



September 28, 2021

EPRA Draft Program Plan Feedback

To Whom It May Concern:

Thank you for the opportunity to comment on the draft plan. Zero Waste BC is a non-profit association dedicated to driving systemic change towards Zero Waste in BC. Zero Waste Canada is a non-profit grassroots organization, dedicated to ending our age of wastefulness through improved industrial design and education. Zero Waste is the conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health. Our current resource consumption systems of linear take-make-waste not only create waste but also generate a huge amount of greenhouse gases which constitute some of the discharges that threaten the environment and human health. EPR programs can play a key role in changing these consumption systems. For more information on Zero Waste, please see the Zero Waste Hierarchy.¹

We are pleased that BC has regulated these products and that this EPR program exists. The program has evolved a lot and set up many strong elements since it first began which is to be commended. However, as the program plan goes for its next renewal, we submit these comments in hope that the program will really show leadership in the realm of EPR to move it beyond mere recycling to actually changing the nature of the products and how the service is delivered, as envisioned in the Canadian Council of Ministers of Environment Canada-wide Action Plan for EPR.

Please see our comments by section below:

Section 3. Appointment of Steward Agency

EPRA is commended for having the Local Advisory Committee to hear non-steward perspectives. It is hoped that this group can play a more active role with greater transparency on its recommendations and if they are implemented. Details on this committee including minutes should be on the EPRA website.

In addition to this, the Board would ideally represent a wider range of stakeholders including reuse and repair organizations, recyclers, local governments, First Nations and environmental NGOs.

¹ Zero Waste Hierarchy: <https://zerowastecanada.ca/zero-waste-hierarchy/>.

Section 4. Program Products

EPRA is commended for accepting cell phones and batteries that also may be covered by other programs to avoid confusion for consumers.

Section 6. Collection System and Consumer Accessibility

While the number of collection sites are good, it would be helpful if the website showed all of them on the map at once as well as a list of the sites. The annual report for BC should be on the EPRA website and easy to find. The list of sites should be easy to sort by community name or regional district to determine where gaps may be.

The target for coverage should be that 100% of the population has access to either a collection depot or a mail-back system (free of charge to the end user). The SABC standard has not been developed in consultation with local governments nor the public, nor does it meet the intent of the Recycling Regulation and so should not be used as a measure of accessibility. Programs should provide service in all municipalities and if no service provider can be contracted, the program itself should set up the collection depot. The program should work with the BC Product Stewardship Council and the Indigenous Zero Waste Technical Advisory Group to determine the underserved communities.

The use of waste composition audits is good but if EPRA is unable to calculate the percentage of product collected, then EPRA should be required to calculate its effectiveness using waste composition studies done annually across BC. The results should be published on the EPRA website, and all of the details of the studies should be included in the annual report to the BC Government and made public. This data should be used to understand the degree of success of collection given the challenges noted in the plan. The program should also take steps to count units returned and determine weights sold, as well as look to other jurisdictions with higher collection rate weights per capita to understand how much product is not being collected in BC. The program has been running for 14 years now so if producers had been asked to report on product weights from the program's inception, better data on what is returned today would now be available.

The fact that the 2019 report noted 3.5 kg/capita of program material found in the Cariboo Regional District waste audit when the provincial average of collected material was only 3.1 kg/capita shows that there could be a significant amount of product missed, particularly as the range of program products is very wide. A program with 14 years of experience should have a far better understanding of its collection rate.

Another measure that may be useful is the convenience of accessing depots. The 2018 BC survey noted that 45% of residents found recycling electronics very convenient and another

37% found it somewhat convenient.² A target to raise this number as well as an annual survey to measure it would be useful. The survey also noted that up to 12% of respondents may throw electronics in the garbage. When asked why these items may have been thrown in the garbage, 19% did not know the item was recyclable, 32% did not know where to take it and a significant 35% said there was nowhere to take it or no way to get it there. This shows some key areas that this program plan should address.

Section 7 Consumer Awareness

For a program operating as long as EPRA has, it is surprising that the level of consumer awareness is not higher. If only 86% of the BC residents (2019 report) were aware of the program, it can be assumed that the collection rate is lower than that. It should also be noted that while residents may be aware that a TV or computer can be recycled, it is unlikely that residents will know about the full range of products that are included. The goal should be to get 95% of the population aware of the program by 2024 (and later 100%) with work done to increase awareness of the full range of products. To do otherwise is to continue to externalize costs to the public and the environment. The program could also pursue disposal bans with local governments as a way to ensure consumers do the right thing but also that they are aware that throwing these products away is not appropriate.

The use of the biannual survey is good but more detailed analysis for certain products or audiences should be done after new campaigns to determine if they were effective or if they should be adjusted. In addition, the surveying should start to look at what awareness there is for reuse, repair and refurbishment of products, and also separately, of toner cartridges.

Section 8 Management of Program Costs

The program should plan to develop differential fees based on certain criteria such as lifespan, ease of repair, use of easy to recycle materials (versus materials that are wasted by being burned for energy), etc. to drive product design change as intended by the Canadian Council of Ministers of Environment. The fees should also be set at a higher level to pay for the improvements needed in understanding collection rates, providing more comprehensive collection networks, enhancing awareness and fulfilling the mandate for redesign, reuse and repair.

The table below shows the fees (from the 2008 ESABC Annual Report) compared to the fees charged today.³

² BC Ministry of Environment and Climate Change Strategy (2018). Consumer Awareness Survey of Extended Producer Responsibility Programs in BC. Accessed at https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/rel-res/consumer_awareness_survey_of_epr_2017.pdf.

³ 2021 EPRA fees accessed at https://www.recyclemyelectronics.ca/bc/wp-content/uploads/sites/4/2021/07/EPRA_BC_Obligated_Products_Definitions_EHFs-August-2021.pdf

Environmental Handling Fees	2008	2021
Desktop computer	\$8 - 10	\$1
Computer monitors	\$12	\$6 - 19
Laptop computers	\$5	\$0.80
Televisions	\$15 - 45	\$6 - 19

There have been many additions of product categories to the program since its inception such as electronic toys, instruments and medical devices but today’s fees range from \$0.05 for a micro toy to \$19 for the largest TV, with most items being under \$10. Given this significant decrease in fees over time, there is a lot of room to increase the fees to greatly improve program performance and ensure that all service providers are adequately compensated.

Section 9 Management of Environmental Impacts

Redesign/reuse

A key gap of this program remains the lack of focus on product redesign for longevity, standardization of ports and chargers, design for repairability, availability of parts, prevention of early obsolescence, and reuse. This is happening at a time where the Right to Repair movement is growing and electronics are one of the key product classes garnering a lot of attention. A recent report for the federal government noted “many viable electronics finds itself as waste, motivated perversely by extended producer responsibility (EPR) schemes which reward collection and destruction rather than higher environmentally beneficial options.”⁴ This report also noted (page 64) that value retention processes for electronics were estimated at direct GDP contributions between \$450 million and \$630 million. These activities generated \$290 million to \$420 million in direct labour income across 3,800 to 9,600 direct jobs. Direct taxes were estimated at approximately \$7.7 million. Environmental benefits were GHGs avoided, materials saved and plastics reused (page 67). This highlights the need to go beyond mere recycling. The report highlighted the need for the Right to Repair and address challenges such as irreversible joints (which make it hard or impossible to repair a device).

The 2019 EPSC Design for Environment report highlights a few stewards’ work on reducing GHGs and product weights but only has a small note on Apple and Cisco refurbishing products for resale (rather than for the original user). It also notes Canon burning or recycling toner cartridges but nothing about any work to use refillable ones instead. The report and this program plan leaves it up to producers to determine if they wish to follow the Pollution Prevention hierarchy, contrary to both the BC Recycling Regulation and the CCME Canada-wide Action Plan for EPR.

⁴ Environment and Climate Change Canada (2021). Socio-economic and environmental study of the Canadian remanufacturing sector and other value-retention processes in the circular economy. Accessed at https://publications.gc.ca/collections/collection_2021/eccc/En4-438-2021-eng.pdf

While it is good that the program supports optional reuse should a consumer be aware of and choose that route,⁵ the program itself should develop a system where each item returned gets assessed for its potential for reuse, refurbishment or use for parts. The items could go back to the original manufacturer or be part of a program-funded system to resell, repair and refurbish the products, as well as create a bank of spare parts. This could involve partnerships with existing reuse organizations but needs to ensure **all** returned items that could be handled at a higher rung of the hierarchy are. Any barriers to reuse in the depot contracts should be removed.

Should the program not take the lead in redesigning its products, the provincial government may wish to explore regulations being pursued in other jurisdictions that require products to last a certain length of time, come with mandatory warranties of longer terms, have availability of parts, are designed for repair, and have access to repair or servicing.

Recycle

Although the program plan says plastics are pelletized, the annual report notes both recycling and burning of plastics. The relative percentage of plastic actually recycled (which is not reuse) and burned for energy should be clearly stated, with goals to improve this over time. For the plastics that are burned, the types of plastics or functions should also be noted so feedback could be given to the producers on why materials were burned and how to eliminate this through product redesign. Similarly for the toner cartridges -what percent were reconditioned versus burned for energy should be noted and targets set to move the handling up the hierarchy.

Other

Any material that is burned or destroyed (not returned to the materials economy) should be tracked and not count as diversion. This includes anything sent to cement kilns as RDF and anything sent to a smelter that was not recovered through the process to be sold as a material. Targets should be set to eliminate this.

Section 11 Performance Management

As noted above, the program should also provide the amount of product sold (weight) and the amount of product collected (units) annually. It should also show the amount disposed in landfills (and elsewhere as illegal dumping or litter) annually.

The number *and location* of contracted sites by RD should be provided as well as a list of any municipalities that do not have a permanent depot. The population with access to collection should have a target of 100%, with all municipalities served as well as any First Nations locations as determined in conjunction with the First Nations. Mail-back options should be available for those not living in the aforementioned locations.

⁵ note the [link](#) in the 2019 annual report to BC which is meant to have info for reuse organizations seem to be written for Nova Scotia only which will likely deter BC-based businesses.

Waste audits should be done for a rotating collection of locations across BC annually and this data should be used to determine the collection rate (the amount not collected versus the amount collected). This should be planned in conjunction with the BC Product Stewardship Council and UBCM.

The consumer awareness target should be 95% of the population aware by 2024 (and later 100%). There should also be surveys on awareness of reuse and repair options.

Program costs should also be reported based on the amount of product introduced into the market annually. Efforts should be made to quantify the costs that remain externalized to others (such as depot operators, local governments, illegal dumping clean up efforts, and the environment) and attempts made to rectify this.

As noted, efforts to reduce environmental impacts should be significantly strengthened and then targets set for the amount of reuse, repair, refurbishment and use of parts.

The program plan seems to be a continuation of the status quo rather than a move towards the significant advances needed to reach the potential of EPR programs. We hope that this information is helpful in crafting the renewed plan.

Sincerely,
Sue Maxwell
On behalf of Zero Waste BC

And Jamie Kaminski
On behalf of Zero Waste Canada