



**City of Kingston  
Report to Council  
Report Number 15-146**

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**To:** Mayor and Members of Council  
**From:** Jim Keech, President and CEO, Utilities Kingston  
**Resource Staff:** John Giles, Manager, Solid Waste  
**Date of Meeting:** January 27, 2015  
**Subject:** Amending Agreement to the New Municipal Hazardous or  
Special Waste Services Agreement with Stewardship Ontario

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**Executive Summary:**

The Minister of the Environment and Climate Change may designate materials and require that waste diversion programs be developed under authority of the Waste Diversion Act. Stewardship Ontario has been the only industry funding organization for nine specific Municipal Hazardous or Special Waste materials up until recently.

On December 10, 2014 the Waste Diversion Ontario Board approved an industry stewardship plan for paints and coatings from Product Care Association. Under the plan, Product Care will assume Stewardship Ontario's current contracts with municipalities for paints and coatings.

The existing agreement between Stewardship Ontario and the City of Kingston concerning the provision of service for the nine MHSW materials must now be amended in order to provide for the new industry stewardship plan for paints and coatings.

An amending agreement prepared by Stewardship Ontario has been reviewed and is supported by representatives of the Association of Municipalities of Ontario, the Regional Public Works Commissioners of Ontario, and the Municipal Waste Association. It has also been reviewed by the Office of the City Solicitor.

**Recommendation:**

**That** the City of Kingston enter into an Amending Agreement concerning the New Municipal Hazardous or Special Waste Services Agreement with Stewardship Ontario; and

**That** Council authorize the Mayor and Clerk to execute the Amending Agreement in a form satisfactory to the Director of Legal Services.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON

**Jim Keech, President and CEO,  
Utilities Kingston**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Gerard Hunt, Chief Administrative Officer**

**Consultation with the following Commissioners:**

Cynthia Beach, Corporate & Strategic Initiatives	Not required
Lanie Hurdle, Community Services	Not required
Denis Leger, Transportation, Facilities & Emergency Services	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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**Options/Discussion:**

The Minister of the Environment and Climate Change may designate materials and require that waste diversion programs be developed under authority of the Waste Diversion Act. The purpose of the legislation is to ensure that stewards (i.e. manufacturers or importers of products that become waste) take responsibility for disposal of their product to the degree stipulated by the Minister.

Stewardship Ontario has been the only industry funding organization for nine specific Municipal Hazardous or Special Waste (MHSW) materials, commonly referred to as Household Hazardous Waste, up until recently. These materials are antifreeze, fertilizers, oil containers, oil filters, paints and coatings, pesticides, pressurized containers, single-use dry cell batteries, and solvents.

On December 10, 2014 the Waste Diversion Ontario (WDO) Board approved an industry stewardship plan for paints and coatings from Product Care Association. The new plan will take effect no sooner than June 2015 in order to allow WDO, Stewardship Ontario, Product Care and municipalities the time needed to transition from the current MHSW program for paints and coatings operated by Stewardship Ontario to a new program operated by Product Care.

The existing agreement between Stewardship Ontario and the City of Kingston concerning the provision of service for the nine MHSW materials must now be amended in order to provide for the new industry stewardship plan from Product Care for paints and coatings.

Under the new plan Product Care will assume Stewardship Ontario's current contracts with municipalities for managing paints and coatings.

An amending agreement prepared by Stewardship Ontario has been reviewed by representatives of the Association of Municipalities of Ontario, the Regional Public Works Commissioners of Ontario, and the Municipal Waste Association, all of whom support the signing of the amendment in order to allow other industry stewardship plans to assume responsibility for MHSW waste streams currently being managed by Stewardship Ontario.

The amending agreement has been submitted to and reviewed by the Office of the City Solicitor.

It is recommended that Council authorize the Mayor and Clerk to execute an amending agreement concerning the existing MHSW services agreement with Stewardship Ontario in a form satisfactory to the Director of Legal Services.

**Existing Policy/By Law:**

Not applicable.

**Notice Provisions:**

Not Applicable.

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**Accessibility Considerations:**

Not Applicable.

**Financial Considerations:**

Not Applicable.

**Contacts:**

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**Other City of Kingston Staff Consulted:**

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**Exhibits Attached:**

None