Submission for feedback to Consultation Paper: Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling

Preamble:

There are 4 steps to Recycling: Collection, Sorting, Processing, Re-manufacture. Plastic is not recycled until it has been re-manufactured into a product. The act of turning sorted plastics into feedstock for new plastic products is the definition of processing (like shredding, pelletizing, flaking) not Recycling. Furthermore, it's currently the exact definition of processing in preparation of plastic as alternative fuel at cement kilns. The definition of processing cannot be imposed as the definition of Recycling.

A definition of Recyclable is needed for labelling, and criteria such as remanufacture capability must be assessed. Plastic resins and products are recyclable or they are not. The existence of facilities and markets is not relevant to the determination. A non-industry third-party scientific assessment must determine Recyclability.

Producers are placing significant non-recyclable plastic in the market. Labelling goals should be to identify non-recyclable plastic to encourage design change. Production reduction is more important than recycling because all recycled plastic will become pollution in the environment. It is folly to believe it will stay in the Circular Economy.

Stop using "End of Life" as a marker for plastic. Use "End of Use." For plastic there is no meaningful end of life, as we can see by our oceans and rivers and fish full of micro particle pollution. Industry use of Life Cycle Analysis that touts footprint and lightweighting benefits typically uses supply chain and distribution data up to purchase point. As pollution, which all plastic will become, End of Life will be in 400 to 600 years.

Discussion question 1 Are there any other objectives the Government should be seeking to achieve as it develops labelling rules for recyclability?

The primary objective should be to use the Registry and Labelling together to repair a broken system of no single definitions, no single pollution prevention approach and EPR systems that that corrupt the definition of Recycling instead of reporting accurately about disposal or burning the flood of non-recyclable plastics getting to the market. In other words the broken system has provided no meaningful data: EPR to date has not provided evidence of even marginal design change to reduce plastic pollution. Giving pollution value and calling that an economy has created a plastic pollution crisis.

The Registry should implement a grading system (which governs Registry fees) based on new definitions of Recyclable, and how plastics can be managed according to the pollution prevention hierarchy. Labelling should be designed to use the grade system. This will not only produce meaningful data, but will also map out a single blueprint for all EPR and non EPR plastic and guide the way to zero plastic waste. This will make the process simple and transparent for all producers

Discussion question 2 Is there more granular data the Government should be aware of regarding outcomes of specific kinds of plastic items or packaging in the recycling stream?

Yes. Once the definitions of processing and actual Recycling have been established as different from each other, post processing data will be crucial. That is the data about what happens to the plastic that has been placed on the market. Outcomes of processed plastic sent to the cement kiln, as is the case with EPR RecycleBC 2017 "pilot" for multi-laminate/flexible packaging (still running and now expanded to include many more categories of recyclable plastic), must be separated from outcomes for processed plastic that goes to remanufacture. This is the only way to identify true outcomes of non-recyclable plastic that is now being touted as Recycled when used as alternative fuel at cement kilns. The definition of Successfully Recycled in the Registry Discussion paper can't be used because it is exactly how plastic is prepared for use as fuel by, regrettably by an EPR program.

Producers must be prepared to document the "paper trail" of their plastic outcomes. "Export" is not an acceptable outcome.

Granular data could include the technology used at various stages; for example, it would be beneficial to know if pelletized processing has better outcomes according to the hierarchy than shredded, or flaked processing.

Resin data should be used to determine recyclability and non-recyclability and reported as it is still a major determinant of true successful recycling. EPR and Registry fees should prohibitively disincentivize production of non-recyclable resins to promote removal from the market.

Discussion question 3 Is the "chasing arrows" symbol commonly used for any other product categories beyond packaging? If so, which product categories? Are there special challenges to affixing a label on some type of packaging (e.g., films)? What are they?

Unfortunately, the mobius loop symbol of chasing arrows has been confused with the chemical industry resin-type triangle. Plastic industry benefits from this confusion because the public doesn't know the difference and so they think all the resins are recyclable, whether they see the triangle and resin code, or the chasing arrows. Abandon chasing arrows and replace with a

new symbol like a maple leaf with a big R inside that means Recyclable in Canada by the definition of recyclable. In concert with the R, use a scoring system developed for the Registry for the label. R1 means highly recyclable PET for example. R5 means recyclable but low-grade low potential for PCR. The grading system determines fees for EPR and in the Registry for all EPR and non-EPR plastic.

Discussion question 4 Is there any data (e.g., market data) the Government should be aware of regarding the use and prevalence of the "chasing arrows" symbol on packaging and other plastic product categories?

What data do you need? The symbol has become embedded in recycling culture to link recyclability to resin types. Resins and products need to be de-coupled from this system in order to be labelled as Recyclable or Not Recyclable by a neutral third party scientific assessment of actual recyclability. That is the starting point.

Discussion question 5 What is the process and timeline for designing and implementing changes to labelling (e.g., lifespan, costs, marketing considerations, and implementation timelines)?

Abandon chasing arrows and replace with something like a maple leaf with a big R inside that means Recyclable in Canada by the definition of recyclable. In concert with the R, use a scoring system developed for the Registry for the label. R1 means highly recyclable PET for example. R5 means recyclable but low-grade low potential for PCR.

Too bad about the costs. That's the disincentive for producing non-recyclable plastic. Marketing potential will automatically result from the code: Do you want an R1 or an R5 on your product?

Timelines:As soon as there are national definitions and a national pollution prevention hierarchy is in place and agreement has been achieved with provincial EPR regulators for mandatory bonus malus fee system, then labelling will have meaning. Without these changes,there is no consistent outcome. Labelling doesn't make something recyclable; labelling identifies a product so the public can assess pollution potential, and get the product to the correct stream. Labelling must be used to direct PRO choice of management of products, and can be enforced when data comes through.
Labelling criteria must support the Registry reporting criteria, and so these likely need to be developed together.

Discussion question 6 Is there any other data the Government should be aware of regarding the accuracy of recyclability labelling on plastic packaging or other product categories?

Yes. Accuracy of labelling is KEY. Accuracy of labelling can only occur with single national definitions of

- Diversion
- Reuse
- Recyclable (meets remanufacture criteria)
- Processed (shredded, pelletized)
- Recycled/Remanufactured (made into an actual product)
- Recovery/Energy recovery
- Residual (Landfill or incineration)

Most importantly, the definition of Recyclable must be developed in isolation of existence to private sector "recycling" facilities that determine Recyclability by profitability.

Industry data and claims cannot be used to drive the bus. Plastics Industry, EPR (industry driven by design), and Waste Management processors are governed by profit and efficiencies. These industries have learned to create value for garbage plastic which undermines value for true recycling. Producers pay (not much) to pollute.

Canada Plastics Pact Golden Rules ARE NOT GOLDEN. GDR #6 is "Increase Recycling Value in Flexible Consumer Packaging" show clear intention to control designed to ensure chemical recycling is the future for this plastic.

CPP notes: Consumer flexible plastic packaging is not currently recycled in practice or at scale. For packaging that is not accepted by existing recycling programs,

A. … Maximise polyolefin content:
B. Preferably >90% mono PE, or >90% mono PP
C. Minimum either >80% mono PE, >80% mono PP or >80% mixed polyolefins
D. Density <1 g/cm^3
E. Each barrier layer should not exceed 5% of the total packaging structure weight^4
F. No PVC, PVDC, fibres, aluminium foil, PET

These criteria give value to garbage today as feedstock for cement kilns. More notable and disturbing is how this Golden Rule paves the way to elimination of mechanical recycling of

plastic by designing plastic such that chemical recycling will be the only option. The technology isn't even proven.

Industry data confuses the public. The document "Towards Canada-Wide Rules to Strengthen Recycling and Composting of Plastics Through Accurate Labelling uses the following data provided by the Canada Plastics Pact.

6% Share of non-recyclable packaging that was made of multi-layered flexible plastics in 2020 (Canada Plastics Pact)

Yet, the Canada Plastics Pact website says

Flexible plastic packaging makes up an estimated 51% of the total plastic packaging market.* (Canada Plastics Pact)

Which is it?

It's time to regulate—with oversight. The band-aid must be ripped off. Plastic should be now treated as a toxic substance.

Discussion question 7 Are there any other factors that can impact a plastic item's recyclability, beyond the factors listed above?

Yes. Profit drives recyclability The current EPR fee system is designed to keep producers happy and engaged with EPR. EPR fee schedules should be designed to incentivize good design and disincentivize poor design, but they aren't. If a cement kiln pays more for shredded plastic than dwindling revenue and profit from recycling the same plastic, the choice is cement kiln..

Collection systems cause contamination. Cheap landfill fees. Price competition between recycled and cheap virgin plastic. Lack of landfill ban enforcement. Deep pockets of CPP. Leaving the definition of recyclable up to recyclers who define recyclable by profitability. Waste Management profitability for garbage: recycling is a liability. Greenwashing.

This is why definitions are needed from third party experts.

Discussion question 8 What kinds of information would make it easier for individuals to prepare and sort plastics for recycling adequately?

Single national definition of Recyclable based on product content (Resins) or category (with documented proof from producer

LESS PLASTIC would mean less information is needed.

Labels that make Recyclable or Not Recyclable in Canada clear

Discussion question 9 Is there any other information the Government should be aware of regarding levels of public trust or confidence in recycling systems, links between recyclability labelling and public trust, or links between public trust and levels of participation in recycling systems?

When EPR defined Recyclable by product category and generator, everything went sideways at the recycling depots. Long-time recyclers lost confidence in the system because, overnight, products that were not recyclable by resin were now magically recyclable. That was the beginning of the end. The tsunami of non-recyclable plastics allowed into EPR programs have compounded the problem. I know that from experience running a comprehensive, one-stop, urban, zero waste recycling depot. For more details of the recycling depot public trust experience, there is a report on our website called "What Happened to Recycling." https://www.recycling.bc.ca/learning-exchange

Discussion question 10 What kind of design features on plastic items or information on labels would be most effective in helping strengthen public trust in recycling systems?

Recyclable in Canada..when and only when it's the actual truth. The public always asks us, "What happens to my _____ when I recycle it? What does it get made into?

The answers to these questions need to be transparent and verifiable.

Discussion question 11 Could more accurate labels be used in sorting facilities to improve outcomes? If so, how?

As far as I know MRF's detection systems are not designed to read text or images on labels.

Labels would be helpful at recycling depots, yes.

Plastic design choices are the bigger problem by far. Labels will not make non-recyclable plastic more recyclable.

Discussion question 12 What are the major differences between what is accepted in public recycling programs and what is collected for recycling from ICI locations that the Government should consider?

We have completed waste audits for the ICI sector in our area. There is no major difference between public packaging streams and ICI packaging streams. Very little ICI is collected for recycling, usually only separated cardboard. For all other waste (recycling or garbage) waste management companies encourage single bin collection which causes contamination. ICI workers have no idea what is recyclable and they get no instruction precisely because there is no collection and sorting service and no recycling access, even though there is little difference in recyclability.

Contamination is a factor for ICI, only because of collection systems.

Discussion question 13 Does the regional market breakdown reflect the current situation in Canada? Are there alternative ways to establish 80% population thresholds?

It doesn't matter: acceptance to recycling facilities is no longer a marker of recyclability. It is a marker of profitability, which is dwindling as value for alternative fuel plastic increases. Under the current system, cement kilns are deemed recycling facilities. In BC, all EPR flexible plastic is not recyclable, yet it is accepted at a recycling facility, shredded, and transported to a cement kiln. This is not recycling. Acceptance to recycling facilities is the wrong criteria to define Recyclability.

Please don't use this criteria of acceptance to a recycling facility to define recyclable.

Use a 3rd party scientific assessment of recyclable by resin content, additives, etc. The definition needs careful consideration and the factors I mention do not make an exhaustive list.

Discussion question 14 Do companies currently identify what is collected for recycling when developing recyclability labels? If so, how?

No. Mostly, the mobius loop is used to catch the eye and something like "Recyclable where facilities exist" accompanies the loop. This is misleading greenwashing at worst, and favours BAU in the plastics industry production and design. At best, it is non-instructive and not helpful.

Discussion question 15 How could labelling rules provide accurate information to residents of rural, remote or Northern communities where recycling programs may operate on different models (e.g., drop-off depots) or may not be present at all?

This is precisely why access to recycling facilities is the wrong criteria to use. Forget the North or remote communities, recycling programs are different across regions, municipalities, and provinces because profitability varies. EPR accepts flexible packaging, but that doesn't make it Recyclable.

Any certain plastic is Recyclable or not. Period. Recyclability must have a strong definition and be determined by a 3rd party scientific assessment of resins and other design features.

Use of acceptance criteria perpetuates private sector decision making about Recyclability that favours economical/efficiency management options such as landfill and cement kilns. **This is how we got to 9%.**

Discussion question 16 How often do acceptance rules for public recycling programs change, and why?

Acceptance rules change with market value all the time because recyclability is governed by profitability. That will always be the driver for private sector recycling, waste management and EPR (if EPR continues to be industry-led). All non-EPR packaging is subject to business models and profitability targets of waste management recyclers (who also own the landfills). This week a product is accepted for recycling; next week, it's accepted for garbage because market value has fallen off. Call a waste management "Recycler" like DBL or Milner in Nanaimo, BC and ask them how to recycle plastic with them. They will tell you it all goes in the garbage (they have no knowledge of EPR). Later it goes, untraced, to landfills. 10 miles down the road you get a different answer from an EPR depot. The plastic is just as recyclable or not recyclable by definition.

Discussion question 17 What kinds of information should be sought as part of the initial survey and assessment of what is accepted for recycling across Canada?

Resin capacity for actual remanufacture past the processing stage.

Please don't use acceptance criteria to define Recyclability.

Discussion question 18 Are there any other factors the Government should consider in developing an approach to determine whether a North American end market exists for a particular plastic item?

Consider the leverage of the single point noted in the "Economic Study of the Canadian Plastics Industry Market and Waste" Executive Summary Report to ECCC that reports value created from mechanical recycling of PET, HDPE, AND PP. The summary reports that plastic value

remains in mechanical recycling of PET, PP, HDPE resin types for North American end markets. [LDPE is recyclable, but is being systematically de-valued]. All other resins, and technologies should be prohibitively expensive for producers (through EPR and the Registry for non-EPR plastics) to reflect environmental damage and cost.

Consider that true recyclability is limited to 3 resin types and everything else is not recyclable. Because it is the case. Leverage the truth to restore value in true recycling.

Discussion question 19 Are there any particular categories of plastics that likely do or do not have North American end markets? Why?

More research is needed to define end market. Re-manufacture into a product is the true end market and we need to determine recyclability by that criteria. Only this level of recycling will restore public confidence and stop the flow of plastic pollution.

Discussion question 20 Are there any other factors the Government should consider in developing an approach to determine whether a North American end market for a particular plastic item is reliable?

Yes. Mandated reporting into the Registry including documentation from the end markets about re-manufacturing into a product, and documentation of cycles that show how many times a resin can be recycled once it contains recycled content. We don't know this yet. Verifiable "paper trails" are necessary

Discussion question 21 Is there any data on end-of-life outcomes for compostable plastics and other types of biodegradable or degradable plastics, the Government should be aware of as it develops labelling rules?

Data on "overages" are compiled and likely available from any municipal organics composting facility. Overages include all compostable plastic delivered to the facility. Most licences for organics composting facilities don't include compostable plastics, and so they are screened out of the composting system.

Compostable plastic also contaminate all plastic recycling streams which is the reason to label compostable plastics as "NOT COMPOSTABLE/NOT RECYCLABLE."

Discussion question 22 Are there any other objectives the Government should be seeking to achieve through compostability labelling rules? If so, what are they and why are they important?

The objective is to get out in front of the next tsunami of plastic pollution called compostable plastic. It's just another way to hide plastic in the system to avoid regulation of production.

Compostable plastic is plastic that is also compostable and should, therefore, need to report to the Registry. Compostability, should not exempt a plastic from all the same rigors as conventional plastic. It is, by definition, single-use plastic and should be treated as such.

Discussion question 23 Are there any limitations or exclusions or additional elements that should be incorporated into these categories included in the scope of application? If so, why?

Include ICI packaging early on because it's mostly the same materials and volumes of ICI packaging will have impact. Otherwise, all ICI packaging will continue to be landfilled. NRES has done waste audits for the ICI sector in our area and found significant volumes of highly recyclable clear LDPE film (shrink wrap) and bubble wrap, and HDPE containers in mixed waste 30 yd garbage bins. Typically, separated cardboard is the only ICI packaging collected for recycling.

I note that the Government may consider electronics and major appliances. Design of these products has deteriorated from metal to plastics such that Recycling of these products now has become a process of high grading ferrous and precious metal from electronic devices and major appliances, and landfilling or smeltering the remainder. Labelling unidentifiable plastic found in electronics, (See Encorp Annual Reports) and the Registry outcomes will expose the folly of EPR collection of masses of non-recyclable and unidentifiable plastic that can only be burned. And once exposed and then Labelled as such, PRO reporting will become transparent and justify why it cannot be recycled. This will help PRO's by taking away the performance pressure to magically transform non-recyclable garbage into Recyclable plastic.

The argument could be made for Construction plastic to be considered soon. Once demolition is replaced by Deconstruction, labelling will help divert plastics from deconstruction to recycling if applicable.

Discussion question 24 Which of the above approaches for the kinds of recyclability claims that should be subject to labelling rules (1, 2, 3) should the Government adopt, and why? Is there another approach the Government should adopt instead?

Approach 3 but without inclusion of approaches 1 or 2. Abandon the mobius loop because it never was sufficiently instructive for consumers and the plastics industry will continue to mimic it and mislead the public. A new look is necessary to distinguish trustworthy information from past smoke and mirrors and confusion.

A single symbol or word will work. Recyclable. (did I mention the definition is needed, first?)

Discussion question 25 If an obligatory system is adopted, what should the Government consider in order to minimize burden on industry while maximizing environmental outcomes (e.g., appropriate timelines, cumulative impacts of different labelling requirements)?

Adopt an obligatory system.

Maximizing environmental outcomes should be the priority outcome if zero plastic waste is the goal. Production of plastic, which ALL becomes pollution sooner or later, should be burdensome. Producers have profited from unfettered production that has caused damaging pollution, and that party has to end.

That being said, as I proposed in Registry feedback, administrative burden would be reduced with standardization of criteria for Labelling and the Registry. The use of single national definitions mentioned in Question #6 of this document, a single national pollution prevention hierarchy and single national approach to differential or modified EPR fee systems that embed design change incentives into EPR will reduce reporting burdens. This does require collaboration between the federal, provincial and territorial systems, but this minimal EPR is crucial to zero plastic waste, and harmonization has always been the goal of the zero plastic waste vision developed by CCME.

This level of harmonization between the Registry and Labelling initiatives and provincial EPR is necessary to standardize management and reporting of plastic. In fact, portions of EPR Annual Reports can be cut and pasted into Registry reports because the same criteria is used to document plastics placed on the market and what happens to that plastic at end of use. Most importantly, harmonizing EPR with differential fee schedules prescribes the method for reduction to zero plastic waste. Non-EPR plastic tracking can use the same criteria and level of harmonization, which will provide standard and consistent data for comparison purposes.

Discussion question 26 Are there any other kinds of plastic items that may warrant special rules or exemptions from labelling rules under an obligatory system? Why?

No exemptions.

How about labelling all plastic as “Toxic Material”

Discussion question 27 What should be the minimum standards to ensure consumers can easily access and use information on a label (e.g., size, font, location on the package, text size, required symbols)? Why?

Choose Approach 1, but producers should have almost no discretion of location of the Recyclable symbol or text. Use of competing symbols or text should be regulated because packaging, including labelling programs, is a primary source of Greenwashing. “Certified Compostable” is a prime example. Use of eco logos are entirely misleading. “How2Recycle” labels provide information that is mostly irrelevant to the Canadian consumer.

The image needs to be proprietary to the Government of Canada. Mandate at least 20% of label size (or minimum size on small products), front side, mandated colour and image as though it’s a brand. It is Canada’s new brand.

Whatever size and shape needed so seniors don’t have to find their glasses to see it. Funny but serious. Maybe a symbol is better for this reason than text. Use marketing professionals with no ties to the product or package industry.

Discussion question 28 Are there any other considerations besides components and regions that may require qualified recyclability information?

Don’t use Regions. If a resin is Recyclable by definition in Saskatchewan, it is Recyclable by definition in NWT. Labelling can drive infrastructure investment: if Manitoba has high amounts of Recyclable packaging and no recycling/remanufacture facilities, then wouldn’t an investor see potential to fill that gap? That is how to leverage actual recyclability of the resins that are actually recyclable. Changing labels as infrastructure is built adds expense and burdensome for producers.

Keep the plastics industry and waste management out of the Recyclability assessment process. Information can be solicited from them, but a third-party process must be used to determine in isolation from factors such as cost and profitability and location of recycling services.

Capacity for dismantling through mechanical technology is another factor/criteria for determining recyclability. Components must be separated using technology that retains integrity of the materials for potential reuse before recycling. Use of smelters for this purpose destroys plastic. Labelling must ensure the entire product can or cannot be dismantled for highest and best use of all components, and not high-graded for a single valuable product like precious metals found, for example, in electronic devices. In the case of multi-resin and multi product packaging, now called flexible packaging, it is important to note that no one knows

how to unscramble the egg, and so that product should be labelled non-recyclable using dismantling criteria.

No plastic is recyclable forever. It should be a priority to know how many times a resin or a product can be recycled so that PCR plastic can be labelled as further recyclable or non-recyclable. This labelling system for PCR may need to be fluid as recyclability decreases with each cycle of re-cycle.

It is also not known yet how many times a product made from PCR, when virgin plastic is mixed with PCR plastic, can be recycled. How much does PCR downgrade the virgin plastic when they are mixed? So much is not known and this means many assumptions about the Circular Ecomony for plastic are preliminary, and labelling must follow the science.

Very small products should be labelled as non-recyclable because they don't make it through most transporting and sorting systems.

Discussion question 29 Would there be any unintended consequences of prohibiting the use of the "chasing arrows" symbol for any purpose other than to refer to recyclability?

Don't use the chasing arrows at all. They have been associated with too many other categories and products and processes for too long, and will continue to cause mass confusion. New rules, new brand, no confusion.

The plastics industry will be mad. The industry has benefitted from confusion between the resin triangle and the mobius loop chasing arrows.

Discussion question 30 Should there be any criteria for determining whether a third- party certification is adequate to ensure compostability in Canadian composting facilities? If so, what should be the criteria and why?

No compostable plastic, which is plastic first and compostable maybe, designed for single-use should be certified for use in any public composting system. It's single use plastic and making it compostable does not exempt it from plastic bans, the pollution prevention hierarchy, and the CEPA designation of Toxic.

Certified designation is being used to skirt the processes in place to manage single use plastic.

Discussion question 31 Are there existing third-party certification programs that would ensure compostability in Canadian composting facilities? If so, which?

The Government should distance from Certification of compostable plastic. Certification notwithstanding, there is still a labelling issue for “compostable” plastic which is NOT RECYCLABLE/NOT COMPOSTABLE until single use plastic ban status can be attributed and/or the Government navigates the inevitable legal challenges to the bad news.

Discussion question 32 Are there any other principles or other important considerations the Government should take into account in developing rules for compliance and compliance verification?

As a principle, labelling as Not Recyclable is more important than Recyclable. Recycling plastic is neither a sustainable nor a sufficient approach to zero plastic waste. Encouraging more use of a crippled technology will produce less than mediocre results. Canada can do better.

Make everything mandatory: definitions, the single pollution prevention hierarchy, Bonus Malus EPR fee schedules, and Registration of all plastic placed on the market. These are the compliance mechanisms that function together as incentives to achieve the clear rules requirement, while providing the incentive to improve recyclability, transparency and design change outcomes.

Discussion question 33 Are there any other kinds of potential compliance mechanisms the Government should be aware of as it develops rules for labelling?

The goal should be higher than mere compliance for recycling. The planet is drowning in plastic.

Discussion question 34 What kinds of changes would be needed to existing tools, guidelines and programs to meet the new labelling rules? How could the Government help facilitate these changes to ensure existing tools, guidelines and programs can continue to be used?

The changes to EPR mentioned throughout this document are needed to achieve reduction of plastic and plastic manufactured items. Provincial oversight of strict EPR reporting criteria with documentation of management of plastic for is needed.

Discussion question 35 Are there any other kinds of tools and guidance the Government should consider developing to support industry and facilitate compliance with labelling rules?

Provide the tools that restore value in true Recyclable plastic. Once there is a

1. definition of Recyclable, and
2. bonus malus EPR fees (policy mandated at federal level)

these tools must be used to ensure that increasing value of non-recyclable plastic is prohibitively disincentivized. Giving value to non-recyclable garbage, as recommended by CPP Golden Rule #6, is a damaging trend and far from Golden.

These two tools will leverage the value of recyclable plastic and curb the trend of giving and increasing value to non-recyclable plastic through market sale to cement kilns or export for incineration.

This trend is growing in BC EPR programs, partly because EMA definition criteria of Recyclable allows it. “Recyclable” can be met with a single criteria, “(b) is managed as a marketable commodity with an established market by the owner or operator of a site.” Plastic sent to cement kiln meets this criteria.

In no way does management as an alternative fuel support VRP theory of extending a products life beyond expected service life to avoid virgin replacement. Increasing value of non-recyclable plastic also causes competition with the value of recyclable plastic, which already faces competition from virgin plastic. This is prime example of industry undermining recycling while pretending to recycle. Practices that keep non-recyclable plastic in the economy, while removing the product from the Circular Economy, while polluting the environment should be prohibitively disincentivized.

Use tax or bans to control import of non-recyclable plastic to Canada.

Use a single national definition of Compostable, based on capacity of existing composting facilities in Canada.

Discussion question 36 If a technical committee of experts is established, what should be its composition and what should be its role in the development of tools and guidance?

A technical committee could include neutral third-party experts from NGO’s
academics with experience and knowledge of plastic,
waste industry,
plastics industry,
EPR technical experts who have no financial stake, not existing PRO’s

Environmental groups
Provincial Government EPR representatives,
plastic recycling industry technical experts with professional qualifications/degrees
consumers,
recycling depot managers,
zero waste/ experts

I don't know if all these are required on a single committee, or if sub-committees might be struck.

Discussion question 37 How should the Government work with partners and stakeholders to spread awareness and promote compliance with labelling rules, including disclosure requirements?

Take no prisoners. Government should first regulate, and then communicate. Partners and stakeholders will have to fall in. Compliance is monitored. Non-compliance is a fineable offence. This sounds harsh, but the culture that it's ok to pollute Canada with plastic must be changed.

Discussion question 38 Are there any other performance metrics the Government should consider in tracking progress and evaluating success?

Overall reduction of plastic placed in the market should be prioritized because

- Zero plastic waste is the goal
- All recycled plastic will eventually be burned or landfilled as residual waste.

Reduction of plastic in the market that gets sent to landfills, cement kilns, alternative fuel destinations, and incinerators should be tracked, but prioritized as a secondary goal to reduction of plastic that reaches the market.

Do not use industry reports and surveys to guide policy or measure outcomes: Canada Plastics Pact is not a neutral third party. They are the plastics industry promoting BAU and increased production of flexible plastic according to their Golden Rules. How2Recycle has limited, if any, applicability in Canada.

Bonus Malus EPR fee schedules will drive design change because profits will finally be determined by design.

Performance measures must include actual remanufacture into a product. This is more difficult to track and verify, but that is the current state of the industry. Remanufacture businesses may need to be licensed.

Do not go where the path may lead - go instead where there is no path and leave a trail.

Sincerely,

Jan Hastings, Executive Director
Nanaimo Recycling Exchange Society
Nanaimo, BC
jan@recycling.bc.ca