



## Plastics Registry- Feedback

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Attention:

Tracey Spack

Director, Plastics Regulatory Affairs Division Environment and Climate Change Canada

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Dear Director Tracey Spack,

Thank you for all the work you have done to date to move towards Zero Waste and a Circular Economy, and for the opportunity to comment on the intention to establish a plastics registry.

We will tell you a little about our organization and then provide feedback on the consultation paper. 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 and other forms of pollution, deplete resources, change land uses, and diminish biodiversity, but also generate a huge amount of greenhouse gases which constitute just some of the discharges that threaten the environment and human health. Here is the link the recently updated [Zero Waste Hierarchy](#) which should be followed when developing waste solutions. Research for our recent report, [A Zero Waste Agenda for BC](#), showed that from 2010 until 2018, diversion rates increased across BC but the disposal rate remained the same due to increased consumption (up 23% per capita) showing that we need to focus on redesign of systems, reduction and reuse rather than only recycling and composting.

We are pleased that the Ministry has been responsive to the strong demand to move towards Zero Waste, and in particular Zero Plastic Waste, from Canadians and hope that this feedback will assist in developing and strengthening our systems.

Sincerely

Sue Maxwell

Chair, Zero Waste BC



## General Feedback

We are pleased that the development of this registry is taking place. It is a significant undertaking and a very important piece of ensuring that Canada has the data it needs to manage the problem of plastics. We feel that there are several key principles to consider in the development of this:

- It is important to ensure that eventually **all plastics are reported** to the registry. Following a process of requirements using established categories for EPR makes sense but it is important to ensure that eventually all plastics are recorded which will require adding additional categories (particularly for the plastics currently noted under “other”).
- **All producers should be required to report.** As small and medium sized businesses are a significant portion of the Canadian economy, exempting them from reporting will result in inaccurate data and a possible loophole for the use of problematic plastics. They should not be required to pay for the registry at this time while larger organizations should pay.
- We need to **understand where plastics flow.** The registry will need reporting from many levels of the system as each will have its own knowledge of material flows. This will be from brand owners and manufacturers to collectors and processors.
- Gather and provide **quality, open, comprehensive, meaningful and comparable data.** While other entities such as PROs may already have some aspects of this data, it is important that Canada and the public have the data, that it is comprehensive, and that it provides the information needed to understand the issues and change policy when necessary. The federal government should work with PROs to streamline reporting systems while still setting a high bar for data reporting. It must be emphasized that currently PROs do not gather data in all provinces and territories, for all plastic products, with sufficient detail on types of plastics and provide this in a suitable format to governments. However, as they do collect some data, working with them to minimize double reporting is required. There is the need to track type of resin, source and additives. Data should be gathered to provide baselines for future EPR programs and as a mechanism to support EPR compliance. This data can also encourage investment along the plastics lifecycle or for replacements.
- Keep the **overall goal of reduction** of plastics use in mind. To this end, there should be a voluntary option to report on the use of reusables and refillables. This could help to develop incentives for reuse (such as counting as 100% recycled content and using this registry as a way to track this).
- Aim to have **Canada be a leader** in understanding the scope of the plastics problem, eliminating problematic plastics, and circulating suitable plastics for the highest and best uses.

## Questions from the Consultation Paper

Please find this feedback on the questions laid out in the consultation paper:

1. Objectives and benefits: We support sharing the raw data with provinces and territories and phasing in of requirements. An additional goal should be to gather data to develop policies to minimize environmental harm and drive action at the top of the Zero Waste hierarchy. This registry should be a way for policymakers and the public to assess whether policy goals are meeting the Zero Plastic Waste target by 2030.
2. Categories: No categories should be combined but instead separate out further EPR categories such as single use drink and food takeout-related plastics (cups, takeout containers, straws, lids, etc. and their reusable substitutes). Consider hidden plastics such as microbeads and plastics used in concrete. Look at subcategories by considering how EPR may be defined in future:
  - a. Textiles -clothing, furniture, home décor, household items
  - b. Construction materials -separate plastics that could be assorted and recycled in future versus those in products (e.g. concrete)
  - c. Vehicles -it would be good to start streamlining and labelling plastics types in vehicles for future programs (like in Germany)
  - d. EEE- perhaps a subset regarding cords/cables/chargers would be useful given recent EU policy change
3. Other categories: Aim for all plastic types. Need to add category for all the other plastic products such as household goods made of plastic -chairs, knickknacks, kitchen equipment, toothbrushes, etc. These are often made of a recyclable plastic and may even had chasing arrows symbol resulting in people taking it to local depots. The “other” plastics have very few EPR programs to date and this category is mentioned in one part of the document but is missing when comparing Figure 1 to categories further in the paper. When reference is made to categories in the consultation paper, ensure this other category is included. This other category should include at a minimum:
  - a. outdoor power equipment (not electric, not a vehicle)
  - b. non-electric household items (scales, cups, toothbrush, vase, etc.)
  - c. sports equip
  - d. safety equip (helmets, car seats, etc.)
  - e. fishing and aquaculture gear - marine plastics such as fishing gear, floats, buoys, docks, etc.
  - f. toys
  - g. cigarettes, filters, e-cigarettes and vaping equipmentIn addition to other products, the registry should track plastic resins -pellets, fibres, powders, etc.
4. Other sources of information: We agree with the data sources mentioned but note it may require also collecting data from those further along the materials loop (like processors, landfills, etc.). It will be harder to quantify reuse that is not done through an

EPR program as it is mostly in informal settings or small thrift stores but it does not mean it should not be asked. Similarly repair could be challenging.

This section needs some clarity on terms. The definition of recycling -must not include chemical recycling to fuel, burning in cement kilns, pyrolysis or other forms of processing that destroys materials. There should be a ban on incineration (and all forms of burning) of plastics as it is toxic, wasteful, and GHG intense. Export for incineration or cement kilns, chemical recycling to fuel, pyrolysis, etc. should also be prohibited.

Plastics collected for diversion -this item includes recycled, which then seems the same as Plastics successfully recycled below. Suggest having two metrics -one for collected, the other for recycled. This allows for programs to collect items and then divert through reuse, repair, remanufacturer and refurbishment as well as recycling. Also should ask for data on amount disposed of that was collected and the reason for the disposal (no marker, contaminate and with what, etc.).

Ask for data on plastics disposed (through landfills and incineration (in any form including burned in cement kilns). The proposal is currently missing data on plastics burned without energy, and details on burning for energy and disposal.

The registry needs to very clear about plastics collected versus reused, repaired, etc. Be transparent that plastics collected and then burned are NOT considered recycled and also that plastics burned are different from plastics that just remained in waste.

For producers, the request should be to understand how much and what types of plastics are put into the marketplace. Also consider in what form (pure and separate versus multilaminate mixes and also with other materials like metal and fibre). Information also needs to make it clear EPR is NOT only about collecting to recycle. It is intended to also be collected to reuse, repair, refurbish, remanufacture, etc.

5. Producer hierarchy:

Provinces and territories use these hierarchies starting with brand owner as a way to manage legal entities that may cross jurisdictions. At a national level, could there be a level above called “manufacturers” that recognizes many companies make products for multiple brand owners and in some cases, these may be the best sources of information of what is actually in a product and key points where design decisions are made. Note that despite the hierarchy, many EPR programs allow higher level producers to pass their reporting on to lower levels so it may take time for this to be reversed but is an important step in making EPR more effective at changing design.

Should it be that all companies who buy and sell plastics need to report to understand material flow (which could be phased in). Perhaps reframing this around the polluter.

6. Different Obligated producers:

Ideally the highest-level producer on the hierarchy would report for all items in Canada with producers and PROs responsible for determining any double counting or missing items and to change their tracking systems to be able to report more accurately.

7. Thresholds for small businesses:

We recommend the federal government select Threshold 3 to register and report. One failing in BC is that small business is exempt from reporting on residential packaging so we do not know the total materials introduced. This results in an inflated collection rate for Recycle BC. Small businesses are a significant part of the economy so should not be missed. "Over the 2011–2015 period, SMEs' contribution to GDP was 49.4 percent, on average, in the goods-producing sector, compared with 56.1 percent in the services-producing sector." ([https://www.ic.gc.ca/eic/site/061.nsf/eng/h\\_03114.html](https://www.ic.gc.ca/eic/site/061.nsf/eng/h_03114.html))

8. Third party reporting:

We recommend that the government collect data at the highest level (to date many EPR programs have offloaded responsibility to retailers and thus the programs have had little feedback to the designers/producers who have the most power to redesign products and packaging). In addition, many reporters are challenged to know where their product goes so this new system should ensure better systems are set up to understand this. This could also alleviate problems when items are replaced due to warranty at the retail level (and as it is not a new sale, it is not counted) but these items are generating waste as the old items are usually disposed of rather than repaired.

We agree that the franchisor report in the aggregate. We support the use of third-party audits to validate the data.

9. Cost recovery:

We fully support cost recovery of this using modulated fees. Toxicity should be another component considered (such as fire retardants, cadmium, mercury, lead, BPA, PFAS, etc.).

10. PROs and cost recovery:

If PROs are reporting on behalf of their producers, then they should also pay the fees on behalf of them but it is important to ensure the eco-modulation of fees is faithfully passed along to ensure the right market signals are present.

11. Free riders -online:

There is an issue of free riders in the online marketplace for existing EPR systems which can be mitigated by ensuring all parties along the plastics supply and collection chain are registered and then look for the gaps as well as monitoring the online marketplace

vendors. The federal government is uniquely placed to handle products coming from outside the country at borders or through shipping.

12. Free riders -couriers: the same is true for couriers as for Q11. We support the registration and reporting by couriers and Canada Post.

13. Data -no comments

14. Collaboration mechanisms: We support the federal government being the main system for reporting for EPR programs and others while working with other jurisdictions.

15. Implementation:

It will be important to be clear on what needs to be reported and for what categories. The use of different terms for categories and then which products might be missed when using short forms such as electronics (small appliances not included for example) needs to be clarified to be as all-encompassing as possible and consistent throughout. Clarity is also needed for the terms collection, diversion, etc. Note that burning materials is not diversion but must be counted (ideally as disposal through incineration).

A phase 5 should be added for the other plastics noted under our response to questions 2 & 3.

16. Slightly different timelines were proposed in the paper and presentations and we recommend moving this ahead as quickly as is feasible.