



Subject MNR WASTE MANAGEMENT ACTIVITY		Policy PL 3.04.01	
Compiled by - Branch Lands & Waters	Section Land Management	Date Issued April 1, 2005	
Replaces Directive Title MNR Policy for Waste Management	Number LM 7.04.02	Dated February 11, 1997	Page 1 of 5

1.0 DEFINITIONS

In this policy,

"MOE" means the Ministry of Environment;

"MNDM" means the Ministry of Northern Development and Mines;

"MMAH" means the Ministry of Municipal Affairs and Housing;

"municipally incorporated area" includes a village, town, township, city, country, district municipality, or regional municipality that is incorporated;

"unincorporated territory" means territory not in a municipally incorporated area (also known as "unorganized territory").

2.0 INTRODUCTION

In a municipally incorporated area, waste management is a municipal responsibility. In unincorporated territory, no government agency is mandated with this responsibility.

Out of concern for public health and safety and to provide for environmental protection by eliminating unauthorized and uncontrolled garbage dumping on public lands, the Ministry of Natural Resources (MNR), assumed the management of waste in unorganized territories in the early 1970's. MNR took on this quasi-municipal role for domestic and commercial waste management as part of its for the management of public lands. On behalf of the Ontario Government, MNR is currently operating several hundred waste disposal sites on public land to provide services to Ontario residents in unorganized areas.

In the early 1980's, MOE initiated a program to amend Regulation 309 of the Environmental Protection Act to provide, in part, more specific guidelines for the management of waste disposal sites. The incorporation of these guidelines into the Certificate of Approval for the operation of both municipal and MNR waste disposal sites, combined with inflation, has resulted in increased operational and capital costs that represents a substantial financial burden to MNR.

Discussions concerning waste management in unorganized areas, took place between MNR, MOE, MNDM and MMAH between 1988 and 1992. A product of those discussions was the report entitled "General Guidelines for the Operations of the Waste Management Program in the Unorganized Areas in Ontario", commonly referred to as the "Simpson Report". That report established guidelines to be followed by a partnership of ministries to assist in the implementation and management of waste in the

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unorganized areas. Later, in 1992, a report entitled "Interministry Guidelines for Waste Management in the Unorganized Areas In Ontario" was developed to guide the planning and management of waste disposal sites in unincorporated territory.

This policy reflects the findings of those reports. See Explanatory Note 1.

3.0 PROGRAM DIRECTION

3.1 Application

This directive applies provincially to the operation of MNR waste management sites in unincorporated territory.

3.2 Guiding Principle

In unincorporated territory, MNR will prepare waste management strategies which will reflect government principles of local empowerment, beneficiary pays and 'Reduce, Reuse and Recycle'.

3.3 Goal

To operate waste management sites in unorganized territory in an environmentally and socially responsible way while developing strategies to reduce MNR's operational involvement in waste management through local empowerment, user pays principles, the Three Rs (reduce, reuse and recycle) and other mechanisms.

3.4 Policy Objectives and Strategies

- A) To encourage a coordinated government approach in the management of waste disposal sites.

MNR will adhere Interministry Guidelines for Waste Management in the Unorganized Areas in Ontario.

MNR is a partner with MNDM, MOE, and MMAH for waste management in unincorporated territory. MNR will consult with its partner ministries and incorporate their concerns in the preparation and annual update of District Waste Management Strategies. These District Strategies will guide the implementation of waste management policies at the local level and determine operating and capital fiscal requirements.

The District Manager is responsible for the development of a District Waste Management Strategy in unincorporated territory which, amongst other things, will consider:

- a) divestment of waste management sites to local users where possible through,

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- i) site rationalization,
- ii) the encouragement of new partnerships with existing Agencies, Boards and groups,
- iii) assisting in the transfer of a Certificate Approval for a Ministry site to a municipality in the event of municipal incorporation, if the site is to remain open,
- iv) participating in trilateral discussions with Local Services Boards and MNDM regarding waste management, and
- v) discouraging sites in areas considered for future municipal incorporation a joint MNR/municipal agreement can be reached to site consolidation would be facilitated;
- b) local empowerment; and
- c) the implementation of beneficiary pay fees.

- B) To manage the waste disposal infrastructure in an environmentally and socially responsible way.

In accordance with Provincial Guidelines and Standards such as Regulation 309, MNR will open, operate, close, monitor and divest waste disposal sites in an environmentally and fiscally responsible manner.

MNR will uphold the Provincial laws, regulations and guidelines in the operation of those waste disposal sites for which it is responsible.

MNR will ensure staff and site operators are trained to carry out site management in a socially and environmentally responsible manner. A training plan will be prepared.

- C) To facilitate local users in assuming the operation of waste management sites in the unorganized areas wherever possible.

Partnerships with existing and/or newly created local bodies will be sought.

The Ontario Government may enter into arrangements with affected Aboriginal communities. These arrangements will be fair and will take into account areas of traditional use.

Empowerment enables local citizens to be more involved with the services which are provided to them. Experience has shown that the standards and quality of these operations improves as this community involvement and resultant commitment occurs.

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- D) To institute the user pay principle for waste management in unorganized areas.

MNR will strive to recover costs in the operation of all waste disposal sites. MNR, where practical, will institute a beneficiary pays system at each waste disposal site.

Since 1986, the Ontario Cabinet has supported the principles of "beneficiary pays". "Beneficiary pays" is a concept whereby those who benefit from the provision of services should pay for the resultant "benefits". In all jurisdictions, the costs of waste management have risen. The reasons for this include new environmental regulations resulting from improved knowledge of health hazards and increased costs involved in the approval of new sites. The Ontario government will strive to ensure that local users contribute to the cost of the services provided.

- E) To promote the Three Rs Program (Reduce, Reuse, Recycle), as an integral part of the waste management program.

MNR will incorporate the Three Rs into the operation of waste disposal sites where practicable. MNR, in co-operation with MOE, will encourage the Three Rs in the unorganized territories with the emphasis on reduction and reuse.

- F) To create public awareness of and involve local users in, waste management operations/practices.

MNR will ensure that public consultation is an integral part of the planning, operation and closure of waste disposal sites as required by the Class EA for Solid Waste Disposal.

MNR will undertake public education to encourage the responsible management of waste disposal sites and to improve public compliance and support.

District waste management strategies will present for Ministry staff and other partnership Ministries the program to implement the principles of local empowerment, user pays, and Three Rs for waste management in the unorganized areas. These strategies, undertaken by MNR in consultation with the partner Ministries (MNDM, MOE, MMAH) will include operational and capital requirements of the waste management program.

4.0 EXPLANATORY NOTES

1. This policy should be read together with the 8 page booklet entitled "Government Guidelines for Waste Management in the Unorganized Territories".

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5.0 REFERENCES

5.1 Legal References

Regulation 309 made under the Environmental Protection Act

5.2 Literature Review

Interministry Guidelines for Waste Management in the Unorganized Areas In Ontario

5.3 Directive Cross References

PL. 4.08.01 Land Use Occupational Authority for Waste Disposal Sites on Crown Land