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Ministry of the Environment
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Waste Management Policy Branch
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Dear Ms. Grunwald,

AGCare is pleased to provide these comments to **EBR Registry Number: 010-8164 on the Minister's Report on the Review of Ontario's Waste Diversion Act, 2002 (WDA)**.

AGCare is the voice of Ontario's 45,000 crop and horticulture farmers on environmental issues. As farmers, we believe that a safe, healthy and affordable local food supply is critical for our province. We are also the stewards of thousands of acres of farmland and appreciate the need for sustainable practices and believe in continuous improvement for the environment.

1. Principles & Definitions

Farmers are the original recyclers. For example, products such as fertilizer or compost are not considered "waste" on the farm. The definition of "producer" and first importer could bind small scale farm businesses, such as those that participate in local farmers markets or on-farm sales, with cumbersome regulatory requirements resulting in very little improvement in waste diversion. The government must be cognizant of potential unintended consequences of its legislation and attempt to avoid them upfront.

Prior to designating any product or substance under the Waste Diversion Act, the Ministry of the Environment must ensure appropriate studies are completed to understand the problem a product may be causing, the scope of that problem, who the different players are in the particular waste stream, and different sectors contributions to the problem - and then targeting solutions appropriately. The government should also look to work with the industry to reduce or eliminate any potential problems prior to legislation.

2. Agricultural Considerations

Agriculture in Ontario has shown leadership in identifying environmental issues and developing creative and viable solutions for many years. We feel there are very few waste diversion issues arising from agriculture. The MOE needs to work with OMAFRA and the agricultural sector to identify and quantify agricultural wastes, the problems with those wastes and practical solutions for improvement.

The existing programs that agriculture has in place must not be discounted, even if they are voluntary initiatives at this time. We feel that if the legislation is indeed outcome-based and the existing program delivery agents can prove that the desired outcomes are being achieved, it is in everyone's best interest to continue with those programs instead of prescribing new requirements.

3. Economics

Broadly applying new regulations on waste diversion on agriculture without having research into the breadth of any problems and the potential volume and value for improvement would place an unnecessary economic burden on a farm community that is already under financial duress. New regulatory requirements for Ontario-based businesses could also create competitive disadvantages compared to their competition in bordering provinces, states and internet based suppliers.

4. Governance

The governance structure for the Act must be transparent and accountable. We are pleased that the challenges with the current structure are being acknowledged. From an agricultural perspective, we would look to OMAFRA to act as an oversight agency for agricultural wastes, programs and solutions.

We trust our opinions and recommendations will be given due consideration and look forward to the opportunity for continued input as this process moves forward.

Sincerely,

Richard Blyleven
AGCare Chair