currently funds the operations of the HHW Depots for \$48,800/ year which will end September 30, 2021.
  - Two PRO's have indicated through Municipal Organizations (AMO/ MWA) that they may cover the items that SO covered but with a different type of cost formula model.
- One PRO has registered for the collection of thermostats but no other mercury products. They would collect at no cost.

# Niagara Region- Moving Forward

## ➤ Short term Strategy July 2021 to December 2022

- Enter into agreements with PRO's for the various products.
  - ❖ Product Care and Automotive Materials Stewardship have both become a PRO
  - ❖ They both would like to amend the existing agreement with generally the same conditions as the current agreement. Funding will remain the same, with the exception of fertilizer no longer being covered by Product Care
- Find a PRO that will cover the items that Stewardship Ontario was funding for Niagara Region
- Continue accepting all materials that are currently accepted through December 2022.
  - ❖ Other municipalities are taking the same approach as Niagara Region and utilizing the transition period to evaluate how to move forward
- Staff will analyze the program and report back to committee in 2022 on a medium and long term strategy

# Questions?