

SOLID WASTE IN SOMEONE ELSE'S COMMUNITY:

**AN EXAMINATION OF THE
SOLID WASTE INTERIM STEERING COMMITTEE**

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INTRODUCTION

The Solid Waste Interim Steering Committee (SWISC) was created in March 1989 by Premier Peterson and the Chairs of the five regions composing the Greater Toronto Area (GTA). These regions are Durham, Halton, Peel, York and Metropolitan Toronto. SWISC's mandate, as set out in "A Proposal from the Five Regional Chairmen in the Greater Toronto Area Regarding a Long-Term Plan for the Management of Solid Waste", is to find creative new solutions to the challenge of solid waste management by developing a state-of-the-art system for the GTA by 1996.

In the fall of 1989 SWISC made a Request for Expressions of Interest (REOI) to any private or public sector groups interested in developing solid waste management facilities. A summary of the Expressions of Interest (EOIs) received by SWISC was published in April 1990. Also in April, SWISC published its "3Rs Action Plan" as well as a Status Report to member councils, setting out SWISC's progress and a recommended course of action. In the fall of 1990, SWISC is planning on proceeding with Request for Proposals (RFPs) to specific private sector firms to build incinerators, landfill sites and material recovery plants. These requests will be made to those companies who submitted Expressions of Interest in 1989.

The following report examines the three SWISC documents published in April 1990 and the actions taken by SWISC since the beginning of this year. It begins by challenging the legitimacy of SWISC as the proper institution to solve the solid waste crisis in the Greater Toronto Area. It then proceeds with an analysis of the "3Rs Action Plan". The report shows that the plan is fundamentally flawed in that it advocates virtually no action and puts little emphasis on reduction and reuse. Next, the report investigates the "Summary of Technical Review of Expression of Interest" and illustrates how most of the Expressions of Interest rely on incineration and landfill. Finally, the report illustrates how SWISC is moving towards fast-tracking high-tech incineration and landfill options without implementing a proper 3Rs program. The major conclusion of the report is that SWISC's mandate, as reflected by its actions to date, is to fast-track the incineration and landfill of GTA garbage, preferably outside of the GTA.

In response to this environmentally dangerous course proposed by SWISC, the report sets out 5 principles SWISC should sanction in order to develop an environmentally and economically effective solid waste management system. Most importantly, the report makes 9 specific recommendations SWISC must adopt in order to ensure the GTA develops an effective and responsible solid waste management system.

1.0 SWISC AND THE GARBAGE CRISIS

We are facing a garbage crisis. But the crisis is not about what to do with our garbage. It is about what is not being done with our garbage. The Solid Waste Interim Steering Committee (SWISC) was set up in March 1989 to manage the garbage crisis in the Greater Toronto Area (GTA). SWISC is a provincially-organized committee made up of provincial officials and representatives from regions comprising the GTA. The Toronto Environmental Alliance believes the very existence of SWISC undermines the ability of GTA regions to effectively and responsibly deal with the solid waste crisis. Simply put, SWISC is perpetuating instead of solving the garbage crisis. Because of its mandate to establish a solid waste management plan for the Greater Toronto Area, SWISC contributes to the garbage crisis in the following ways:

-The very existence of SWISC undermines the notion of municipalities taking responsibility for solid waste problems. By creating a super-regional solid waste authority, solid waste issues move beyond effective community control.

-SWISC claims to be assisting all of the GTA. In fact, it is trying to dispose of Metro's garbage in the surrounding regions and other parts of Ontario. In 1989 Metro produced over 58% of all the garbage in the GTA. However, proposed landfill and incinerator sites are all outside of Metro. Instead of ensuring regional responsibility and accountability for solid waste, SWISC forces Metro's solid waste problems on other GTA regions and on other Ontario communities. In other words, SWISC is willing to place disposal sites for Metro's garbage anywhere in Ontario;

-SWISC has adopted procedures which a number of environmental organizations believe will undermine the integrity of the Environmental Assessment Act (EAA) and are vulnerable to legal challenge.¹ These procedures have limited the range of options considered acceptable by SWISC to proposals made by private sector companies.

-By aiming no higher than the 50% diversion targets set by the Province, SWISC ensures that at least 50% of the remaining waste ends up in disposal sites throughout Ontario.

¹A letter sent to John Farrow, Interim CAO of SWISC, dated December 21, 1989, from Stephen Shrybman, Council of the Canadian Environmental Law Association, sets out these concerns.

This is no way to deal with the garbage crisis. Because of SWISC's flawed mandate, the Province is making it impossible to effectively alleviate one of the simplest environmental problems facing Metro and Ontario residents.

1.1 A MORE EFFECTIVE AND REALISTIC AGENDA

Though the Toronto Environmental Alliance is opposed to the very existence of SWISC, prudence necessitates acknowledging its existence and proposing ways in which SWISC can be made to solve instead of worsen the garbage crisis. SWISC cannot be allowed to continue with its environmentally and financially destructive agenda. Therefore the Toronto Environmental Alliance calls on SWISC to adopt the following principles in the planning of a solid waste management system:

1. Implementing an effective 3Rs action program, based on the 3Rs hierarchy, before utilizing any other solid waste options. This Action Plan **MUST** involve community consultation and be aimed specifically at the private sector (which generates over 60% of the solid waste).
2. While this Action Plan is being developed and implemented, the province and/or the GTA regions should introduce legislation that requires:
 - i. mandatory source separation by all waste generators of recyclable, reusable and compostable materials;
 - ii. the banning of all recyclable materials from landfill sites within two years, and the creation of storage facilities for those recyclable goods that, for the present, are not being recycled.
3. The components of the solid waste management system should be publicly-run, community-controlled and directly accountable to citizens.
4. Landfill, as a waste management option, should only be developed once it becomes apparent how much waste remains after the 3Rs plan has been implemented. Moreover, any landfill site must be sited within the GTA.
5. Incineration should, under **NO** circumstances, be considered a waste management option.

While SWISC pays lip service to the 3Rs hierarchy, the Toronto Environmental Alliance believes its main agenda is to develop incinerators and landfill sites for private profit -

at the expense of the public and the environment. We base this on the three reports SWISC published in April 1990: the "Technical Review of Expression of Interest" and the "3Rs Action Plan", and the "Status Report #2 To Member Councils". All the reports claim progress has been made by SWISC towards solving the garbage crisis. However, SWISC's definition of progress amounts to only studying the 3Rs while promoting "high-tech" ways to incinerate and landfill.

2.0 THE "3Rs ACTION PLAN": NO ACTION AND NO 3Rs

In response to public concern for a more aggressive 3Rs program, SWISC had the "3Rs Action Plan" prepared by a private consulting firm (MacViro Consultants), in consultation with GTA regions. This report documents current 3Rs initiatives in the GTA, identifies opportunities for coordination within the GTA and supposedly develops an action plan for "improving the effectiveness of the Reduction, Re-use and Recycle efforts within the GTA". Unfortunately, the action plan is fundamentally flawed in that it advocates virtually no action and puts little emphasis on reduction and reuse.

2.1 REDUCTION

In both the public and private sectors, reduction actions are limited to promotion, education and to heightened public awareness. While these initiatives are positive, they do not begin to go far enough in promoting reduction. For example, SWISC suggests:

- promoting the use of alternative products to remove Household Hazardous Waste (HHW) from the waste stream,
- promoting the reduction ethic in the public and private sector through education and through endorsing the National Packaging Protocol (NAPP),
- promoting reduction in the private sector through education, higher tipping fees and by offering waste audits.

No mention is made in the "Action Plan" regarding an effective source reduction plan, the most important element of reduction. The public cannot practise useful reduction if it must buy wasteful products. For example, to complement a Household Hazardous Waste campaign, SWISC could have suggested the Province control the production and sale of HHW. Regulations could be similar to those which control auto emissions and the energy efficiency for appliances.

Finally, most of the suggestions are aimed at households and public institutions when over 60% of the waste stream emanates from the industrial and commercial sectors. The plan makes no mention of calling on the Province or the Federal Government (beyond

NAPP) to implement legislation aimed at reducing waste production in the commercial and industrial sectors.

2.2 REUSE

With respect to reuse, SWISC promotes public and private education initiatives, commercial/industrial waste audits, waste exchanges, and suggests using municipal bylaws -in the longer term-for facilitating reuse. Again, while these initiatives are positive, they do not amount to significant action. Education and promotion are important. But unless they are accompanied by action (eg. regulations, bylaws, reuse facilities, etc...) there will be little impetus for the major waste generators in the GTA to reuse.

2.3 RECYCLE

The recycling actions proposed by the report are perhaps the most disheartening. Most of the suggestions made are geared towards households (eg. increase Blue Box programs) and the public sector (eg. create recycling programs in schools) even though they are the best recyclers and produce the least waste. On the other hand, the recycling proposals for the industrial and commercial sectors, which account for the majority of garbage going into landfills, are few and limited to education and consultation.

The Report suggests no recyclable materials should be banned from landfill sites until suitable alternatives (such as markets) exist for the recyclable goods. But banning recyclable goods from landfill sites is the surest way of establishing markets. By setting a timetable for the banning of recyclable goods, the private sector is given both an incentive and time to build and operate recycling facilities. This guarantees a steady supply of recycled materials needed to establish markets. Therefore, by not banning recyclable goods from landfill sites, SWISC ensures that markets will take a long time, if ever, to be created. This means large amounts of recyclable goods will take up precious landfill space.

2.4 A NEW 3Rs ACTION PROGRAM

In essence, the "3Rs Action Plan" pays lip service to the 3Rs concept. It provides no firm actions to curb the production of waste by the major waste generators nor does it assist in the diversion of waste from these generators. The Plan appears to be nothing more than a red-herring to divert the attention of the public and concerned community groups, while SWISC proceeds with high-tech landfill and incineration options.

Consequently, the Toronto Environmental Alliance makes the following proposals with regards to a 3Rs Action Program:

1. The SWISC "3Rs Action Plan" is fundamentally flawed. Moreover, it is the product of limited consultation with the public. Therefore, SWISC should implement a public process with the aim of creating a comprehensive 3Rs Action Agenda and Implementation Plan by March 1991. Integral to this process should be public consultation, beginning with the grassroots and moving up to special interest groups and then all levels of government. Since the success of any 3Rs program hinges on public involvement and education, it is vital all aspects of society are consulted. The primary goal of the new 3Rs Plan should be to create a waste diversion program which aims at maximizing the percentage of waste reduction and diversion. Consequently, the main focus of SWISC efforts should be to ensure the success of this new 3Rs Action Plan.

2. While this plan is being formulated, SWISC should take specific steps to move towards creating the conditions for the successful implementation of the new 3Rs action plan.² They are:

a) Mandatory source separation by all waste generators, of all materials that can be reused, composted or recycled. This requires ensuring separation not only in households and in public sector institutions but also in the private sector. A rigid timetable should be established that culminates in meeting targeted source separation requirements in a specified period of time. All means should be used to reach this target, including regulation and legislation.

b) The banning of all recyclable materials from landfills within a specified time. For materials for which effective separation and recycling technologies exist, but have yet to be established in the GTA, secure storage should be guaranteed until these materials can be used. SWISC should ensure that within a specified time NO recyclable or reusable materials are using up precious landfill space.

c) The creation of an interim GTA marketing board to facilitate the sale of recycled materials. This board should ensure the public receives a fair return on the sale of municipally handled recyclable materials.

d) The creation of a waste reduction office (WRO) that oversees an ongoing program of waste reduction. This office would be composed of citizens, municipal, and provincial officials, and special interest groups. The WRO could be given special legislative or regulatory powers enabling it to stop waste production at the source.

²These steps are based on the Action Agenda for Waste Reduction proposed by It's Not Garbage.

3.0 INCINERATION AND LANDFILL: SWISC'S REAL AGENDA

The three reports put out by SWISC in April 1990 indicate SWISC is more concerned with high tech incineration and landfill solutions than with implementing a proper 3Rs action plan. In its "Status Report #2 To Member Councils" SWISC puts considerable emphasis on immediately proceeding (fall 1990) with the development of incinerators and landfill sites without implementing a comprehensive and effective 3Rs action plan. Specifically, it plans on making Request for Proposals (RFPs) for the construction and siting of incinerators and landfills. This emphasis on expensive and largely unnecessary waste disposal facilities has been rationalized as emanating from the large number of Expressions of Interests (EOIs) that propose incineration and landfill options.

In October 1989, SWISC called for Expressions of Interests from private sector firms throughout the world. It asked these firms to propose ways of dealing with the garbage crisis in the GTA. The SWISC guidelines for an acceptable EOI put few restrictions on the type of solutions that could be offered. SWISC plans to choose primarily from among these proposals for a system, or for components of a system, to make up its solid waste management system. By December 1989, SWISC received 86 submissions. The "Technical Review of Expression of Interest" describes in detail all 86 proposals.

Thirty-three companies proposed incineration. Twenty-five of these proposed incinerators passed SWISC guidelines of what are considered acceptable options. In other words, not quite 1/3 of all proposals have an "acceptable" incineration component to them. Another 21 proposals had what SWISC considered "acceptable" landfill components to them. The Toronto Environmental Alliance is fundamentally opposed to incineration of any type --be it for Energy From Waste (EFW) or for Refuse Derived Fuel (RDF).³ Among other negative aspects, incineration concentrates toxic wastes (it does not eliminate them) that must be landfilled and it creates CO₂ emissions which contribute to the Greenhouse Effect.⁴ While we recognize the need for landfill sites, they should only be used when all other reduction and diversion options have been utilized. SWISC has used these large number of EOIs promoting incinerators and landfill sites as a justification for proceeding with these options. Simply because these options were proposed does not mean

³The incineration of biomedical waste is acceptable where no other options exist.

⁴Refer to "Garbage Incineration: Lessons from Europe and the United States" The Pollution Probe Foundation, May 1987.

they are must be utilized. Therefore the Toronto Environmental Alliance makes the following recommendations:

3. At this time SWISC should not proceed with the Request for Proposals for the development of landfill sites, nor should it ever consider developing incinerators. Before any RFPs are made for landfill sites, it must be proven, through the implementation of the new 3Rs Action Plan, what percentage of waste cannot be diverted and requires disposal.

4. Any landfill site eventually found necessary should be sited within the GTA. No GTA-created garbage should be exported outside the GTA under ANY circumstances. The GTA must be responsible for its own garbage. The "willing host" concept SWISC wants to use to export GTA garbage amounts to nothing more than preying on economically disadvantaged communities.

3.1 THE LIMITATIONS OF THE MATERIAL RECOVERY FACILITIES SUGGESTED IN THE EOIs

Material Recovery Facilities (MRFs) are an important component of any diversion plan based on the 3Rs. They allow for waste to be recovered, potentially for reuse and recycling purposes. Consequently, the EOIs dealing with MRFs are of major importance in developing a solid waste management plan. Fifty-one of the EOIs suggested a Material Recovery Facility (MRF) component. Unfortunately, 24 of these proposals suggested that material emanating from the plants could be used for incineration. Another 9 proposals were limited to processing individual materials. Five more explicitly include substantial landfill components. Therefore, few of the 51 EOIs contain proposals that are not dependent on incineration and landfill and are not limited to recovering individual materials.

The remaining MRF proposals are compromised by the lack of provincial and federal legislation needed to make diversion, through reduction, reuse and recycling, mandatory and successful. Consequently, the EOIs give SWISC few positive alternatives for establishing an effective waste reduction and management plan. This reinforces SWISC's support for incineration, landfill and negligibly effective MRF components suggested in the "Status Report #2". The Toronto Environmental Alliance believes that if this course is followed, the residents of the GTA will be spending billions of dollars on high tech waste management systems that are ineffective and environmentally dangerous. Therefore, we make the following recommendation:

5. The Province should enact the necessary legislation and regulations which would allow SWISC to adopt comprehensive and effective 3Rs options.

6. While most of the MRFs proposed in the EOIs are unacceptable, there is however a need to develop Material Recovery demonstration facilities in order to gain valuable experience and knowledge. We support SWISC's proposal for proceeding with Material Recovery demonstration facilities as long as the facilities are publicly owned and operated, they accept only source separated waste.

Another major flaw in the way SWISC conceives of MRFs is the lack of community involvement. If communities are to take responsibility for the waste they produce, they should have control over the planning and operation of material recovery facilities. Therefore, to ensure a more effective approach to the 3Rs and to MRFs, the Toronto Environmental Alliance makes the following recommendations:

7. SWISC should adopt a decentralized approach in the establishment of community-based sorting, recycling, storage and compost facilities. This approach means the private sector and the public will become more aware of and involved with solid waste management. Moreover, this approach should be used in the development of the demonstration facilities mentioned above.

8. The components of the infrastructure, such as the MRFs, should be publicly owned and operated to ensure public control of the infrastructure, thus enabling changes to be made to the infrastructure as the GTA creates less and less waste.

3.2 HANDING SOLID WASTE OVER TO THE PRIVATE SECTOR

Another negative aspect of the EOI process was that no public sector proposal was made by the regions comprising the GTA. No individual or joint proposal was offered by one or more regions for a publicly owned and operated solid waste management system. The revenue generated by solid waste management may be in the billions of dollars. This revenue would be lost if facilities were in private hands. Given these financial realities, it is alarming that GTA regions did not submit a public plan. Therefore we make the following recommendation:

9. Given that no public proposals were made through the EOIs, SWISC should call for proposals from member municipalities for the operation of recycling, recovery and landfill facilities. These proposals should include plans for how the revenue generated by these facilities would be used to promote reduction and reuse. Solid waste management is a public service and should be owned and operated by government.

4.0 THE ZERO GARBAGE AGENDA

Unlike SWISC, the Toronto Environmental Alliance has a much different long-term agenda. SWISC wants to divert 50% of the GTA's garbage by the year 2000. How it achieves this, as we have seen, is almost irrelevant. It is willing to spend billions of tax payers dollars to assist in the construction of incinerators, in the purchase of land outside of the GTA and in subsidizing private sector firms to enable them to make money off of garbage. SWISC's actions show it has little interest in the public and the environment: it has an interest in managing garbage to help private sector corporations make a profit and in taking the heat off of Metro politicians facing a garbage crisis and irate citizens.

The Toronto Environmental Alliance and a host of other environmental and community groups, on the other hand, aim to eliminate the garbage crisis. While we recognize that in the short term we must divert reusable and recyclable materials from landfills, our long term goal is to move towards ZERO WASTE PRODUCTION. Therefore, we advocate making the best of the situation at hand. By instigating a publicly owned and controlled, low-cost diversion program, we ensure the public and the environment will benefit. In fact, this program may generate some of the much needed revenue to help pay for other pressing environmental and social needs.

In conjunction with this diversion program, we advocate reduction by stopping the production of waste. We can no longer afford, environmentally and socially, the huge expenditures necessary to produce items that generate waste in production and/or consumption. Therefore, we must begin to ban the production of these items and those processes that produce waste. We cannot wait for the producers of waste to initiate waste production programs. Due to economic considerations, it is often not within their business interests to reduce waste. This necessitates government intervention. While intervention is not the preferred solution, it is the only means available to counteract the environmental destruction resulting from waste production. Luckily, however, as we move towards a zero waste society, the 3Rs hierarchy will become so engrained in society, government legislation will no longer be needed.

5.0 SWISC AND THE FUTURE OF THE GARBAGE CRISIS

SWISC has the political clout to effectively deal with the GTA garbage crisis. As a committee struck by the Premier and regional politicians from within GTA, it could end the garbage crisis, if it exhibited the political will. So far, its actions have illustrated that the political will does not exist, even though an increasing number of people in the GTA

and Ontario demand an end to the garbage crisis, through means other than incineration and landfill. SWISC is controlled by elected politicians, yet it acts as if it was responsible to corporate interests - not to the public. SWISC must respond to the growing public discontent with SWISC's mandate and plans. Consequently, we strongly urge SWISC to adopt the recommendations made in this report which voice the concerns and options the public has expressed.

