

BCUOMA 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 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 BCUOMA will be submitting its plan which includes some improvements to its existing system. 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. Legal Requirements

We are pleased that the program covers all products defined in the *Recycling Regulation* but hope for completeness that the programs would also handle empty oil containers over 30 L as well as other forms of lubricating oil. Given that the last consultation in February 2022 was for containers to 210L, this is confusing. Also, the

Section 4. Governance and Financing

BCUOMA is commended for a member at large and a municipal representative on its Board. In addition to this, the Board would ideally represent a wider range of stakeholders including reuse and repair organizations, recyclers, other local governments, First Nations and environmental NGOs.

In regards to financing, BCUOMA should further develop variable environmental handling fees based on certain criteria such as lifespan, use of refillables and reusable containers, use of easy

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

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 program could incentivize reusable containers and then those that are actually recyclable. The programs should try to phase out the ironically named eco-boxes as well as PVC pouches and try to prevent biodegradable forms of packaging from being used with prohibitive fees. As the Desrosiers report notes, developing standardized containers with a focus on reuse is feasible. It should be a key aspect of this renewed program. UOMA is commended for conducting a study into how the circular economy could be relevant to these products.

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 and reuse.

Section 5. Product Available for Collection

Lubricating Oil -the study on consumption on use is helpful and should be used to identify ways the program could minimize loss (such as leak detection and prevention).

Used Oil -The program should also look at ways to minimize the other uses (repurposed oil) where the oil may be burned without proper environmental and health protections.

Oil Filters -The program should work to minimize the non-recyclable components of oil filters so that waste to energy is no longer used.

Containers - We encourage BCUOMA to work with producers and large volume consumers to reduce the number of containers required for recycling, including refill options, and larger bulk containers to reduce the impact of these containers.

We appreciate that BCUOMA will conduct studies on what is “available for recycling” and feel that having third party oversight or verification of the process, definitions and standards used will enhance the trust in BC’s EPR system.

Section 6. Collection

BCUOMA has been doing well in improving its public collection sites and increasing the compensation. It has been also working with First Nation communities to improve its collection infrastructure. It is appreciated that BCUOMA has developed its own standard that is an improvement on the SABC one however, the target for coverage should be that 100% of the population has access to either a collection depot or a pick-up system to return the product and packaging (free of charge to the end user). BCUOMA’s new standard should be developed in consultation with local governments, First Nation’s communities and the public, and meet the intent of the Recycling Regulation. 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 program should also work with other EPR programs that have similar products or products that can be confused between programs, to ensure a resident or business can still easily recycle a product while both EPR programs guaranteeing that the products will still be recycled responsibly. Product labelling may help to remove this confusion, or there is an allowance for BUCOMA products to be returned through a similar program (ex. Product Care's HHW program), without any penalty to the collection site.

The program may also wish to do user surveys to understand where and why materials may be uncollected. The 2018 BC survey noted that 39% of residents found recycling used lubricating oil, filters and containers 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 10% of respondents may throw program products in the garbage. When asked why these items may have been thrown in the garbage, 23% did not know the item was recyclable, 38% did not know where to take it and 17% 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.

A survey of the collection network should be done to understand what areas could be improved from both a collector and customer perspective. This network is an asset and using the collective knowledge would be advantageous. Metrics on customer satisfaction and collector satisfaction should be added to the program with targets suitably high for such an established program. A secret shopper (or dropper) program should be implemented to understand the consumer experience and if the collection sites are welcoming of products. Research should also be done to understand what products are not accepted and how to minimize that (such as poorly labelled containers).

We appreciate that BCUCOMA is offering grants for infrastructure and think that the program should be paying 100% of the programs-specific costs. Events should be used as marketing tools to raise awareness rather than counted as part of accessibility as people are unlikely to store the materials until an event (often irregularly and sporadically timed) may occur.

Section 7 Transportation and Processing

The program is commended for having different collection zones. The plan notes this is part of an incentive system but the plan makes no mention of how the incentives work, how they are different, if they cover all of the costs of collectors and if they are effective.

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.

7.3 This section has a table labelled targets but the table seems to reflect existing collection levels. While the regulation does state 75% collection as a baseline it also notes the ability of the director to set higher targets which they should for mature programs. The ultimate target for filters and containers should be 100%. Given that oil, antifreeze and other products in containers may be consumed, other methods such as audits and surveys should be used to understand what products may be going uncollected. More detail on the “repurposed” aspect should be gathered and it should be included in the reporting. Work should be done to encourage reuse of the materials and discourage burning of them.

7.4 Product Management. The Zero Waste Hierarchy should be used to develop systems for the products to be redesigned, reduced, reused and recycled. As noted above, reusable containers are preferable. It is good that antifreeze and lubricating oil can be recycled back into its original purpose but should there also be a system to reuse any residuals that are in their original state without refining being necessary. The programs should look to understand why some oil cannot be recycled back into lubricating oil and work to address those challenges with a goal to stop burning it. Similarly, can more filters be shifted to recyclable types and containers, when not reusable, be recyclable? The portion of oil that is used in burner units and as fuel for cement kilns needs to be reported separately and NOT counted as recycling. It should be phased out but until that time, it needs to be reported and accounted for separately as disposal. Similarly “reuse” is for materials used in the same condition as they were returned while recycling is for materials that are processed to ideally be used for similar purposes. This use of language in the table under 7.4 must be rewritten and highlights the need to have the MOECCS define these terms in the *Recycling Regulation* to avoid greenwashing and increasing consumer distrust.

Work should be done to develop reuse systems for filters as well as research on how to design products to be less toxic, require less of the product or have it last longer.

7.5 Landfill Audits

The use of waste composition audits going forward is useful to see if the containers and filters are being captured by the program, and the program should partner with other programs to conduct composition studies annually across BC. The results should be published on the BCUOMA website, and 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 and estimates of what is available to collect noted in the plan. Any local government or First Nation’s government who requests assistance in funding a waste audit that includes BCUOMA products should receive appropriate funds and not need to go through the SABC request system.

Section 8 Paying the Cost of Collection and Management

This is a unique approach that is suitable as long as the accessibility, collection rates and retention of collectors is high. For collection sites, the assumption that labour, space, equipment, materials and others is part of the cost of doing business may be true for some collection sites but not for others (particularly those for whom collection is the goal and not

other aspects like oil changes). The program **needs to prove** that all collection sites are being adequately compensated for their services and in particular, that local and First Nation governments are not subsidizing the program by offering staffed collection depots, storage, insurance, etc.

Care also needs to be taken that the end fates of the materials are in line with the program plan and it is not clear if this is part of the agreement as if the collector owns the product, it is assumed they sell it to the market. It is also not clear how this may need to change for items of lower value such as the additional forms of packaging or how incentives are changed in the event that the market rates for collected items are no longer sufficient to justify the collectors continuing as collectors or processors as processors.

The previous plan amendment noted challenges with local governments collecting other HHW but not BCUOMA products. The program should work with local governments to understand what the rationale is for not collecting BCUOMA materials and work to address them. This may be more important as the program expands its product suite.

The program may need to look more closely at its existing system to see if any changes are needed with the new suite of materials to collect regarding collection systems, processing, incentives and costs as well as looking to the future when electric vehicles are the norm.

Section 9 Program Marketing and Consumer Awareness

For a program operating as long as BCUOMA has, it is surprising that the level of consumer awareness is not higher. The 2018 BC report noted above found only 60% of residents were aware that used lubricating oil, filters and containers could be recycled with only up to 46% recycling or returning them. That the BCUOMA study in 2016 found that 78% of British Columbians were aware of the program is interesting and shows the need for more regular and impartial surveys.

If only 78% of the BC residents (2016 study) were aware of the program, it can be assumed that the collection rate is lower than that for consumers. 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 new 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. More research should be done on the portion of product that is not collected to understand who is not participating in the program and what marketing and behaviour change initiatives are needed.

BCUOMA should consider the need to provide information in multiple languages based on the make-up of the communities in BC. Programs may also need to connect with different audiences if there are different kinds of products used by different markets. Consider the

demographics of BC with regard to languages and ensure the materials are produced in the suite of languages needed to reach multiple demographics.

BCUOMA members should label their products so consumers know where to take them.

Section 10 Performance Measures and Targets

These performance measures, targets and reporting commitments should be included in the plan so that a permanent written record can be established.

- I. Accessibility
The target for accessibility should be for 100% of residents living in a municipality (or First Nation community that wishes it) to have access to a collection facility in their community (with more facilities for those living in cities).
Collection events should be counted under marketing, not accessibility.
- II. Sales, Collection and Capture Rates
As noted, the criteria for what counts as available for collection should be defined by the MOECCS and audited and monitored by a third party. Under capture rate, those numbers should be the baseline and the target should be 100% (especially as the plan notes incentives will be adjusted to reach the target so care must be taken to avoid reductions in incentive levels if a target were set too low).
Ideally reporting is also given by community (and not just Regional District).
- III. Consumer Awareness & Education
The targets should be 95% increasing to 100% for knowing what to do with these materials. It is not necessary to know the name of the program but rather that a program or system exists to responsibly handle the materials.
Consumers should know where to find the information but this may vary -for example a local government may have a very strong communications program or a business may advertise this and this information should help to inform BCUOMA about what works and where gaps exist but this section does not show what would qualify as a correct answer.
- IV. Product Management
As noted before, the definitions and corrections for the levels of the hierarchy should be made and the BCUOMA definitions should not be used.
- V. Audits
More information should be audited where possible.

The table of the Community types should have a column showing what percentage of the BC population each segment is and where the remainder of the 2016 census population of 4,648,055 falls.

In conclusion

The program plan has a good basis but needs stronger targets and more ambition in achieving the outcomes intended by the CCME Canada-wide Action Plan for EPR. Some of the more

ambitious direction could include more fully addressing some of the suggestions from the consultation for the previous plan. Another area that could be examined is the issue of the products entering the marine environment and oil containers used for boats ending up as shoreline litter. This plan renewal, at a time when BC is planning to develop a Circular Economy Strategy, is an opportunity to reduce environmental impacts and the efforts and initiatives in this area should be strengthened, alongside the creation of related targets for reuse, repair and refurbishment. That said, we look forward to continued improvement of this program.

Sincerely,
Sue Maxwell
On behalf of Zero Waste BC