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## THE ONTARIO / MICHIGAN WASTE ISSUE

### Michigan and United States Actions to Ban Ontario Waste

On March 14, 2006, Michigan passed legislation – H.B. 5176 – to ban the disposal of Canadian waste in Michigan landfills providing Michigan receives federal enabling legislation.

A U.S. bill – H.R. 2491 – is currently before the United States House of Representatives. The bill, if passed, would empower states to make laws to restrict the receipt and disposal of foreign municipal solid waste until the Environmental Protection Agency Administrator implements regulations enforcing the U.S.-Canada Agreement Concerning Transboundary Movement of Hazardous Waste, amended in 1992 to cover municipal solid waste. The bill would also require the approval of the U.S. Senate, as well as final signed authorization by the U.S. President.

Upon passage of the federal bill, the Michigan state legislation would prohibit Canadian waste from entering Michigan after 90 days.

There exist other federal bills, namely the Department of Homeland Security Appropriations Bill – H.R. 5441, that have implications for municipalities sending waste across the border. The Senate version of the Homeland Security Appropriations Bill includes two amendments that would have an impact on exported waste to the U.S. One amendment introduced by Michigan Senator Levin would close the border to waste trucks within 9 months if the Bureau of Customs and Border Protection could not prove that screening for chemical, nuclear, biological and radiological weapons is as effective for waste trucks as it is for other commercial vehicles.

The other amendment, introduced by Michigan Senator Stabenow, would require personnel and equipment for inspections of international shipments of municipal solid waste and a fee levied to offset these inspections costs. The result would be a fee of approximately \$420 on every truck shipping waste across the border.

## **Phasing Out Municipal Waste Shipments To Michigan**

The regional municipalities of York, Peel and Durham, and the City of Toronto have committed to eventually eliminate the shipping of municipal waste to Michigan by the end of 2010. Within this timeframe there will be a 20 per cent reduction by 2007, a further 20 per cent reduction by the end of 2008, and a total elimination of municipal waste shipment by the end of 2010. In return, the Michigan Senators have agreed not to pursue amendments to the Homeland Security Appropriation Bill (SA 4657 and SA 4617), or pursue similar current or future measures consistent with their constitutional duties.

## **Waste Management Tools for Ontario**

The province is helping municipalities and industry increase the amount of waste they divert from disposal and is promoting home-grown solutions for waste.

Specific actions have included:

- Streamlining the approvals process to help municipalities and industry recycle more waste materials;
- Proposal to remove approvals requirements for converting certain wastes into alternative fuels in order to keep these wastes out of landfills;
- Encourage new waste technologies by making it easier to run pilot or demonstration facilities which will reduce waste volumes and recycle certain materials;
- Improvements to the environmental assessment process that will make it easier to navigate and enable well planned major environmental infrastructure projects to proceed more quickly;
- Directing Waste Diversion Ontario to develop diversion plans for household hazardous and special wastes, and electronics to increase recycling; and,
- Undertaking field inspections in a number of industrial, commercial and institutional sectors (ICI) to encourage waste diversion and greater compliance.

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