



Recent Developments in Municipal Hazardous and Special Waste Management in Ontario

By David McRobert*

Ontario's Municipal Hazardous or Special Waste (MHSW) program covers a wide range of products used in and around the house that require special end-of-life management. The MHSW program was developed "in response to the Ontario Minister of the Environment's 2006 request for a Municipal Hazardous and Special Waste program under the *Waste Diversion Act, 2002*."ⁱ

Designated waste materials were identified under the Municipal Hazardous or Special Waste regulation made under the *Waste Diversion Act, 2002 (WDA)*. Industry stewards, who are defined in the *WDA* as product brand owners, franchisers, first importers or manufacturers who supply the targeted products to the marketplace, are obligated under the *WDA* to fund the cost of the program for the proper management or diversion of their products and their packaging.

Under the 2006 request, Stewardship Ontario was designated as the organization that would develop, operate and implement the MHSW program and would be responsible for collecting fees from industry stewards to pay for industry's program costs. Waste Diversion Ontario (WDO) would monitor the performance of the program and report to the Ontario Ministry of the Environment (MOE).

Phase 1 of the program, which took effect on July 1, 2008, focused on nine wastes: paints and coatings, solvents, used oil filters, empty oil containers, single-use dry cell batteries, antifreeze, pressurized containers, fertilizers, and pesticides. Consumers can return any of the materials included in the MHSW program at specified retail and municipal drop-off locations free of charge.

Since then, the wheels have come off the bus in many respects, and Stewardship Ontario no longer is playing a key role in many facets of the MHSW program. This article reviews some of the recent developments between July 2010 and early 2013.

Challenges to the Role of Stewardship Ontario

There have been a number of challenges to the role of Stewardship Ontario in running Ontario's MHSW program, and these seem to be increasing.

Stewardship Ontario provides compensation to collection sites operating re-use programs for designated wastes like paints and coatings (aerosol and non-aerosol).ⁱⁱ The program's targets include collecting 77% and recycling 80% of paint and coatings by 2015.ⁱⁱⁱ In 2010 Stewardship Ontario reported that 11,165 tonnes of paints and coatings were collected for a 96% collection rate and 8,257 tonnes were recycled.^{iv}

In 2009 Stewardship Ontario established collection locations at 292 retail stores for return-to-retail sites for paints and coatings.^v At these sites the public could return paints and coatings that are unused or leftover and/or their containers, free of charge.^{vi}

However, the future of some of these return-to-retailer depot programs remains in doubt. In late February 2013, Home Depot, one of Canada's largest retailers of home renovation and repair products including paint and other MHSW, announced that effective March 1, 2013 it will close its compact fluorescent (CFL) bulb and tube recycling programs in Ontario and Quebec. The announcement, which has attracted little public attention, states "we believe the collection and disposal of CFLs and paint can be more effectively managed through a third-party recycling program and as such, will no longer be accepting these products for recycling."^{vii}

MOE Cancels Eco-Fees for MHSW Phases 2 and 3 in July 2010 and Begins Revamping Funding and Management System

In late July 2010, the provincial government decided to provide interim funding for MHSW Phases 2 and 3 materials after it cancelled the controversial "eco-fees" program for MHSW that had been established by Stewardship Ontario with the support of Waste Diversion Ontario.

The so-called "eco-fees" were introduced by retailers when new groups of products were captured by Phase 2 and 3 of the MHSW program. The fees on many products such as cleaners were confusing and varied widely, and were labelled a "sneaky tax" by the opposition parties at Queen's Park and seemed doomed because they were launched on the same day as the new HST.^{viii}

This interim funding continued until September 30, 2012. On October 1, 2012 changes to the MHSW program (to apply to Phase 1 wastes only) as well as the new municipal funding program (Selected Household Hazardous Waste Initiative; described further below) came into effect. Stewardship Ontario continued to manage these wastes until September 30, 2012.

The government stated that, beyond September 30, 2012, it would fulfill its commitment to fund municipalities for their costs for managing Phase 2 materials based on the Selected Household Hazardous Waste Initiative RFP released by MOE, which is set to run for three years. Many Phase 2 materials are returned to retailers; these materials would no longer be managed through the MHSW program. (The letter also mentioned that the government was considering options for ongoing collection of pharmaceuticals and sharps by pharmacies, and these details were announced in October 2012; see further below.)

The Municipal Depot Transportation and Processing Incentive Program (MDT & PIP) was launched in 2012 and covers residential use and small quantity industrial, commercial and

institutional use for a number of Phase 1 MHSW materials including paints, coatings and their containers. Paints and coatings are defined in as meaning latex, oil and solvent-based architectural coatings, including paints and stains.^{ix,x}

Under the MDT & PIP, municipalities must now select contractors from a Stewardship Ontario approved list of service providers regarding the collection, transportation, processing, and diversion of these Phase 1 materials.^{xi} Those municipalities that participate in the MDT & PIP must also operate “collection depot(s) where local residents can drop-off their Phase 1 MHSW and other wastes.”^{xii} Municipalities are then compensated by Stewardship Ontario through a fixed hourly rate for “a portion of the costs of operating the collection depots.”^{xiii}

The MDT & PIP program contains incentive rates for transporters and processors. Essentially, these are the rates that Stewardship Ontario is prepared to pay, and transporters and processors can take it or leave it.^{xiv} Stewardship Ontario determined the processing rates for paints and coatings at \$0.65/kg based on the average combined transportation and processing cost per kilogram for zone 1 in 2010 and 2011.^{xv}

A report by KPMG notes several concerns with the paint component of the new MDT & PIP program. A large number of service providers “cited low rates for processing and transportation as one of the key issues with the new incentive program [and have] expressed doubt about their ability to operate under the new program going forward.”^{xvi}

Consolidated Municipal Hazardous or Special Waste (CMHSW) program

On May 31, 2012, MOE released its direction to address changes to the MHSW program aimed at resolving the controversy that erupted two years ago, in July 2010, when retailers started to charge “eco fees” on various hazardous household products.^{xvii}

The Minister’s letter indicates that effective October 1, 2012, the Consolidated Municipal Hazardous or Special Waste (CMHSW) program was truncated to include only “Phase 1 MHSW wastes” such as paints and coatings, solvents, oil filters, antifreeze, propane tanks, fertilizers and pesticides. Stewardship Ontario will continue to manage the changed CMHSW program after October 1, 2012.^{xviii}

The new CMHSW was not posted on WDO’s website for two months (nor were the minutes indicating its approval). Moreover, the proposed changes were never posted for consultation on the Environmental Registry, an apparent failure to comply with the consultation requirements under the *Environmental Bill of Rights, 1993*.^{xix}

To implement these changes, MOE revoked O. Reg. 298/10 (Exemption re Section 31 of the Act)^{xx} effective October 1, 2012, to coincide with the implementation of the changes to the MHSW program. According to MOE, revoking O. Reg. 298/10 is an administrative step that ensures Stewardship Ontario is able to collect fees from stewards for all wastes managed by the program.

The definitions for two wastes was changed, starting October 1, 2012, so that single-use batteries and antifreeze wastes can be collected from all industrial, commercial and institutional generators (not just from residential and small quantity generators).

Phase 2 MHSW Waste Program Transformed Into Selected Household Hazardous Waste Initiative (SHHWI)

Consistent with the May 31, 2012 directive, the Phase 2 MHSW waste program was transformed into the provincially funded Selected Household Hazardous Waste Initiative (SHHWI) on October 31, 2012. It provides funding for the municipal management of six Phase 2 wastes: fire extinguishers, rechargeable batteries, fluorescent light bulbs and tubes, mercury-containing devices such as thermostats and thermometers, pharmaceuticals and sharps (syringes).

As indicated in the 2012 provincial budget, the program will have a funding cap of \$3.5 million per year between 2012 and 2014.^{xxi} Following a competitive RFP process, in early October 2012 the Recycling Council of Ontario was selected by MOE to develop and deliver this funding program to municipalities.^{xxii}

The MOE also indicated that it was considering options to address the continued retail collection of pharmaceuticals and sharps, and these details were revealed later in October 2012.

Phase 3 Materials

The May 31, 2012 directive to WDO indicates that Phase 3 materials (estimated at \$11 million in costs) would revert back to municipalities to manage. Observers immediately noted that MOE's May 2012 changes to the MHSW program appeared aimed at ensuring greater predictability of provincial costs, while municipalities may likely face increased costs. For example, the City of Toronto has operated a "toxic taxi" since the late 1980s. The toxic taxi provides free pick-up of 10 to 50 litres of household hazardous waste (HHW) materials (for lesser amounts, residents are required to take items to one of the City's HHW depots or to a "Community Environment Day", subject to exceptions for residents unable to do so). This is a worthwhile service but it is expensive to operate and doesn't always result in cost-effective diversion.^{xxiii}

This provincial direction assumes that containers for Phase 3 wastes – which include items such as household cleaning products, bleaches and camping fuels – will be completely emptied by consumers. The assumption is that no toxic or hazardous waste will remain in these containers and therefore there is no need for a diversion program or associated funding of these hazardous materials.

Municipalities that currently manage these types of materials, either because of their landfill approval requirements or as a council decision, will need to plan for a transition to providing this service without funding from either the province or retailers and manufacturers of the product.

In terms of the Phase 3 materials, the Association of Municipalities of Ontario (AMO) points out that municipalities have found that in reality residents do not always completely use up all of their Phase 3 products (toxic cleaners, etc.) before they dispose of their containers.^{xxiv}

A large number of municipalities manage these materials in a manner that diverts them from landfills and safeguards water sources. In 2012, AMO estimated that the province-wide direct cost of Phase 3 programs was approximately \$7 to 10 million annually, slightly below MOE's estimate of \$11 million per year going forward. Once the new Phase 3 municipal programs are in effect, there will be no mandated diversion or tracking of these wastes by the WDO, Stewardship Ontario or the various stewards and it seems conceivable that some municipalities will be tempted to reduce service provision and collection of Phase 3 wastes to save scarce municipal funds.

AMO and many other stakeholders are concerned about the financial and administrative impact of these decisions on municipalities that currently collect Phase 3 materials and/or may be expected to launch a Phase 3 collection program.^{xxv} They argue that this separation of hazardous waste responsibilities will likely cause administrative challenges to municipalities and may increase the costs of managing each individual phase of materials.

Moreover, AMO and other stakeholders warn that the fragmentation of the MHSW program may also result in greater resident confusion as to "what goes where", with multiple collection locations and different programs for different types of waste. The current MOE approach also compromises diversion goals and retreats from the principle of extended producer responsibility.^{xxvi}

MOE and AMO have also recently agreed to establish a joint action group on waste diversion that will identify key opportunities for achieving increased diversion rates and municipal cost reduction.

Collection of Pharmaceuticals and Sharps Program

On October 1, 2012 MOE brought into force O. Reg. 298/12 under the *Environmental Protection Act* (EPA), "Collection of Pharmaceuticals and Sharps — Responsibilities of Producers." This is one of the first regulations enacted under the product stewardship provisions of the *EPA* that were introduced under the *Waste Management Act, 1992*.^{xxvii} O. Reg. 298/12 enables individual producers of pharmaceuticals and sharps (i.e. manufacturers, brand owners or importers) to assume end-of-life responsibility for waste pharmaceuticals and sharps.^{xxviii}

The program is similar to the system run by the Beer Store for its products. Industry lobbied hard back in the late 1990s to be specifically exempted from having to use the Blue Box system for recycling its products, arguing that this would undermine its widely recognized refillable operation. Their efforts led to specific provision in the *Waste Diversion Act* that allow brand owners and product producers to choose to establish and operate such a system on their own or "in conjunction with other producers, or to engage one or more service providers for this purpose."

For the new pharmaceutical waste program, waste generators, handlers and others will be required to rely on service providers who have environmental compliance approvals (or remain under valid certificates of approval) to operate waste management systems. This is intended to ensure the proper end-of-life management for pharmaceuticals and sharps.

In addition, MOE is requiring the industry to establish a system of minimum collection coverage from more than 3,000 retail pharmacy locations generating residentially generated returns of waste pharmaceuticals and sharps. Producers also have agreed to meet proper handling and management standards and to report annually to the MOE on their collection, diversion and disposal performance.

The Beer Store Launches “Recycling Plus” at Splashy Media Event

On February 15 2013, The Beer Store launched a pilot project to allow Ontarians to recycle old paint, batteries and consumer electronics as well as empty alcohol containers at one facility in west Toronto.^{xxix} Regular beer stores will continue to accept alcohol bottle returns.

The Beer Store is running this project in partnership with Stewardship Ontario, which funds the municipal Blue Box system and also funds the Orange Drop program for MHSW, and Sims Recycling, electronic waste recycling specialists. Ontario Environment Minister Jim Bradley was on hand at the launch.

Ted Moroz, president of The Beer Store, stated that “this place is a dedicated service for folks who are bringing back a whole lot of empties at once. It will allow us to handle returns quicker, and get them (customers) in and out quicker.”^{xxx} Allowing consumers to bring in old paint, batteries and electronics “gives people one more reason to come here,” Moroz went on to say. He further claimed that the idea for Recycling Plus came from Beer Store employees.^{xxxi}

Moroz told reporters and observers that if the pilot in west-end Toronto is successful, more centres will open across the province. Moroz said they chose the location of the first facility (299 Campbell Avenue at Dupont Street, one block west of Lansdowne Avenue) in west end of the old City of Toronto based on its accessibility.

Cindy Coutts, president of Sims Canada, told the launch attendees the facility would initially just be a place to drop off used paint, battery and electronics for recycling, but would eventually offer incentives for recycling these items to organizations looking to raise money.

This Beer Store announcement also appears to be a follow-up on a significant change implemented in early 2007 in the recycling of non-refillable liquor and wine bottles, beer cans and Tetra-Paks sold by the Liquor Control Board of Ontario (LCBO). The deposit-return system, called “Bag it Back”, obliges Ontario consumers to pay a deposit when they purchase LCBO products, which is reimbursed when the container is returned.^{xxxii} LCBO and non-refillable beer cans are also subject to a tax on non-refillable containers of 10 cents per container that was first established in Ontario in 1989.^{xxxiii}

Canadian Paint and Coatings Association (CPCA) Seeks Its Own PaintCare Program

It also seems to fit with a December 2012 announcement by the Canadian Paint and Coatings Association (CPCA) that it is seeking to establish its own PaintCare program (similar to the one operated in the USA) which would significantly affect revenues paid to Stewardship Ontario by the painting and coating industries.

In December 2012, the paint and coatings industry formally notified WDO that it would like to establish its own program for post-consumer paint recycling in Ontario. The program would be separate from the current MHSW program now run by Stewardship Ontario. The move would allow the industry to continue with successful post-consumer paint recycling in Ontario, as it has done for the past four years.

Paint and coatings is the largest category of waste in the MHSW program. It represents more than 40 percent of the dollar value of the entire program. “This effort signals the paint industry’s desire to continue the success it has achieved in Ontario over the past four years, where it regularly exceeded established recycling targets,” commented Dale Constantinoff, President of General Paint Corp. and CPCA Chair.^{xxxiv}

CPCA has partnered with the Product Care, a not-for-profit industry association that manages product stewardship programs for household hazardous and special waste across Canada, to proceed with the creation of a separate program operation for post-consumer paint recycling in Ontario. Product Care has an impressive track record as a program operator for paint stewardship programs in seven of 10 Canadian provinces, with its first program established in British Columbia in 1994. Its program model was recently used in the United States to establish the PaintCare program.

Conclusion

As noted above, AMO and other stakeholders are concerned about the financial and administrative impact this decision will have on municipalities who currently collect Phase 3 materials and/or may be expected to launch a Phase 3 collection program. The separation of hazardous waste responsibilities outlined above will likely cause confusion for the public, administrative challenges to municipalities and may increase the costs of managing each individual phase of materials.

Moreover, stakeholders are right to warn that the fragmentation of the MHSW program may also result in greater resident confusion as to “what goes where” with multiple collection locations and different programs operating for different types of waste. The current MOE approach also compromises diversion goals and retreats from the principle of extended producer responsibility.^{xxxv}

The reaction of stakeholders suggests that MOE, WDO and Stewardship Ontario need to work with other interested parties, industry associations and educate the public on improving waste diversion rates.

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- ⁱ Environment Canada, *Extended Producer Responsibility*, online: Environment Canada <<http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=618F3E03-1>>.
- ⁱⁱ Environment Canada, *Extended Producer Responsibility*, online: Environment Canada <<http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=618F3E03-1>>.
- ⁱⁱⁱ Environment Canada, *Extended Producer Responsibility*, online: Environment Canada <<http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=618F3E03-1>> .
- ^{iv} Environment Canada, *Extended Producer Responsibility*, online: Environment Canada <<http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=618F3E03-1>>.
- ^v Environment Canada, *Extended Producer Responsibility*, online: Environment Canada <<http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=618F3E03-1>>.
- ^{vi} Environment Canada, *Extended Producer Responsibility*, online: Environment Canada <<http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=618F3E03-1>>.
- ^{vii} Changes to Home Depot's paint and compact fluorescent bulb and tube recycling programs, March 2013, <http://www.homedepot.ca/eco-options/initiatives/recycling-programs>
- ^{viii} See Glenn Munroe, "'Eco-Fee' Fallout Puts Stewardship Progress on Hold" (2010) 20:2 *Environews* (http://www.oba.org/En/Environmental/newsletter_en/v20n2.aspx#Article_4).
- ^{ix} Stewardship Ontario, *Schedule A to Waste Diversion Ontario's Program Agreement Rules for Stewards with Respect to Payment of Fees Respecting Municipal Hazardous and Special Materials for the Period Commencing April 1, 2012*, online: Stewardship Ontario <<http://stewardshipontario.ca/sites/default/files/MHSW%20Rules%20Revised%20March%2027%202012.pdf>>.
- ^x "Paints and coatings" also include the containers in which they are contained. Architectural coatings means "organic coatings intended for onsite application at ambient temperatures to interior or exterior surfaces of residential, industrial or government structures including; exterior and interior house paints, stains, undercoaters, primers, and sealers."
<<http://stewardshipontario.ca/sites/default/files/MHSW%20Rules%20Revised%20March%2027%202012.pdf>>.
- ^{xi} KPMG, *Waste Diversion Ontario: Review of MHSW Program Report*, online: Environmental Registry <http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2012/011-6195.pdf>.
- ^{xii} KPMG, *Waste Diversion Ontario: Review of MHSW Program Report*, online: Environmental Registry <http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2012/011-6195.pdf>.
- ^{xiii} KPMG, *Waste Diversion Ontario: Review of MHSW Program Report*, online: Environmental Registry <http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2012/011-6195.pdf>.
- ^{xiv} KPMG, *Waste Diversion Ontario: Review of MHSW Program Report*, online: Environmental Registry <http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2012/011-6195.pdf>.
- ^{xv} KPMG, *Waste Diversion Ontario: Review of MHSW Program Report*, online: Environmental Registry <http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2012/011-6195.pdf>.
- ^{xvi} KPMG, *Waste Diversion Ontario: Review of MHSW Program Report*, online: Environmental Registry <http://www.downloads.ene.gov.on.ca/envision/env_reg/er/documents/2012/011-6195.pdf>.
- ^{xvii} MOE Letter to WDO, May 31, 2012, <http://www.owma.org/lib/db2file.asp?fileid=1147>
- ^{xviii} The Minister's letter went on to state that "Until the transition period to the new plan is complete, Stewardship Ontario (SO) will continue to manage Phase 2 and 3 wastes and municipal costs will be covered. There should also be no interruption in service from providers." However, there were numerous glitches in MHSW program operations between July 2010 and late 2012.
- ^{xix} See Part II, especially sections 15 and 16.
- ^{xx} Made under the *Waste Diversion Act, 2002*.
- ^{xxi} <http://www.fin.gov.on.ca/en/budget/ontariobudgets/2012/addendum.html>.
- ^{xxii} MOE, Selected Household Hazardous Waste Initiative http://www.ene.gov.on.ca/environment/en/subject/waste_diversion/STDPROD_082683; As reported, "Following a competitive process, the Recycling Council of Ontario was selected to develop and deliver this funding program to municipalities. The program will begin covering municipalities' eligible costs on October 1, 2012. The Recycling Council of Ontario is the contact for this funding program."
- ^{xxiii} <http://www.toronto.ca/311/knowledgebase/62/101000038862.html>
- ^{xxiv} Association of Municipalities of Ontario, Consolidated Municipal Hazardous or Special Waste (CMHSW) program, Policy Update, June 7, 2012. <http://www.middlesex.ca/council/2012/june/26/C%20%20-%20CW%20Info%20-%20June%2026%20-%20AMO%20%20Consolidated%20Municipal%20Hazardous%20or%20Special%20Waste%20%28CMHSW%29%20program.pdf>

^{xxv} AMO goes on to state: we have “been a strong advocate for expanding extended producer responsibility and we will continue to do so.” MOE and AMO have also recently agreed to establish a joint action group on waste diversion that will identify key opportunities for achieving increased diversion rates and municipal cost reduction.

^{xxvi} AMOE goes on to point out that “[q]uite rightly, the public expects that hazardous and toxic materials will be safely diverted from our landfills and water sources. This puts municipal governments in a challenging position to meet these expectations, while also managing local budget constraints.

This approach also compromises diversion goals and retreats from the principal of extended producer responsibility – which holds manufacturers and retailers accountable for the costs related to safe disposal of their products.”

^{xxvii} See David McRobert, “Reforming Legislation and Regulations to Promote the 3Rs: Some Observations on Ontario's Waste Management Act, 1992 and the Proposed 3Rs Regulations, Waste Reduction Office”. Ontario Ministry of the Environment, September 1992, Presented to The Legal Implications of Legislating Waste, “Destination Elimination: An Economic Vision”, 13th Annual Conference, Recycling Council of Ontario, October 7-9, 1992. Ottawa Congress Centre, Ottawa, Ont. <http://www.lacieg2s.ca/law/wma-3r.htm>

^{xxviii} For more information, see Usman Valiante “In with the Old and Out with the New: Ontario’s Environmental Protection Act offers a New Direction for Extended Producer Responsibility” (May 2012) 22:1 *Environews* (http://www.oba.org/en/pdf/sec_news_env_oct12_In_Valiante.pdf).

^{xxix} See <http://www.thebeerstore.ca/about-us/environmental-leadership/recycling-plus>.

^{xxx} <http://www.winnipegfreepress.com/arts-and-life/life/greenpage/the-beer-store-launches-new-recycling-service-first-centre-opens-in-toronto-191405251.html?story=The%20Beer%20Store%20launches%20new%20recycling%20service,%20first%20centre%20opens%20in%20Toronto>

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http://www.thestar.com/news/queenspark/2013/02/15/beer_stores_new_recycling_service_launches_in_toronto.html

^{xxxii} https://www.rco.on.ca/lcbo_deposit_return.

^{xxxiii} Institute for Local Self-Reliance, “Canada's Experience with Refillable Beverage Containers”;

<http://refillables.grn.org/content/canadas-experience-refillable-beverage-containers>

“While Quebec uses agreements with brewers to maintain a prevalence of refillable beer bottles, Ontario uses a tax instrument to alter its beer market to favor refillables. This tax instrument is a \$0.0893 tax for each non-refillable container. The 10-cent levy is the sum of this container tax, a 7-percent federal goods and services tax on the final sale price of the container, and a 12-percent provincial sales tax on the final sale price of the container. All brewers who sell or distribute beer in Ontario pay the levy to the provincial government.”

^{xxxiv} Canadian Paint and Coatings Association (CPCA), Press Release, Dec. 18, 2012,

<http://cpcasquarespace.com/storage/pdf/press-releases/ISP%20RELEASE.pdf>; See also:

Canadian Paint Makers Plan to Recycle , Monday, January 21, 2013

<http://www.durabilityanddesign.com/news/?fuseaction=view&id=9023>

^{xxxv} Association of Municipalities of Ontario, Consolidated Municipal Hazardous or Special Waste (CMHSW) program, Policy Update, June 7, 2012. AMO goes on to point out that “[q]uite rightly, the public expects that hazardous and toxic materials will be safely diverted from our landfills and water sources. This puts municipal governments in a challenging position to meet these expectations, while also managing local budget constraints. This approach also compromises diversion goals and retreats from the principal of extended producer responsibility – which holds manufacturers and retailers accountable for the costs related to safe disposal of their products.”