

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature et des
Parcs**

Office of the Minister

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357-2023-1049

June 29, 2023

Mr. Jim Bradley
Regional Chair
Niagara Region
Email: jim.bradley@niagararegion.ca

Dear Mr. Bradley:

Thank you for your emailed letter of June 2, 2023, regarding Niagara Region's suggestions for amendments to the Hazardous and Special Products (HSP) Regulation.

As you are aware, Ontario is committed to shifting to a waste management approach where producers (e.g., brand holders, importers, retailers) are responsible for the waste generated from their products and packaging, and waste is seen as a resource that can be recovered, reused, and reintegrated back into the economy.

The [HSP Regulation](#) (O. Reg. 449/21) makes producers responsible for collecting and managing HSP materials at end of life. This will support the health of Ontario's environment, communities, and economy while helping municipalities save money.

Thank you for your recommendation to include additional hazardous waste materials as part of the HSP Regulation. The regulation generally obligates the same range of materials managed under the previous Municipal Hazardous or Special Waste (MHSW) program, with the addition of mercury-containing products, such as thermostats and thermometers. If our government considers adding additional materials to the HSP Regulation in the future, we will be sure to undertake consultation, including speaking to municipalities about the types of materials collected at your facilities.

Supporting and building collection networks, including improving access for residents, is a key part of the HSP Regulation. While the regulation makes producers and their producer responsibility organizations (PROs) responsible for collection, it also gives them flexibility in establishing their networks, including the ability to use sites, events, and curbside services run by both municipalities and the private sector.

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My ministry appreciates the important role that municipalities play in the collection of regulated materials, including HSP, and we know that municipalities provide diverse waste collection services that reflect the needs of their communities. That is why we expect PROs to work with local communities to use municipal collection services as part of their networks.

However, the HSP Regulation does not address these arrangements since they are private contractual matters that rely on both parties to agree on any terms and conditions. It is up to municipalities and PROs to assess the requirements of these contracts and consider whether any changes to approval, operational, or financial requirements are needed to make these arrangements effective and mutually beneficial.

I encourage Niagara Region to continue discussions with PROs and highlight any conditions or concerns to ensure the unique needs of your area are met and ensure continued access to HSP collection for your residents.

In terms of management targets for HSP, these were determined based on the product type and are categorized appropriately. Some materials, such as non-refillable pressurized containers and oil filters, which are durable products, have prescribed targets in the regulation. Other types of HSP, such as antifreeze, paints, pesticides, and solvents, are intended to be fully consumed and were not given management targets. Producers of these consumable products have accessibility, promotion, and education requirements designed to drive collection in the absence of targets. Additionally, the regulation sets recycling efficiency rates for all types of HSP to ensure producers and PROs properly manage any materials collected.

My ministry is always interested in receiving feedback from municipalities on the implementation of the HSP Regulation and will continue to consider input received to ensure the regulation works for the residents of Ontario.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Piccini', with a stylized flourish at the end.

David Piccini
Minister of the Environment, Conservation and Parks