

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 44TH LEGISLATURE, ONTARIO  
4 CHARLES III, 2025

## **Bill 87**

**An Act to amend the Environmental Protection Act to require a Minister's review  
related to industrial, commercial and institutional source separation programs**

**Ms M. McMahon**

**Private Member's Bill**

1st Reading      December 9, 2025

2nd Reading

3rd Reading

Royal Assent



**An Act to amend the Environmental Protection Act to require a Minister's review related to industrial, commercial and institutional source separation programs**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1 Part V of the *Environmental Protection Act* is amended to add the following section:**

**Review by Minister, O. Reg. 103/94**

**47.0.1** (1) No more than three months after the day this section comes into force, the Minister shall commence a review of the requirements under Ontario Regulation 103/94 (Industrial, Commercial and Institutional Source Separation Programs) made under this Act to determine how to set out clear and enforceable outcomes-based requirements, such as diversion targets, disposal caps or contamination thresholds.

**Considerations**

(2) In conducting the review, the Minister shall consider the following:

1. The scope of the regulated sectors and appropriate outcomes for sectors and subsectors.
2. Size thresholds for facilities and dwellings.
3. Designated materials.
4. Public reporting and tracking requirements.
5. Third-party monitoring, certification and audits.
6. The role of promotion and education in improving diversion rates.
7. Performance measures that can be used to increase diversion rates.
8. Methods for increasing diversion rates in multi-residential buildings.
9. Exploration of complementary tools, such as producer responsibility and disposal bans, to recover resources and reduce waste.

**Report**

(3) No more than nine months after the day the review is commenced under subsection (1), the Minister shall report their findings to the Legislative Assembly.

**Commencement**

**2 This Act comes into force on the day it receives Royal Assent.**

**Short title**

**3 The short title of this Act is the *Environmental Protection Amendment Act (Industrial, Commercial and Institutional Source Separation Programs), 2025*.**

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EXPLANATORY NOTE

The Bill amends the *Environmental Protection Act*. A new section 47.0.1 provides that the Minister shall commence a review of the requirements under Ontario Regulation 103/94 to determine how to set out clear and enforceable outcomes-based requirements, such as diversion targets, disposal caps or contamination thresholds. No more than nine months after the review has been commenced, the Minister shall report their findings to the Legislative Assembly.