



The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Infrastructure and Municipal Works
Division: Environment
Report Number: 2024-06-Infrastructure and Municipal Works
Prepared By: Dave Kuhn, Supervisor, Waste Management
Meeting Date: February 13, 2024
Subject: Mandatory Recycling and Clear Bag Collection Program

Purpose

To provide Council with information regarding the public consultation response pertaining to the proposed implementation of a clear bag waste collection and disposal program (herein after called “Clear Bag Collection Program”) designed to encourage and increase the diversion of recyclable and organic materials. This initiative would be considered as a major contributing factor to preserving and maximizing the existing capacity at the City’s landfill facility.

Recommendation

- a. That Council receive Report 2024-06-IMW.
- b. That Council direct Administration to proceed with the implementation of the Clear Bag Collection Program as described in this report with a soft launch date of January 1, 2025, and commencement of full enforcement on April 1, 2025.
- c. Subject to approval of Recommendation B, that Council direct Administration to implement a clear bag policy for users of the Landfill Site who deliver waste directly to the Landfill Site.
- d. Subject to approval of Recommendation B, that Council increase the allowable curbside waste set out bag limit from 2 bags to 4 bags.

Financial Implications

There are no financial implications to the Corporation. The curbside collection system and associated collection contract would be unaffected. It is anticipated that a significant increase of waste diverted from the residential and Industrial, Commercial, and Institutional (IC&I) sectors will be realized. There are no additional costs to users of the waste collection program as the cost to purchase clear bags are comparable in price to black bags. There are however long-term cost savings to the City through preserving capacity at the Landfill Site.

Strategic Priority Implications

This initiative aligns with the Municipal, Provincial, and Federal Governments' sustainability goals as it aims to reduce waste and increase diversion.

It also relates to Pillar 3: Achieve Net Zero By 2050 as diverting organic waste from the landfill will generate less landfill gas requiring collection and flaring before it is released into the atmosphere which will result in less greenhouse gas emissions.

Background / Discussion

In 2023, the Waste Management Department researched methods of increasing the diversion of recyclables from the curbside waste collection. Consequently, staff conducted a visual curbside audit which canvassed over 1,500 addresses and businesses in neighborhoods in each collection zone. Despite implementation of the two (2) bag limit, the visual curbside waste audit determined that 14% of households and 35% of IC&I addresses in the City of Cornwall do not participate in curbside recycling. Accordingly, Staff have identified that a mandatory recycling initiative should be considered to increase curbside recycling.

In addition to the objective of increasing the diversion of recyclable material, the City must also consider the inclusion of diverting organic waste as mandated by the Province which is scheduled to commence on January 1, 2025. Staff is currently in the process of preparing tenders for the supply of "green bins" which are designed to contain organic waste generated by curbside collection users. These bins will be provided to, and utilized by, residential households and IC&I establishments serviced with curbside waste collection. Additionally, the Waste Management Department is researching third party contractors to process collected organics for eventual agricultural and/or horticultural applications.

Different methods of implementing mandatory diversion of curbside waste, both recyclables and organics, were researched including enforcement through a compulsory Bin Set-Out program, a Pay-As-You-Throw collection arrangement, or a Clear Bag Collection Program.

A mandatory Bin Set-Out program requires curbside collection users to set out blue boxes containing recyclables, a green bin containing organics and garbage cans and/or plastic bags to contain regular waste. Such a program could also include a bag limit for regular waste collection thereby encouraging diversion of recyclables and organics. Collection staff would be instructed to not collect any waste unless all three waste types (recyclables, organics and regular waste) are set out at the same time. Challenges with this method include residents who do not accumulate sufficient recyclables or use other composting programs, such as back yard composters or counter-top style composting units,

Increasing diversion by Bin Set-Out is challenging due to the Extended Producer Responsibility Transition that is also occurring January 1, 2025, whereby a separate contractor commissioned and paid for by producers of recyclable items, will be collecting and processing the residential blue box material only. As the blue box material will be collected by a separate collection vehicle at a different time than regular waste and organics, the regular waste collection staff would not be able to absolutely confirm if the blue box materials have been set out. Other challenges to this program include that some residents and businesses do not create enough blue box material to warrant placing a blue box to the curb weekly and some residents have little or no organics to set out as they utilize back yard composters or countertop composting units. Under this program, residents could also attempt to place empty receptacles to the curb to satisfy the requirements while not participating in any diversion programs.

A Pay-As-You-Throw (PAYT) program requires curbside users be charged by the amount of regular waste collected. Users would not be charged for the collection of recyclables and organics. Such a program could also include a bag limit for regular waste collection thereby encouraging diversion of recyclables and organics and would ultimately result in reducing the amount of regular waste collection costs incurred by the user.

The PAYT arrangement would require residents and businesses to purchase tags for each bag collected, which requires additional municipal resources to operate. Additionally, and more importantly, the PAYT program would very likely result in extensive illegal dumping.

The Clear Bag Collection Program requires residents and businesses who utilize the curbside collection service to contain waste in clear plastic garbage bags or contain waste loose in garbage cans. Waste in clear bags would also be able to be placed into garbage containers to accommodate privacy concerns that were identified during the public consultation process. In this manner, collection staff can visually inspect the waste contents. Clear bags or garbage cans containing more than ten percent of recyclables and/or organics would not be collected. Any waste contained in black plastic bags would also not be collected. Such a program could also include a bag limit for regular waste collection thereby encouraging diversion of recyclables and organics.

Ultimately the Clear Bag Collection Program was identified as the best option for the municipality. The Clear Bag Collection Program promotes mandatory recycling of blue box material and organics diversion which could be enforced with no additional resources and minimal behavioural changes for residents and businesses. Simply put, the only difference is the colour of the garbage bag.

Public Consultations

At the October 10th, 2023, Regular Meeting of Council, Staff was directed to proceed with public consultation regarding a Clear Bag Collection Program. The Waste Management Department completed three public open house events: one virtual session on December 7th and in-person consultation events at the Benson Centre on December 12th and December 14th. The Waste Management Department also published an online survey which gathered 1,789 responses.

Online Survey

Of the 1,789 responses to the online survey, the vast majority of respondents indicated their main concern with the Clear Bag Collection Program was the potential public exposure of intimate or sensitive private waste materials such as financial documentation, sensitive information, sanitary products, personal items etc. which could be visible in clear plastic bags. Other concerns included the cost and availability of clear bags at local merchants and, apprehensions with animals tampering with the bags. The results of the survey are summarized below. A full list of questions and answers from the public consultation initiatives are available in Appendix A.

- 1333 of the respondents indicated they foresee their address experiencing issues with the Clear Bag Collection Program. In written response, most respondents cited privacy concerns as the primary issue.

- 1088 of the respondents indicated that they foresee issues purchasing clear bags at local retailers. The concerns were focused on availability and cost of clear bags compared to black or opaque bags.
- 776 of the respondents indicated they would be in favor of using a waste container with clear waste bags to increase privacy with household waste.
- 667 of the respondents indicated they would be in favor of using privacy bags to contain intimate items. The privacy bags could then be contained within a clear bag or waste container.
- 924 residents indicated they foresee a problem with the clear bag system even with the implementation of a green bin program. Many of the optional written comments from this section indicated that residents do not want to participate in a green bin organics program, while others indicated that it should have been implemented years ago. (*It should be noted however, that the City is Provincially mandated to implement a green bin organics program by 2025.*)
- 513 respondents indicated they would support the clear bag initiative if the 2-bag limit was increased. A few residents expressed concerns with increasing the bag limit as it seems counterproductive. The reasoning behind potentially increasing the current limit is to support large families who are currently recycling and diverting as much as they can and add flexibility to residents who may seldom generate waste above the current limit. With a Clear Bag Collection Program, the only waste that is collected is material that cannot be diverted through other programs.

Public Consultation Sessions

The virtual public consultation occurred from 5:00-6:00 pm on December 7th using the Zoom platform. The consultation event commenced with a brief presentation by the Waste Management Supervisor highlighting waste management services across the City, current ongoing diversion efforts and initiatives, a prelude to the anticipated 2025 “Green Bin” organics program, landfill capacity challenges, and the Clear Bag Collection Program background information. This was followed by an open forum “questions and answers” session for participants.

In-person public consultations were held the following week, occurring on December 12th and 14th at the Benson Centre. Similar to the virtual event, the sessions began with a brief presentation by the Waste Management Supervisor followed by an open forum “questions and answers” session for participants. In total, 49 residents participated in the three public consultation sessions.



For both the virtual and in-person events, a moderator guided the session, allowing residents to voice their questions, comments and concerns with regard to implementing the proposed Clear Bag Collection Program. Feedback received from residents pertaining to the potential program were noted during the sessions are available in *Appendix A*.

Privacy Concerns

As is in most Clear Bag Collection Program public consultations implemented in other municipalities, the most prevalent concern that was expressed throughout the public events and the online survey was associated with the potential public exposure of intimate or sensitive private waste materials such as financial documentation, sensitive information, sanitary products, personal items etc. which could be visible in clear plastic bags. Of the responses received, residents are mainly concerned about neighbours, collection staff and/or the general public being able to view potentially sensitive materials within their transparent waste bags.

Residents are concerned that a transparent clear bag program could make them more susceptible to privacy infringements such as identity theft, fraudulent activity, and possible increased rates of theft.

A common practice with a clear bag collection system is the acceptance of “privacy bags” within the clear bag. Privacy bags or opaque bags would allow residents to shield sensitive waste products from public view. It is also recommended that financial and confidential documentation should not be placed within the garbage but instead shredded and placed into a recycling receptacle to avoid any fraudulent activity.

Staff is recommending that the City of Cornwall allow an allotment of two (2) privacy bags per collection week for waste items that are considered private. The bags would be of a defined size, or a combination of smaller bags that equate to the same capacity. Other municipalities who have implemented a clear bag policy typically identify 25 litre bags, which are readily available, as the size for privacy bags.

As previously mentioned, as part of the Clear Bag Collection Program, the City of Cornwall would allow the use of garbage cans and/or carts for curbside collection containing loose waste, as this would reduce the amount of landfilled plastic bags but would also serve to reduce resident’s privacy concerns.

Costs and Availability of Clear Plastic Bags

Residents have expressed concern about the costs and availability of transparent plastic garbage bags. Based on current inventories and pricing, residents are concerned that retailers will not carry the amount and size variety required to adequately meet their demands.

Preliminary research was completed to get a sense of the cost differentials between clear bags and conventional black bags. Most municipalities that have implemented a Clear Bag Collection Program recommended allocating a time frame of 6-8 months for retailers to turnover their current inventories. Some municipalities have experienced shortage or availability issues during the first weeks of transition as the demand spikes for a short window.

Should Council provide direction to proceed with the Clear Bag Collection Program, the Waste Management Department will coordinate with local retailers to ensure adequate supply of clear bags are available before, during and after the program implementation.

Rodent and Wildlife Concerns

Some residents expressed concern that rodents, birds, and other wildlife will more easily be able to target waste in clear bags, leading to ripped bags and debris left curbside. As previously mentioned in this report, and reiterated throughout the public consultation sessions, a Provincially mandated green bin initiative will be launched early in 2025 in parallel with the proposed Clear Bag Collection Program. All models of collection bins (green bins) designed to contain organics which are currently being considered for purchase by the City, will have a locking mechanism which will serve to deter wildlife from accessing the organic food waste. Assuming full diversion of organics into the green bin, with food waste virtually eliminated from the clear garbage bags, there should be little or no incentive for wildlife to tear open bags in search of something edible. This should result in a significant decrease in torn bags caused by wildlife.

Enforcement Concerns at the Curbside

Another common concern that was voiced by residents was surrounding the enforcement of the Clear Bag Collection Program.

It was conveyed that the collection contractor staff will be primarily responsible for completing a quick visual assessment of the waste contents prior to dumping the waste into the collection vehicle. Residents will be reminded that the goal of

the programs is not to reject waste due to small amounts of food waste or recyclables (less than 10% by volume) within the garbage but to encourage diversion of as much recyclable and organic waste as possible in order to maximize the longevity of the Landfill.

Enforcement at the Landfill Site

As part of Council's approval of the Clear Bag Collection Program, Staff is recommending that the Landfill Site also be subject to the same policy for transparent bags. This issue was brought forward during the public consultation sessions as residents are concerned that some waste generators who can afford additional charges will choose to bypass the curbside clear bag policy by simply disposing of their waste directly at the Landfill Site. Allowing generators to bring waste to the Landfill Site in opaque bags, is counterintuitive to the clear bag initiative. Staff recommends that the clear bag policy extend to all waste delivered to the Landfill Site. The Landfill Site is equipped with a rate structure that surcharges unsorted waste at a rate of 50%. Any users of the Landfill Site would be subject to this surcharge if their waste does not meet the standards.

Increase of Bag Limits

As part of the proposed Clear Bag Collection Program, it is recommended that the City increase the waste bag limit from the current 2 black bags to 4 clear bags at the time of implementation and reassess as needed. The increase to the bag limit accommodates large families who divert all possible material, but still may have additional bags at certain times of the year.

Consultation with Peterborough

As mentioned in report 2023-95, which was presented to Council on October 10, 2023, the City of Peterborough implemented a clear bag collection program on October 31, 2023. Staff has followed Peterborough's roll out plan and communicated with Peterborough waste management staff in January 2024 to gauge the success and challenges of a clear bag collection system.

Peterborough implemented their Clear Bag Collection Program in parallel with a green bin collection program. The two programs complement each other ensuring that the green bin program capture rate is maximized, while recyclable waste is also prevented from being landfilled.

In discussions with Peterborough staff, the overall program implementation has been a success. Thorough messaging and a comprehensive communications

strategy was the key to successfully implementing a clear bag program. Peterborough's communication plan included print media, radio ads and social media campaigns for an eight (8) month period and increased in frequency closer to the implementation date. Peterborough successfully coordinated the supply and demand of clear bags in anticipation of a spike in demand when the program was implemented. There were few stores who had their inventory dwindle, clear bags were readily available for purchase by the public.

Conclusion

Considering all of the preceding, Staff is recommending that Council approve the commencement of the Clear Bag Collection Program on January 1, 2025, to coincide with the commencement of the Green Bin organics collection program. As part of this program, the City would continue to allow the use of garbage carts or containers to contain clear bags. Waste may also be contained loose in garbage carts or containers in an effort to avoid additional plastic bags from being disposed of in the Landfill Site

Staff is proposing a 3 month 'soft launch' to the new collection protocol whereby waste contained in clear bags or loose in containers will be inspected by collection staff with a sticker or notice left behind addressing any non-compliance. This period is intended for the public to learn about the program and change their waste sorting habits without having their waste refused at the curb. A comprehensive education and promotion program, similar to the Peterborough experience, will be implemented well in advance to, and ongoing throughout the initial stages, to assist curbside collection users to adapt to the new practices. Staff is also recommending that a promotion campaign with decals for residents who adhere to the program without any infractions be implemented. A similar program was offered in Markham, Ontario which gathered positive feedback as a result.

Staff has consulted with the current curbside collection contractor, E360 Solutions, and have confirmed that they are willing to work with the City to ensure that this initiative is successful. Upon approval by Council of the recommendations in this report, the Waste Management Department will create and distribute training information to the contractor pertaining to the Clear Bag Collection Program.

Upon full enforcement of the Clear Bag Collection System in April of 2025, Staff is proposing that the City of Cornwall not initially issue fines for improperly prepared waste but rather handle these cases in the same manner as current solid waste by-law infractions. In cases of non-compliance, the Waste Management



Department communicates the issues to property owners and tenants. Following an allotment of time to remedy any issues, the City contracts a third-party to collect the waste which had been left abandoned on the curbside or private property due to non-compliance and subsequently invoice the owner of the property to recover costs.

Upon approval of the Clear Bag Collection Program by Council, Staff will amend the current Solid Waste Management By-Law to reflect the specifics of the program. These amendments would then be presented to Council at a subsequent meeting for discussion and approval.