



WHAT WE HEARD

WASTE REDUCTION AND RECOVERY ACT
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

March | 2023

Government of
Northwest Territories



If you would like this information in another official language, call us.

English

Si vous voulez ces informations dans une autre langue officielle, contactez-nous.

French

Kīspin ki nitawih̄tīn ē nīhīyawihk ōma ācimōwin, tipwāsinān.

Cree

Tłıchq̄ yatı k'èè. Dı wegodi newq̄ dè, gots'ō gonede.

Tłıchq̄

ʔerih̄t'is Dēne Sų́nė yatı t'a huts'elkēr xa beyáyatı theᓯᓯ ᓯat'e, nuwe ts'ēn yóttı.

Chipewyan

Edı gondı dehgáh got'je zhatıé k'éé edat'éh enahddhę nıde naxets'é edahí.

South Slavey

K'áhshó got'jne xədə k'é hederı ʔedjht'é yerııwę nıde dúle.

North Slavey

Jii gwandak izhii ginjık vat'atr'ijáhch'uu zhit yınohthan jı', diıts'at ginohkhii.

Gwich'in

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqłuta.

Inuvialuktun

Ć^bđ< ɳɳ^{sb}Δ^c ʌɾLJ&ɾ^c Δ^bɳɳ<^{sb}ɾLɳɳ^b, ɳ<^cɳ^aɳ^c ɳ^bɳ<^aɳ^{sb}ɳɳ^c.

Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

Indigenous Languages:

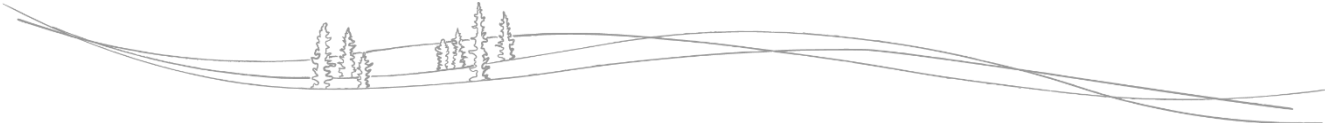
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Introduction

In 2003, the *Waste Reduction and Recovery Act* (WRRRA) was created to help keep waste out of Northwest Territories (NWT) landfills and off the land by the Government of the Northwest Territories (GNWT) regulating the reduction and recovery of waste.

Why is an amended Waste Reduction and Recovery Act needed?

The GNWT is proposing to amend the WRRRA to enable the most current and comprehensive tools for managing waste reduction and recovery in the Northwest Territories, aiming to be consistent with other GNWT legislation and to meet current best practices in waste management.

The amendments would:

- Redefine, clarify and modernize terminology.
- Enable Extended Producer Responsibility (EPR) programs.
- Clarify Environment Fund contribution, disbursement, and administration requirements to avoid conflict with EPR programs.
- Enable the Minister to create landfill disposal bans.
- Expand the Minister's authority to appoint officers and delegate responsibilities.
- Expand the Minister's authority to enter into agreements.
- Extend how long prosecution can happen after an alleged offense.
- Enable the GNWT to select operators based on a competitive process.
- Enable any new regulations required to implement the amendments.

Amending the Act is a priority action under the [NWT Waste Resource Management Strategy and Implementation Plan](#) (the Strategy). The Strategy was informed through extensive engagement with Indigenous governments and Indigenous organizations, communities, the Waste Reduction and Recovery Committee (WRRAC), the Waste Resource Advisory Panel (WRAP), industry stakeholders, and the public during in-person and online engagement opportunities in 2017 and 2018. A *What We Heard* report summarizing the results of the engagement was published in June 2018 and can be found [here](#).

The WRAP was established by the Deputy Ministers of the Department of Environment and Natural Resources (ENR) and the Department of Municipal and Community Affairs in 2018 as a forum for communities to help guide the development of the Strategy. ENR is committed to ongoing engagement of communities throughout the implementation of the Strategy.

The WRRAC was established under the WRRRA to provide advice and assistance relating to the establishment and operation of waste reduction and recovery programs, and its membership reflects sectors and organizations from a cross-section of small and large communities in the Northwest Territories (NWT).

How did we gather information?

During the summer of 2022, the GNWT engaged with targeted stakeholders to seek their feedback on the proposed amendments to the Act. Information letters were sent to Indigenous governments and Indigenous organizations, community governments, land and water boards, recycling depot operators, and the WRRAC. The GNWT presented to the WRRAC and held a virtual engagement session with NWT Senior Administrative Officers to obtain their feedback.

The GNWT asked for public feedback on proposed amendments to the *Waste Reduction and Recovery Act* through its website and social media in December 2022 and January 2023. During this time, the GNWT received six submissions from individuals, businesses, and industry associations.

Summary of Engagement

This *What We Heard Report* summarizes the comments received under the following themes:

1. Extended Producer Responsibility
2. Waste Disposal Bans
3. Jobs in the NWT

Summary of Comments Received:

1. Extended Producer Responsibility (EPR)

WHAT WE HEARD

Overall, the feedback received was supportive of enabling EPR programs in the NWT to reduce the amount of solid waste going into landfills through increased recycling and diversion. Participants provided feedback on elements of EPR including recommendations on what materials and sectors should be included or excluded from an EPR program, the structure of producer responsibility organizations, data needs, defining education and consumer roles. Participants also noted the creation of feasible and defined targets, timelines for program plan development and implementation, the role of the regulatory authority, and harmonizing EPR in the NWT with other jurisdictions operating similar programs.

OUR RESPONSE

This is the first substantial amendment to WRRRA since it was created in 2003. The proposed legislative amendments are enabling EPR as a potential tool that could be implemented in the future through

regulation. Regulations will be developed after the Act is enacted. The GNWT will ensure there are public engagement opportunities during the development of the regulations.

2. Waste Disposal Bans

WHAT WE HEARD

An industry association commented that disposal bans should be implemented as a solution of last resort and that they should encompass both residential and Industrial, Commercial, and Institutional (ICI) waste streams, as well as both private and public waste disposal sites. Another industry association was supportive of disposal bans to reduce methane emissions from landfills and to increase recycling rates.

OUR RESPONSE

These amendments would allow the option to develop disposal bans in the future through regulations. Disposal bans would only be created for materials subject to established territory-wide waste reduction and recovery programs. For example, the City of Yellowknife's recycling program includes cardboard, but it is not a territory-wide program. No disposal ban on cardboard would be considered unless a territory-wide program is in place. If a disposal ban is considered in the future, the GNWT will work closely with communities to ensure a ban is designed with the realities of communities in mind. This would include enforcement and community capacity. Regulations will be developed after the Act is enacted. The GNWT will ensure there are stakeholder and public engagement opportunities during the development of the regulations.

3. Jobs in the NWT

WHAT WE HEARD

There was interest in potential future business opportunities as a result of the proposed changes to the *Waste Reduction and Recovery Act*.

OUR RESPONSE

Existing territory-wide waste reduction and diversion programs including the Beverage Container Program and the Electronics Recycling Program employ 10 full-time and 31 part-time jobs in communities across the Northwest Territories. Creating new and expanding existing waste reduction and diversion programming in the NWT is expected to create new jobs and local economic opportunities. For example, new or expanded waste reduction and diversion programs will require additional labour to manage and move materials.

Next Steps

We have identified the following next steps:

1. The Bill will be introduced in the Legislative Assembly in the February/March sitting of 2023.
2. Once the Bill is introduced, it is expected that the Standing Committee of the Legislative Assembly will hold a 120-180 day review period. This will provide an opportunity for further input on the draft legislation.

3. The GNWT is committed to working with Indigenous governments, Indigenous organizations, stakeholders and the public during the regulation drafting process.

Contact

If you have any questions or about this report, you can contact:

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