

Don't go where the path may lead - go instead where there is no path and leave a trail.

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Tracey Spack, Director
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Re: Canada Gazette, Part I, Volume 155, Number 52: Single Use Plastics Prohibition Regulations and Regulatory Impact Analysis Statement as a guide

Nanaimo Recycling Exchange Society is a non-profit registered charity with the Constitutional mandate to reduce waste and achieve the “Conservator Society” promoted by a previous Trudeau government and Science Council of 1973. From the early 1970’s to 2018, the society operated a Recycling Depot that provided recycling, reuse, education, and outreach services for the community. Since 2018, the society has re-defined purpose and priority to restore conservation principles of the founders.

For information about the Nanaimo Recycling Exchange Society commitment to Zero Waste principles, visit <https://www.recycling.bc.ca/>

Feedback from Nanaimo Recycling Exchange Society is focussed on the Objective and Description sections of the proposed regulations in hope of addressing environmental harm by the existence of plastic in our environment.

First-hand witnessing of unfettered production and technological advances in plastic manufacturing, that have overwhelmed and incapacitated the great, yet simple, recycling movement and caused environmental trauma, has also caused human trauma. We can't keep watching.

Objective

The objective to “prevent plastic pollution by eliminating or restricting the manufacture, import, and sale of six categories of SUPs that pose a threat to the environment” is commendable and appreciated as a welcome tool to protect our environment.

Please consider these edits:

The objective to “prevent plastic pollution by eliminating or ~~restricting~~ the manufacture, import, export, distribution, and sale of ~~six~~ categories of SUPs that pose a threat to the environment...”

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Description

Applicability:

Expand the description to include all single serving and single use plastic including, but not limited to,
SUP checkout bags

SUP cutlery

SUP consumer and commercial market foodservice and pet food ware made from or containing problematic

1. plastics made from resin numbers 3, 6, 7
2. plastics made from combinations of plastic resins 1 to 7,
3. plastics made from extruded or expanded polystyrene foam,
4. plastics made from polyvinyl chloride, oxo-degradable plastics,
5. plastics that contain the additive "carbon black.

which encompasses plastic manufactured items

- o formed in the shape of a clamshell container, lidded container, box, cup, plate, or bowl,
- o designed for serving or transporting food or beverage that is ready to be consumed without any further preparation, and
- o designed for single service,
- o otherwise deemed to be designed or marketed for single use (criteria TBD)

SUP ring carriers

SUP stir sticks

SUP straws

Expand to include

1. plastic packaging made from resin numbers 3, 6, 7 or from any combinations of plastic resins 1 to 7 (in other words, not recyclable).
2. plastic packaging deemed to be less than 100% recyclable in Canada.

Existence of substitutes should not guide or limit bans. If the existence of substitutes is considered necessary, then:

Regardless of material, no substitutes should be single use.

Prohibitions and Exceptions

No exceptions:

Rationale

The Plastics industry needs to know that the people of Canada have spoken, and that Government has listened. Unfettered free market production of pollutants has outstripped timely response and regulation.

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Gazette report rationale states plastic recycling has proven to be unsustainable.

- **virgin and recycled plastic resins compete:** competition is difficult for the recycling industry because of inconsistent feedstock composition and a more labour-intensive cost structure compared to virgin resin production, which can take advantage of economies of scale;
- **weak end-markets for recycled plastics:** in some cases, recycled resins are a cheaper substitute for product manufacturers, for example for use in less demanding applications, but overall, the inconsistent supply of quality feedstock at a competitive price undermines the establishment of viable and lasting end-markets;
- **collection rates are low:** only 25% of plastics are collected and sent to a sorting facility in Canada according to the Deloitte Study (through curbside collection, recycling depots, or deposit-refund systems), and only around a third of collected plastics are effectively recycled because of contamination, infrastructure deficiencies, and lack of end-markets;
- **insufficient recovery options:** current near absence of high-volume recovery options, losses from existing processes, and competition from low-cost disposal substitutes, such as landfills, point to the need for investments in innovation and infrastructure, in particular to commercialize and scale up new technologies; and
- **cost of plastic pollution is shouldered by individuals and communities:** the responsibility for preventing and managing land-based sources of plastic pollution, such as urban and roadside litter, is largely shouldered by municipalities, civil society organizations, and volunteers, at a great cost.

This means that Canada's industry-led Extended Producer Responsibility can no more be expected to deliver successful recycling solutions for unrecyclable plastics than local governments who were once responsible for this waste.

Recycling has become an industry-led failure rather than an environmental success story. For the purpose of this consultation, EPR must be considered an industry stakeholder. In practice, EPR programs successfully meet collection targets, but fail to affect product design for recycle, reuse, repair or other environmental imperatives. In 30 years of EPR practice, neither the plastics industry nor EPR has reduced the environmental impact of plastic on the planet. Quite the opposite has occurred.

This lack of a viable end-of-life recycling option for plastic eliminates value at end of life, eliminates the ability to reduce environmental impact of plastics, or to conserve plastic materials for circular economy purposes—essentially forecasting environmental harm.

Therefore, production bans and restrictions for plastic are the only viable solution.

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As your citation from Economic Study of the Canadian Plastic Industry Markets and Waste explains, the packaging sector alone accounted for 43% of all plastic waste generated, as the vast majority of packaging is designed to become waste after fulfilling a single use.

Plastic packaging is, therefore, pollution by definition, and should be subject to bans.

Plastic is a fossil fuel derivative. How can we seriously plan for fossil fuel reduction without planning and implementing the simultaneous reductions in plastic production?

Further work needed

Standards and working definitions must be established for Recycling, Recycled, and Recyclable. A precise definition using the like- material and use to like-material and use model is needed. Precise exclusion of language or practice associated with advanced, chemical, pyrolysis, biomass, gasification, recovery, alternative fuel, waste to/from energy practices and other terms must differentiate Recycling from Disposal by terms of the pollution prevention hierarchy.

Current definitions of Recycling, suggesting that using one product in the making of another constitutes recycling, fall far short, likely by design. This is precisely because there is too much non-recyclable plastic waste to manage with existing or even conceivable technology.

Compostable working definitions are also required, and should be compatible with municipal composting capacities.

Standardization and harmonization of products and processes cannot be achieved downstream until they are defined and regulated upstream. Industry will object, but the planet won't.

Ban all plastic made from resin numbers 3,6,7. There are no viable recycling markets for these products.

Thank you for considering this feedback and our hope for this important regulation.

Sincerely,

Jan Hastings, Executive Director
Nanaimo Recycling Exchange Society