

1990 BILL 202

Second Session, 22nd Legislature, 39 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 202

RECYCLING ACT

MR. DECORE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 202
Mr. Decore

BILL 202

1990

RECYCLING ACT

(Assented to _____, 1990)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) "Minister" means the Minister of the Environment;
- (b) "regulations" means regulations passed pursuant to section 11;
- (c) "toxic waste" means waste designated as toxic by the regulations.

Waste-reduction
and recycling task
force

2(1) The Minister shall establish a task force to make recommendations for reduction, reuse, recycling and recovery in waste management.

(2) The task force shall be appointed by the Minister, to comprise one representative from each of the Departments of Environment, Energy, Economic Development and Trade, Consumer and Corporate Affairs, Municipal Affairs and 5 members recommended by the Environment Council of Alberta.

(3) The Chairman shall be appointed by the Minister from one of the members recommended by the Environment Council of Alberta.

(4) The task force shall, among other things, make proposals for the implementation of this Act and consider recommendations put forward by the Departments represented on the task force and the

Environment Council of Alberta.

(5) The task force shall consider the recommendations from the Environment Council of Alberta put forward in its 1987 report entitled "Recycling of Waste in Alberta".

(6) The task force shall submit a first report of its findings and recommendations to the Minister not later than January 1, 1991, and thereafter it shall monitor and advise on the further implementation of this Act, reporting at least once per year to the Minister.

(7) The Minister shall table every report received by him under subsection (6) in the Legislative Assembly as soon as possible after receipt.

Waste-reduction

3(1) By January 1991, the Minister shall cause to be provided by the task force specified under 2(1), recommendations for reducing the solid waste generated in the province, by an amount not less than the amount required to reduce the annual amount of solid waste generated in the province by 10% of the estimated 1990 level by the year 1995.

(2) Thereafter measures shall be adopted to further reduce the amount of solid waste generated in the Province, including measures to reduce waste from packaging materials and disposable materials.

(3) The Minister shall issue regulations, not earlier than January 1992, but prior to January 1993, establishing standards and requirements, consistent with the recommendations outlined in subsection (1) for

(a) reducing the volume or weight of disposable packaging material manufactured for domestic, commercial, industrial, government or other use;

(b) enhancing the recyclability of disposable packaging material;

(c) increasing the proportion of recycled material used in the manufacture of packaging materials.

(4) Regulations adopted under this section may

(a) require labels indicating

(i) whether packaging material is recyclable and the quantity of recycled material in the packaging, if any, and

(ii) whether any toxic substance is present in the packaging;

(b) set minimum standards for recycled content in classes of packaging;

(c) establish guidelines or standards for refillable and reusable packages for certain types of goods;

(d) establish guidelines or standards for packaging certain products in recyclable packages;

(e) prohibit or reduce the use of substances in packaging material to minimize adverse impacts on the environment, such as the release of toxic substances from land disposal or incineration;

(f) establish standards for the volume or weight of classes of packaging; and

(g) establish standards to minimize the content of toxic substances in printed materials or products composed of plastics which are generally disposed of in a resources recovery facility.

(5) The Minister may require that symbols be placed on packages sold or offered for sale in the Province indicating the packaging is recyclable or made of recycled material, as soon as uniform symbols have been adopted in Canada.

Financial incentives to reduce waste and increase recycling

4(1) The Minister shall issue regulations requiring municipalities to adopt the policy of "user pay" for municipal waste management systems.

(2) The Minister shall, together with the Minister of Municipal Affairs, determine the conditions for operating municipal waste management systems on a cost-recovery basis and make recommendations for the adoption of this system by municipalities.

(3) The Minister shall phase out the Alberta Environment Capital Assistance Program for development of regional landfills and propose to the Legislative Assembly the application of the money saved for incentives for recycling and resource recovery.

(4) The Minister may provide a waste-reduction and recycling operating grant to a municipality operating a recycling policy, depending on the population of the municipality and the amount of recyclable material collected, in accordance with the regulations,

providing that money has been appropriated by the Legislature to that purpose.

(5) The Minister may provide start-up loans or grants to enterprises involved in recycling and resource recovery, in accordance with the regulations, providing that money has been appropriated by the Legislature to that purpose.

Recycling

5(1) The Minister shall provide, or cause to be provided, to every community with a population of over 200 a service to collect recyclable materials designated as such in the regulations, and centralized collection sites in the communities where residents of areas surrounding the communities can deliver recyclable materials.

(2) The Minister shall establish depots throughout the Province for the collection and sorting of recyclable materials collected by municipalities.

(3) Every municipality that operates a sewage treatment facility shall provide for household toxic waste to be delivered by residents and received by staff at the facility during normal business hours.

(4) The Minister shall establish, promote and operate a collection of household toxic waste materials from residents in at least 3 Alberta cities or towns on every weekend, by operators trained in the handling of toxic materials on the Friday, Saturday and Sunday of that weekend.

(5) The Minister may establish training programs to train operators in the receiving, sorting and storage of toxic waste from households and residents.

(6) The materials collected at municipal sewage treatment facilities or during weekend toxic waste collection shall be transported to a toxic waste disposal facility designated by the Minister.

(7) The Minister may enter into contracts with any person to carry out any of the services provided for in sections 3, 5, 6, 7 and 8.

(8) The Minister shall by January 1, 1991 issue regulations governing the recycling of glass, plastics, metals, motor oil, tires, compostable organic products and any other substance that shall be specified.

(9) The Minister shall propose legislation to extend the system of deposits on beverage containers, to further encourage the reuse of containers.

Providing markets
for recycled
materials

(10) The Minister shall issue regulations to encourage energy recovery from incineration plants.

6(1) The Minister shall issue regulations to encourage the development of markets for recycled goods in the Province.

(2) The publisher of each newspaper published and distributed in the Province having a circulation of more than 10 000 shall use the following percentage of recycled newsprint

- (a) for 1994, 20% of the amount of newsprint used in 1992;
- (b) for 1995, 30% of the amount of newsprint used in 1993;
- (c) for 1996, 40% of the amount of newsprint used in 1994;
- (d) for 1997, 60% of the amount of newsprint used in 1995;
- (e) for 1998, 80% of the amount of newsprint used in 1996;
- (f) for 1999 and thereafter 90% of the amount of newsprint used 2 year's before.

(3) In this section "recycled newsprint" means newsprint with at least 40% post-consumer recycled paper.

(4) On or before January 15, 1994, and annually thereafter, each publisher of a newspaper required under this section to use recycled newsprint shall submit a report to the commissioner of environmental protection stating the amount of recycled newsprint used for the preceding year.

(5) The commissioner of environmental protection shall exempt a publisher from compliance with the provisions of this section if such publisher certifies to the commissioner that he is unable to obtain sufficient amounts of recycled newsprint at a price comparable to the price for virgin material or within a reasonable time and has provided the commissioner with a certification of the specific reason for failing to use recycled newsprint.

(6) A certification shall be construed to have been made in good faith if the publisher submits proof of having contacted, to obtain recycled-content newsprint, each producer of recycled-content newsprint that offered to sell recycled-content newsprint to the publisher not more than eighteen months before the certification and such proof shall include the address, telephone number and name of each producer contacted and the corporate name of such producer, if any.

(7) The Minister shall provide, or cause to be provided by the newsprint recycling task force by 1993, recommendations concerning the introduction of requirements similar to those outlined in subsection (2) for

- (a) newspapers published outside the province;
- (b) published matter other than newspapers.

(8) The Minister shall establish a newsprint recycling task force to make recommendations for newspaper publishers.

(9) The newsprint recycling task force shall submit a report of its findings and recommendations to the Minister, who shall table it in the Legislative Assembly no later than June 1, 1991.

7(1) The Minister of Public Works, Supply and Services shall establish a policy and issue regulations effective January 1, 1992 to allow for preference in purchasing goods and services from suppliers who maximize use of recycled materials or provide for the maximum recyclability of their products.

(2) The policy and regulations shall include

- (a) a requirement that Government purchases of recycled paper shall increase annually from a minimum of 15% of total paper purchases in 1992, to 50% of total paper purchases by 1995.
- (b) a plan to eliminate by stages, the use of disposable and single-use products in the Government.

(3) In subsection (4) "disposable product" means any product with an essential part which cannot be replaced, refilled or renewed and for which a reusable product exists, and "single-use product" means any nonconsumable product designed to be discarded after one use or customarily used only once and for which a reusable substitute exists.

(4) The provisions of subsection (2) do not apply to disposable or single-use products directly related to health or veterinary care or medical or scientific research.

(5) The Minister of Public Works, Supply and Services shall establish a policy and issue regulations to ensure that the Government recycles as much of its waste materials as is possible. To be in operation by January 1, 1992.

(6) The policies established by subsections (1) to (5) shall apply not only to all provincial establishments but to all municipalities and authorities in receipt of funding from the Government and such municipalities and authorities shall indicate in their annual statement of accounts those items which are recycled and the provisions that they have made for recycling their waste products.

Education
program on waste
reduction

8(1) The Minister of the Environment in conjunction with the Minister of Consumer and Corporate Affairs, shall develop a public education program on waste reduction.

(2) The Minister of the Environment shall cooperate with the Minister of Education to include the principles of "reduce, reuse, recycle and recover" in school curricula.

Regulations

9 The Lieutenant Governor in Council may make regulations

- (a) providing for grants for the purpose of sections 4(4) and (5);
- (b) defining toxic waste;
- (c) defining any other term in this Act not otherwise defined.