



March 7, 2022

BC Lamps and Lighting Equipment Extended Producer Responsibility Program Plan

Feedback on the Draft Plan

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 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 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

A Board with industry representatives from across Canada is an efficient system for many aspects of governance and the National Lamp Advisory Committee is a way to connect with the lighting industry in more detail but the program lacks a mechanism that is BC-specific looking at both the level of service offered in BC and the achievement of environmental outcomes. We recommend the creation of a committee with a wide range of stakeholders including reuse and repair organizations, recyclers, local governments, First Nations and environmental NGOs. This committee should be empowered to effect change for the BC program.

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

Section 4. Program Products

Product Care is commended for accepting all forms of lights and lighting equipment whose primary function is lighting (or horticulture).

Section 6. Collection System and Consumer Accessibility

Product Care has a wide range of collection options and the list of most depots is included in the annual report. However, it is difficult to tell where gaps in service may be due to the unadvertised depots. 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.² The target for coverage should be that 100% of the total population has access to either a collection depot, pick up option or a mail-back system (free of charge to the end user). In addition to this, a survey of commercial users should be done to understand where gaps in services may be (and this survey could also assess awareness among this important stakeholder group). The RCBC survey of local government services quoted in the plan is irrelevant as the requirements of local governments are not the same as producers who are required under the Recycling Regulation to provide services across the province based on product type.

The systems for PCB Ballast Collection would seem to cover the whole province for collection for free to the end user while still considering safety.

Evaluating collections and waste audits

Given the ongoing evolution of lighting and thus the challenge in determining the number of units that would reach end of life in a given year, it may make sense to then see what is not being collected. The use of waste composition audits is good but if PCA is unable to calculate the percentage of product collected, then PCA should be required to calculate its effectiveness using waste composition studies done annually across BC. The results should be published on the PCA 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. To achieve this, PCA should work with other producers to fund more waste audits and ask local governments to partner with them in allowing access to sites.

² Product Care's work with IZWTAG is commendable and should continue and expand.

Another measure that may be useful is the convenience of accessing depots. The 2018 BC survey noted that 45% of residents found recycling lighting products very convenient and another 39% found it somewhat convenient.³ 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 39% of respondents may throw lighting products in the garbage; the second highest after styrofoam. When asked why these items may have been thrown in the garbage, 30% did not know the item was recyclable, 33% did not know where to take it and a significant 18% 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.

The system for fixtures that relies on metal collection should be strengthened with paid collection sites collecting and tracking light fixtures.

Section 7 Consumer Awareness

The increase in awareness noted in the draft plan is good news and shows the work put into increasing this awareness and communications. However, if only 79% of the BC residents (2020 Annual Report) were aware of the program, it can be assumed that the collection rate is lower than that, at least for residential lamps and lighting. It should also be noted that this measure does not reflect the full range of products that are included in the program. The goal should be to get 95% (not 70%) 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.

As EPR for lighting expands across the country, the use of stickers or labels on packaging to inform the end users about programs should be pursued.

Section 8 Management of Program Costs

The program should plan to develop differential fees based on certain criteria such as lifespan, use of easy to recycle materials, 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

³ 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.

redesign, reuse and repair. While the plan says that this may be difficult, it should be aided by the fact that PCA manages other programs for lights in three other provinces and similar programs exist elsewhere.

We appreciate that PCA worked with BDO to determine depot costs but note that it is difficult to factor in the need to be open a suitable number of hours in order to be considered accessible by the end user. A retail store, for example, would not succeed if it were only open 3 hours a week, even if on average that was the sum of the time to service customers in an average week. The program-specific operating costs are one aspect to consider but there are also considerations around hours of operation. If PCA cannot find a partner willing to provide a service in a community, it should set up its own depot in that location and pay the costs that are required.

A review of the fees charged for products show that these have either gone down or not changed since 2012.⁴⁵ This means that there is certainly room for program improvement funded by appropriate fees.

Section 9 Management of Environmental Impacts

Redesign/reuse

The objective of the program should be two fold - one is as noted in the draft plan: “providing an effective collection program and ensuring that the collected materials are either reused or recycled or disposed of in an environmentally responsible manner.” The other is “as a means to provide clear signals to producers that Canadians want improved environmental performance of products and better product design with reduced use of toxic materials, enhanced recyclability, increased use of recycled materials, reduced life-cycle energy and materials consumption and reduced greenhouse gas emissions.”⁶ While there is progress in that the nature of the products are reducing the amount of material used through longer lifespans, the toxicity of materials used and changing to Lighting as a Service; it is unclear that the program is trying to take any active role in working towards the second CCME objective. The program plan should outline steps the program is taking to understand what materials are in the products (beyond just metals for fixtures) and how it is communicating with product developers to influence design and provide feedback from the program (especially around challenges for recyclability or finding out about options for repair and reuse of components). This is important so that producers can move beyond design just for “operational and logistical efficiencies” to also incorporate designing for the environment.

⁴ LightRecycle Annual Report 2012 https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/lighting/ar/lightrecycle_2012_annual_report.pdf.

⁵ Product Care Association. LightRecycle BC Funding. <https://www.productcare.org/products/lights/british-columbia/funding/>

⁶ Canadian Council of Ministers of the Environment (2009). Canada-wide Action Plan for Extended Producer Responsibility. https://ccme.ca/en/res/cap-epr_e.pdf

For reuse, the plan notes there are established channels for consumers but the program should be actively promoting those. It should also assess products coming in to see if they can be reused or repaired or used for parts. This could easily apply to fixtures. There is also an opportunity for commercial lamps where many organizations replace the lamps not as they reach end of life but instead on a rotation whether they need replacing or not. That means many lamps could still be used and should be made available for reuse. 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

Having the Lamps Processing Standard is a good way of ensuring the environment and human health are protected. The program should also work to discourage the use of bulb crushers unless very strict safety protocols are in place.

We appreciate that PCA aims to recycle the glass, metal and plastic from lamps but more detail could be provided on the end fate of the plastic that is considered recycling. For the fixtures, metal is one component but the program should be determining the other types of materials and improving the systems so that those can be recycled as well. This could involve partnering with metal recyclers to design new systems that would capture and sort those other materials. An assessment of the outcomes of the metals recycling process could identify opportunities where program involvement and funding could develop new protocols and systems.

Recover

We appreciate that PCA aims to appropriately manage the mercury, PCBs and phosphor powder.

Section 11 Performance Management

The number and location of contracted sites by city and 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 or pick-up options should be available for those not living in the aforementioned locations. The commitments to work with RDs and IZWTAG are good steps.

Reporting on the units sold and collected is sound but fixtures only have reports on estimated weight collected. Steps should be taken to gather weight information per unit from the

producers (as well as materials used) so there is a better understanding of materials flows going forward.

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 and ultimately should greatly increase the number of audits done.

The consumer awareness target should be 95% of the population aware by 2024 (and later 100%). There should survey done of different groups (such as commercial users) to determine areas for improvement. We hope progress can be made on the commitment to implement labelling on the packaging.

Program costs should also be reported compared to the value 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 should provide significant advances needed to reach the potential of EPR programs as envisioned in the CCME plan. 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