



ZWBC Feedback for Clean BC's Single Use Plastics Intentions Paper

Thank you for the opportunity to provide feedback on this intentions paper for which the need is becoming more urgent every day as plastic is predicted to continue to proliferate. We are **very supportive** of regulations to address single use and plastic waste and encouraging reusables. 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. The upstream and downstream impacts of plastic are well documented but ongoing research is needed to determine the true impact to human and environmental health. In the interim, we should use the precautionary principle.

Zero Waste BC is a non-profit association dedicated to driving systemic change towards Zero Waste in BC. 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. As we are neither an industry association using single use items nor a government, the answers below will be by category covering items from both templates.

1. Checkout bags

We fully support the intention to ban plastic checkout bags in conjunction with fees on single-use paper bags. We think the aspects below can be improved:

- a. Consider restricting the material type of reusable bags to be constructed from a natural fibre. The proposed guidelines currently require a reusable bag to be able to withstand a minimum of 100 washes. With the goal of preventing plastic waste, there is a downstream litter effect associated with synthetic fibre in that with each wash, hundreds to thousands of microplastic fibres are released. Acknowledging that wastewater treatment facilities are not capable of filtering these out, guiding the material type of reusable bags is inter-connected to the goal of preventing plastic waste.
- b. The proposed minimum 40 percent recycled content for paper bags is currently what is typically available for commercial purchasing. Requiring a higher percentage of recycled content could be an industry driver to change this standard.
- c. Include produce bags in the list of proposed restrictions. These single-use plastic bags are typically very lightweight and not durable, reducing their suitability for reuse options. As with the checkout bag, there are many other viable options that can be utilized. Although these bags, like the plastic checkout bag, are accepted in the Recycle BC recycling program, they are not often recycled into a recyclable product, thus removing them from the circular economy.

- d. Require bags being provided for bakery or bulk items be paper with a 60 percent minimum of recycled content.
- e. Fees charged on the paper single use bags should be returned to the province to create a fund to help support reuse programs. Unlike the municipalities, the province can set taxes for items and should do so to ensure the incentive is to decrease the amount of single use items (including paper bags). In municipalities where there are fees on the bags and the businesses keep those fees, there is a perverse incentive for the businesses providing the bags to sell more as these then become one of the highest profit margin items. As with any incentive, the fee proposed is a good starting level but it should be checked every three years or so to ensure that the incentive level still has the desired effect.

2. Food service accessories

We fully support the direction to move to a by-request requirement for disposable foodservice accessories (e.g., utensils, drinking straws, condiment sachets, napkins, cup lids) regardless of material type. We also support the direction for bulk refills if dine in or customers bringing their own.

We encourage setting strong standards for what counts as reusable to ensure high environmental impact and easily disposed items will not be the substitutes.

3. Problematic food service packaging

We fully support the direction to ban foodservice ware made from problematic plastics (i.e., polystyrene foam, PVC, and compostable plastics). We fully support the direction to ban plastics with oxo-degradable additives. Please do not exempt compostable plastic as banning it is a very strong step forward.

Multi-laminate pouches and other soft plastics that are not plastic bags and overwrap, classified as other flexible plastic packaging (OFPP) by the Recycle BC program, currently have no recycling solution. As a result, they are recovered into engineered fuel which is a step backwards on the Zero Waste hierarchy. It is clear to see that these single-use plastic packaging items are not effectively recycled in B.C. Additionally, as previously stated, the recovery of flexible plastics, which includes OFPP, by the Recycle BC recycling program has been very low in recent years (24% in 2020, 22% in 2019). We recommend that the Province addresses OFPP materials in this proposed waste prevention regulation.

We also recommend including plastics labelled 'biodegradable', black and dark coloured plastics, plastic packaging made of mixed materials, and plastics that have problematic additives, such as bisphenols, PFAS, phthalates and pigments.



Consider fees for the other forms of disposable take out packaging that fill the same role to drive change towards reusables.

Note while OMRR Schedule 12 does not currently include packaging as an acceptable source, the intentions paper makes it sound like some forms of packaging and compostable bin liners are acceptable and in current practice, many are going to composting facilities. As many composting facilities are accepting fibre-based food packaging which may contain PLA and other forms of plastic or could contain PFAS, which is also problematic, we recommend that the language be clarified and work done to eliminate PFAS from entering the system. This intentions paper focuses on plastic but the possible harms from other forms of food packaging should be addressed as well.

We agree that the primary focus needs to be switching to reusables rather than permitting additional forms of compostable plastic.

Please restrict the term “biodegradable” in relationship to packaging as it is very misleading.

4. Spheres of concurrent jurisdiction

We are very pleased that the province intends to go beyond the rather limited scope of the federal actions and looks for consistency across BC while also allowing innovation and experimentation to continue at the municipal level. With BC taking action on this intention paper, it will also save the remaining municipalities from needing to enact their own regulations, resolve the issue of regional districts not being able to enact regulations and make it simpler for businesses that work across multiple municipalities.

Ideally municipalities would be empowered to develop more of their own policies to assist in decreasing single use packaging, starting with beverage cups and take out containers.

5. Future actions

There is a strong need for the Province to “consider additional tools and policies that could facilitate reuse, refill, and repair in the future.” We think that this should include engaging with producers to support the move towards reuse. The *Recycling Regulation* requires everything to be done at a higher level of the pollution prevention hierarchy such as reduce then reuse before moving down to the next (recycling) however to date there has been very little action by EPR programs to do anything but collect and recycle or dispose. We hope that in conjunction with these proposals that the Ministry will also work to ensure the true intent of the misnamed regulation is met by producers by setting a far higher bar for EPR programs’ plans and actions, with mandated requirements for reduction and reuse, followed up with enforcement should



the program not deliver. Additional measures should also be taken to drive redesign, reduction and reuse as intended in the CCME *Canada-wide Action Plan*.

We agree that the province should pursue future bans of other forms of polystyrene foam in packaging and elsewhere. Other items to examine for switching to reuse or bans should include disposable cups and lids, beverage bottles and caps, disposable dishware, cotton swabs, coffee pods, plastic cigarette filters, and balloon sticks. In addition, to effect change in the marine environment, consider banning all expanded polystyrene used for docks, enact an EPR program for boating and fishing gear that includes conducting clean ups and require oil container collection at all marinas.

We support action on requiring reuse and refill options and moving towards a Zero waste/circular economy. Requiring reusables for onsite dining and dishwashing capacity for all permanent food services at the level required to handle reusables should be a focus. Action on beverage cups should proceed quickly.

The province often funds innovation and change so ideally funds would be provided to support new models around reusable takeout ware and coffee cups as well as supporting refilleries and packaging-free stores. The City of Victoria has been looking at this in their area so building on their experience would be good.

The province could develop its own universal education or promotional materials for the switch to reuse (similar to the Love Food, Hate Waste campaign or Metro Vancouver's campaigns for holiday waste and textiles) that would go out provincially but could also be tailored for local campaigns. A system to share these resources should be developed.

For businesses, a well-researched guide to what kinds of containers would be suitable (similar to some aspects of what the City of Vancouver has developed) to give clarity to businesses all along the supply chain as well as to combat greenwashing.

As systems move towards reuse rather than recycling, examine systems such as the one trialed in Durham, North Carolina for using the curbside recycling system to return refillables to local vendors. Also consider developing a province-wide reuse and refill directory that could be an addition to the existing recycling data base.

As part of developing the Circular Economy strategy, determine where the key gaps are and what the potential upside is for rolling out province -wide reuse system, starting with beverage containers as the low hanging fruit.



6. Compliance and measuring success

Please ensure that the use of materials that cannot be reused or recycled for energy is not supported nor considered a success. This will help to drive better design and systems while limiting pollution and unintended consequences.

Track data on all single use bans and compile the data through either businesses or EPR programs. This data should be made public to assist other jurisdictions as well as to inform future changes. Data from marine clean ups and all litter/pitch-in events should be gathered to determine the next set of policy measures

We also think there should be a biannual review of the regulation with a view to banning additional single use and plastic items and additives according to the hazard they pose to the environment and/or human health. The policy should be monitored to see if it having the desired outcomes and tweaked accordingly. Indicators could include sales of items included in this intentions paper, results of waste audits, information from EPR programs, input from litter pick-ups, number and scale of reuse businesses, and information gathered directly from businesses.

There needs to be a plan for enforcement and this could be in conjunction with the federal and local governments.

Once again, thank you for the opportunity to provide feedback and we are happy to discuss these comments.

Sincerely,

Sue Maxwell
Director,
Zero Waste BC