WASTE WATCH OTTAWA SUBMISSION

ENVIRONMENT AND CLIMATE CHANGE CANADA DISCUSSION PAPER

A PROPOSED INTEGRATED MANAGEMENT APPROACH TO PLASTIC PRODUCTS TO PREVENT WASTE AND POLLUTION

INTRODUCTION

Waste Watch Ottawa is an Ottawa based environmental non-profit advocacy organization dedicated to waste reduction and the diversion of waste from disposal. The increasing generation of plastics waste and the very low recovery and recycling of plastic packaging, plastic products and products containing plastics is a major concern that needs aggressive and concerted action by the federal government, by provinces, territories and municipalities and in concert with industry leaders.

The Environment and Climate Change Canada *Proposed Integrated Management Approach to Plastics Products to Prevent Waste and Pollution* is a step forward in support of commitments to zero plastics waste but it is only a modest step forward which fails to address a long list of environmentally problematic plastics and plastics where value recovery is problematic.

RESPONSE AND KEY CONCERNS

A Science Approach

Policy and regulation of plastics must be guided at all times by the available science and by research. In the ECCC and Health Canada *Science Assessment of Plastic Pollution*, Executive Summary it states the following:

"*Plastic pollution has been shown to impact organisms and their habitats. Macroplastic pollution can cause physical harm to biota, often as a result of entanglement or ingestion."*

"Humans may be exposed to microplastics via the ingestion of food, bottled water, and tap water, as well as through the inhalation of indoor and outdoor air."

"In addition to physical impacts, there are concerns that plastics may serve as a means of transport for other chemicals. Since plastics can contain unbound monomers and chemical additives and can sorb

persistent organic pollutants from the environment, it is possible that these substances may be transported to organisms or humans, where they may then be released."

Using CEPA

The Canadian Environmental Protection Act (CEPA, 1999) is the appropriate legislation to manage, reduce and eliminate the environmental and health impacts associated with plastic pollution. Suggestions from some stakeholders that new legislation specific to plastic pollution and waste should be drafted and adopted should be ignored. New legislation is unnecessary, would take years to put in place and will not allow a timely and ambitious response to the widespread pollution and environmental and health impacts associated with single use plastics in particular and plastic waste in general.

Toxic Additives

Eliminating the use of toxic additives in plastic packaging and products and managing plastics which include toxic and problematic substances in an environmentally sound manner is essential.

Toxic additives used in plastic products must be a focus of attention in any strategy to address plastics pollution. The end of life management of plastic products and plastics waste must take account of the additives and chemicals that appear in many plastic products. Substances of concern such as metals and organic chemicals as stabilizers, phthalates to make materials more pliable an less brittle, or halogenated substances to make products more slippery, water resistant and flame retardant appear in some plastic packaging and products and present risks to human health. They can also cause issues for recycling and secondary materials chains and can significantly compromise the achievement of circular economy goals if such substances are retained in the recovered materials and end up as raw materials for new products. Elimination of problematic additives and the plastics which use them will ensure cleaner and more easily recyclable materials and reduce environmental and human health risks.

Environmentally Problematic Plastics

All environmentally problematic single use plastics that are either prevalent in the environment or are known or suspected to cause environmental harm should be banned or considered for bans. Prevalence in the environment and littering should be key, but not the only, criteria for action.

The recyclability of any particular product and its eligibility for collection through a recycling program should not be an excuse to avoid moving to reduce or eliminate the product.

Plastic water bottles are identified in the Discussion Paper as prevalent in the environment and are one of the most common litter items collected on Canadian shorelines in addition to bottle caps, plastic bags, straws, and cigarette butts. Just because plastic water bottles are commonly collected in recycling programs or through deposit return systems does not mean that they should be ignored as a significant environmental issue. Plastic water bottles are largely unnecessary because of the widespread availability in Canada of safe potable water and only have a limited role to play in emergencies and in situations where safe potable water is not available.

Plastic water bottles should be added to the list of single use plastics to be banned subject to exemptions for use in emergencies, and situations where there is no potable water.

Recycled Content

Mandating recycled content by either, resin, product and / or sector is essential to support a circular economy and recycled content regulations could have a big impact on reducing plastic waste in the long run.

Markets for recovered and recyclable plastics need to be enhanced for long term sustainability. The establishment and enforcement of recycled content requirements will help to ensure the continued maintenance and growth of existing domestic secondary materials markets and the creation of new ones. Recycled content will also help to conserve material resources by increasing the value recovery of plastics and by supporting circular economy goals.

Targets should be set for a minimum level of 50% recycled content by 2030 consistent with the *Canada-wide Action Plan on Zero Plastic Waste*. A mandated recycled content target serves to recognize and support the major leading companies which have already set their own recycled content targets for products which they brand and sell. Targets should be set by product type and market sector with a particular focus on widely marketed consumer goods and packaging. Because of concerns about the current markets for plastics collected through recycling programs, recycled content regulations should initially focus on packaging and specifically on rigid and flexible plastic containers and film.

Targets can be set for recycled content in the more readily recyclable PET, PP and HDPE resins and for LDPE. Progressively raising targets in a series of steps over time towards the goal of 50% by 2030 will allow time for, and facilitate, the necessary private investment in recyclable materials processing capacity and secondary materials market development. All targets should be reviewed and revised upwards upon their achievement.

The plastics management strategy should aim for the elimination of PS and PVC resins in all packaging, and therefore no recycled content requirements should be set for them. PS and PVC are difficult and costly to manage in recycling systems and contribute to the contamination of other more marketable resins. There is no packaging that cannot be successfully manufactured using PET, PP and HDPE.

Extended Producer Responsibility

The federal government should work with the provinces and territories to act on commitments made by all jurisdictions through the CCME in 2009 and again in 2014 to implement EPR for packaging and for other products such as electronics which are manufactured using plastics. Nationally harmonized and consistently applied, measured and reported extended producer responsibility regulations for plastic products are an essential component of any strategy to address plastics waste. Producer responsibility commitments were further reinforced through the CCME's 2019 *Canada-wide Action Plan on Zero Plastics Waste.*

The federal government can play a leadership role within the CCME to provide consistent definitions of products subject to EPR and consistent program performance measurement and reporting. The lack of consistent programs across the country for packaging means higher costs for industry stewards, while the absence of EPR burdens municipalities with additional costs for waste collection and disposal and for recycling programs that they operate without any producer support.

Performance Standards

There is a need for robust compliance, transparency, performance measures and reporting for all programs addressing plastics waste and especially for all EPR programs that cover any single use plastics. Common performance measurement and reporting obligations must be consistently applied across product sectors and jurisdictions. Similarly, strong reporting protocols will also need to be developed for the measurement of mandated recycled content. Performance standards should establish clear methods to track chains of custody while at the same time allowing for some flexibility in how recycled content is measured – e.g. on a product by product basis, or across a brand owner's product line.

Compostable Plastics

Setting standards for compostable, bio-based and biodegradable plastics and building organics infrastructure to accommodate such plastics is critical.

At the present time there is confusion in the marketplace as to the compostability and recyclability of such plastics. This renders their use and application largely ineffective, and these products may contaminate otherwise recyclable look-alike products. Green-wash labelling, whereby false compostability claims are included in packaging and product labels, is hugely problematic and a source of major confusion for the general public. In many cases the compostable plastics which do meet independent certification standards as to compostability are not compostable in most organics facilities where residence time is not sufficient to ensure complete degradation of the bio-plastics. In addition collection programs and composting facilities have little or no ability to distinguish genuinely compostable plastics from non-compostable plastics which results in high levels of compost contamination and an inability to market the compost for highest and best use.

Additional Priorities

A second round of plastics waste and pollution priorities, beyond action on the 6 identified single use plastics, needs to be established and acted on as soon as possible. Working with other jurisdictions and banning the listed single use plastics is only a small step to address the challenges of plastics waste.

The Discussion Paper includes no timetable or references for further action on the many other plastics which are identified by the Paper as environmentally problematic or where value recovery is problematic. Where is the planned action on plastic bags other than checkout bags? What is being done to address snack food wrappers, disposable personal care items, beverage bottles and caps, hot and cold drink cups and lids, and cigarette filters?

A thorough and comprehensive strategy for zero plastic waste and for the management of plastic products to prevent waste and pollution must be much broader than the current framework with its focus on six, admittedly, high profile and problematic single use disposable products.

Green Procurement

Governments at all levels must implement and follow green procurement strategies in support of plastic waste reduction. These programs should be mandated and implemented across all government operations. Given the scale and scope of government procurement and the large range of products that governments regularly purchase, proactive green procurement strategies and mandated recycled content are major drivers for the shift to preferable materials and packaging, and the recovery and recycling of plastics.

The federal Treasury Board Secretariat, Greening Government Strategy, which includes a goal to divert 75% of all federally generated plastics waste from disposal by 2030, is an example of the kind of proactive green procurement strategy which should be adopted by all governments across the country. Similar and co-ordinated commitments by all governments would have a huge impact on plastics waste generation and on the creation of viable markets for recovered plastics across many product sectors.

Plastics Production Subsidies

Recycled plastic resins compete unfairly with virgin resins on price and often on quality. Recycled resins are produced in smaller quantities at higher cost than virgin resins which benefit from larger scale and lower cost production. Government grants, taxes adjustments and other subsidies create even further imbalance in the plastics marketplace. To ensure that recycled resins can compete fairly, the playing field should be leveled and the marketplace balanced by the removal of direct or indirect government support of virgin plastic production.

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