

September 30, 2019

Ministry of Environment and Climate Change Strategy
Recycling Regulation Amendments
PO Box 9341 Stn Prov Govt
Victoria, BC V8W 9M1
Via email: Plastics@gov.bc.ca

To Whom It May Concern:

Re: CleanBC Plastics Action Plan Consultation – City of Vancouver Staff Submission

Thank you for the opportunity to provide input on the CleanBC Plastics Action Plan. City of Vancouver staff commend the Province for engaging stakeholders and the public to develop a plan that will address plastic pollution, which has emerged alongside climate change as a global environmental priority.

With only one Council meeting during the consultation period of July 25 to September 30, 2019, staff were unable to take this submission through Council. However, Council has on various occasions confirmed its commitment to boldly address plastic waste and single-use items. Accordingly, I'm pleased to provide this staff submission to the CleanBC Plastics Action Plan consultation in the form of two appendices to this letter:

- 1. Appendix A: CleanBC Plastics Action Plan Survey – City of Vancouver Staff Submission** (submitted electronically on September 30, 2019 and appended to this letter for reference)
- 2. Appendix B: CleanBC Plastics Action Plan Consultation Paper – City of Vancouver Staff Submission**

As a coastal city, the cleanliness, health and overall care of our ocean, beaches and shorelines are of great importance to Vancouver. Perhaps not surprisingly, 86% of Vancouver residents see the importance of reducing single-use items. Every week, 2.6 million disposable cups and 2 million plastic shopping bags are thrown in the garbage in Vancouver (63% of the bags are reused as garbage bags.). Cups and take-out containers make up about 50% of all items collected in public waste bins and are a significant portion of litter on Vancouver streets. Despite their convenience, it costs Vancouver taxpayers \$2.5 million per year for the City to collect these items from public waste bins and to clean up when they become litter.

In June 2019, Vancouver City Council adopted Zero Waste 2040, our strategic plan to achieve zero waste to landfill or incinerator by 2040. Zero Waste 2040 includes several actions to address plastic, which makes up approximate 23% of Vancouver product and packaging waste.

More than one half of plastics still disposed as waste are recyclable and the remainder could potentially be recovered for other uses, such as plastic lumber or as an additive to asphalt.

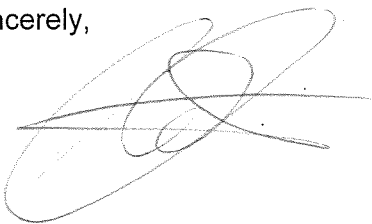
As an early action of Zero Waste 2040, Council also adopted Vancouver's Single-Use Item Reduction Strategy in June 2018. The strategy is the result of extensive consultation with over 8,000 residents and hundreds of businesses, and will reduce the impact of polystyrene foam cups and foam take-out containers, disposable hot and cold drink cups, take-out food containers, plastic straws, single-use utensils, and plastic and paper shopping bags. On April 29, 2019, Council enacted a by-law to ban foam cups and foam containers beginning January 1, 2020, and approved April 2020 as the start for a ban on plastic straws (with exceptions for health care and a requirement to provide bendable plastic straws upon request for accessibility). Council also directed staff to bring forward the by-laws for plastic straws, disposable cups, disposable utensils and plastic and paper shopping bags by November 30, 2019.

On May 14, 2019, Mayor Stewart sent a letter to the Honourable George Heyman, Minister of Environment and Climate Change Strategy, expressing support for a comprehensive provincial single-use item reduction strategy that aligns with federal goals to reduce plastic waste, focuses on reduction and reuse, and requires extended producer responsibility for single-use items that are compostable, as well as those disposed of at businesses or in the public realm. The City of Vancouver also submitted motions to the 2019 UBCM convention, unanimously passed by Council, calling for this comprehensive provincial single-use item reduction strategy, as well as the Province's support to address compostable single-use items.

In addition, City of Vancouver staff participate on the National Zero Waste Council's Plastics Advisory Panel, the advisory committee for Return-It (formerly Encorp Pacific), the Canadian mirror committee to ISO Technical Committee 323 on circular economy, and the C40 Cities Waste to Resources Network along with other leading cities from around the world. The City of Vancouver is also a signatory of the C40 Cities Advancing Towards Zero Waste Declaration.

We look forward to continue working with staff in the Ministry of Environment and Climate Change Strategy, as well as other ministries like the Ministry of Health, to develop new provincial policies that reduce plastic waste, and further strengthen EPR to enhance recycling in B.C.

Sincerely,



Chris Underwood, P.Eng.
Manager, Solid Waste Strategic Services

cc: Paul Henderson, General Manager, Solid Waste, Metro Vancouver

CU/mk

APPENDIX A: CleanBC Plastics Action Plan Survey – City of Vancouver Staff Submission

Submitted electronically at <https://feedback.engage.gov.bc.ca/129976> on September 30, 2019 and attached for reference to this letter dated September 30, 2019 to BC Ministry of Environment re. Clean BC Plastics Action Plan. Responses are indicated with a checkmark and *italics*.

1) How concerned are you about the problem of plastic waste?

Choose one of the following answers

- Not at all concerned
- Slightly concerned
- Somewhat concerned
- Moderately concerned
- ✓ *Very concerned*

2) The Ministry's proposal would require companies to take responsibility for many more plastic products and packaging. This would make more single-use plastic items like sandwich bags, 'disposable' plastic cups, straws, and cutlery get recycled. What are some barriers you face when it comes to recycling?

Check all that apply

- I don't have curbside recycling
- ✓ *It's inconvenient to go to a recycling depot*
- I'm confused about what is recyclable
- It's too much effort
- Other: (fill in answer)

3) What would help you to recycle more?

Check all that apply

- Clear information about what's recyclable and what isn't
- ✓ *Making more products recyclable*
- Knowing what happens to recycled products
- ✓ *If it was more convenient*
- Other: (fill in answer) n/a

4) Many governments are moving forward with bans on plastic packaging. For example the City of Vancouver has committed to banning plastic straws, foam cups, and foam take-out containers beginning in 2020. Bans on plastics can impact everyday activities like shopping and eating out. They may require industry to use alternative materials -- the costs of which might be passed on to consumers. How important is it to you that the provincial government consider bans – with appropriate safety, medical, and accessibility exemptions in place – for single-use plastic packaging?

Single-use plastic packaging

- 1- Not at all important
- 2- Slightly unimportant
- 3- Neither important nor unimportant
- 4- Moderately important
- ✓ *Very important*

Styrofoam packaging such as foam take-out containers

- 1- Not at all important
- 2- Slightly unimportant
- 3- Neither important nor unimportant
- 4- Moderately important
- ✓ *Very important*

- 5) **We're looking to expand the deposit-refund system to cover all beverage containers, and change the refundable deposit to 10 cents for all containers – keeping more single-use containers out of landfills and our waterways. When Alberta and Oregon raised their bottle deposits to 10 cents, millions more bottles were recycled every year. Please rate your support for increasing the beverage container refundable deposit fee to 10 cents:**

Choose one of the following answers

- 1- Not at all supportive
- 2- Slightly unsupportive
- 3- Neither supportive nor unsupportive
- ✓ *Somewhat supportive*
- 4- Very supportive

- 6) **Deposit refund systems have the highest recovery rate of all recycling programs. Some products like milk jugs and similar containers currently do not have a deposit. Do you think milk jugs and other similar containers should have a refundable deposit, even if it means paying 10 cents more at the check-out?**

Choose one of the following answers

- 1- Strongly disagree
- 2- Disagree
- 3- Neither agree nor disagree
- ✓ *Agree*
- 5- Strongly agree

- 7) **A number of products are currently being made from recycled plastic. Recycled content standards would require a minimum content of recycled plastic in new packaging and products. If you had the choice, how important for you is it to purchase products made with recycled content, even if they might cost you more?**

Choose one of the following answers

- 1- Not at all important
- 2- Slightly unimportant
- 3- Neither important nor unimportant
- 4- Moderately important
- ✓ *Very important*

8) What change would make the biggest difference for you when it comes to reducing plastic waste (for example at home, in the workplace, or in stores or restaurants)? 500 character limit.

Programs and infrastructure that support reuse, like travel mug and take-out container exchange programs, retrofits for commercial dishwashers, food courts with reusable dishes, etc.

Regulations or guidelines to allow restaurants to fill take-out orders in reusable containers brought in by customers, while maintaining sanitary conditions in commercial kitchens.

Targets in the Recycling Regulation for producers to reduce and reuse before recycling and energy recovery.

9-13) Demographic questions:

- **What best describes how you responded to survey (citizen, producer, local gov, etc.)** *Local government*
- **Region** *Lower Mainland/Fraser Valley*
- **Gender** *n/a*
- **Age** *n/a*
- **Status (Indigenous, Métis, Inuit)** *n/a*

APPENDIX B: CleanBC Plastics Action Plan Consultation Paper – City of Vancouver Staff Submission

1. Bans on Single-Use Packaging:

» Do you think bans on plastic packaging should be implemented in B.C.?

Yes, restrictions like bans, taxes or minimum fees (kept by businesses) should be implemented on plastic packaging and single-use items across B.C. This would provide consistency for businesses and consumers on a broad geographic scale, support widespread behaviour change, and create a market to reduce the cost of alternatives.

» What plastic packaging products are a priority for B.C. to ban?

To align with our Single-Use Item Reduction Strategy, the City of Vancouver's immediate priorities for province-wide restrictions include a ban polystyrene foam dishware, a ban on plastic straws, a ban, tax or fees on plastic shopping bags (with minimum fees on paper and reusable bags), a mechanism such as fees to reduce disposable cups, and a by-request regulation for disposable utensils (all spoons, forks, knives, chopsticks and stirrers).

Additional priorities for bans in the near future include plastic utensils (after appropriate substitutes are determined, ideally through the federal government's research), biodegradable plastics (oxo-degradable and photodegradable), plastic stickers used on produce, foam cushion packaging, and other items identified through further investigation and analysis by the Province.

» What types of bans should be considered (examples include bans on sale of a certain type of packaging or ban on use of a certain type, or bans on disposal)?

Restrictions (bans, fees or taxes) on the sale and use of single-use items and plastic packaging should target things that are littered, can't be recycled or composted in household (curbside or multi-family) programs, and have reusable, recyclable and compostable alternatives.

Disposal bans are appropriate tools to drive recycling and composting for single-use items and plastic packaging that must be used.

» If a ban was applied, how should exemptions be considered?

Exemptions should be determined on a case-by-case basis in consultation with stakeholders, and ensure the essential safety, health and accessibility of all citizens.

After consultation with hundreds of businesses on proposed by-laws, the City of Vancouver:

- Exempted hospital and community health care facilities from our ban on foam cups and foam containers, and is considering the same exemption for plastic straws, disposable cups, disposable utensils and shopping bags
- Granted a temporary 1-year exemption for charitable food providers from the ban on foam cups and foam containers
- Under a plastic straw ban, is proposing to require food vendors to provide bendable plastic straws wrapped in paper upon request for accessibility. Our Persons With Disabilities Advisory Committee, a citizen advisory body to Council, has endorsed this approach, and staff will bring it forward for Council's consideration in November 2019.

» Bans can be implemented in some form by all levels of government due to the different regulatory powers in place. Are there bans best suited for implementation at the federal, provincial or local government level?

We recommend the Province adopt a phased approach where restrictions can start with local governments, and move up to provincial and federal restrictions as critical mass builds.

The federal government is in the best position to identify and regulate hazardous substances in plastic products and their substitutes. An early priority for review are PFAS (per- and polyfluoroalkyl substances) in moulded fibre dishware, a substitute for foam dishware.

» Should local governments be given the authority to ban problematic plastic items in their community?

Yes, local governments should have the authority to address single-use items, provided this is within the context of a phased approach where the goal is for the Province and federal government to introduce harmonized regulations at the broadest possible scale. The problem is single-use item and plastic waste crosses municipal boundaries and is too big for individual local governments to solve on their own.

2. More Recycling Options:

» Do you have comments or suggestions regarding the ministry's proposal to include packaging-like products¹ in the Recycling Regulation? Are there any packaging-like products you believe should be exempt from the Recycling Regulation?

We support the ministry's proposal to include packaging-like products in the Recycling Regulation, and commend the Ministry for considering items beyond plastic.

» Do you have comments or suggestions regarding the ministry's proposal to add single-use items² to the Recycling Regulation? Are there any single-use items you feel should be exempt from the Recycling Regulation?

We support adding single-use items to the Recycling Regulation, as this will make producers responsible for collecting and recycling or composting this waste stream.

There is an urgent need for the Province to set standards for compostable single-use items used in B.C., align these standards with new requirements for compost facilities under the Organic Matter Recycling Regulation, and require EPR for all compostable single-use items and packaging. Many businesses are turning to compostables in the belief they are a solution to plastic pollution. However, a study conducted by the State of Oregon Department of Environmental Quality looked at 1,560 comparisons between compostable products and their

¹ "Packaging-like products" are defined in the Clean BC Action Plan consultation paper as "materials that are sold as a product but are in turn used as packaging. This includes re-usable plastic containers, freezer/sandwich bags, canning jars, wrapping paper, and moving boxes."

² "Single-use items" are defined in the consultation paper as "materials that are not necessarily packaging but similarly serve a one-time purpose. This includes plastic straws, stir sticks, cutlery and 'disposable' items purchased in multiples, such as plates, bowls, cups and party supplies that could be easily diverted in a manner similar to packaging-like products."

non-compostable counterparts, and found that in most cases, making, using and composting compostable materials had higher environmental impacts than using non-compostable materials, or using compostable materials and recycling, landfilling or incinerating them at end-of-life.³ Compostable plastics also aren't an acceptable material for industrial composting under OMRR, and our research indicates that many local facilities cannot process this material.

EPR is also urgently needed for single-use items generated by the ICI (industrial, commercial and institutional) sector, given that many of these items are generated and disposed of on site at these locations.

3. Expanding Plastic Bottle and Beverage Container Returns:

» Do you have comments or suggestions on the ministry's proposal to include milk and milk substitutes in the beverage container deposit refund schedule?

We recommend that any changes to the regulation specify that 10 cents is the *minimum* deposit for milk and milk substitutes, and allow companies to implement individual producer responsibility programs with higher deposits (\$1-2) to support the high return rates need to for refillable bottle programs.

» Do you have comments or suggestions on the ministry's proposal to create a uniform 10 cent deposit-refund for all beverage containers?

We agree there is merit in increasing the 5-cent deposit to 10 cents, given the 5-cent deposit hasn't increased since the 1970s or kept up with inflation. As noted in the consultation paper, increasing the deposit from 5-cents to 10-cents significantly increased recovery in Oregon.

However, the consultation paper doesn't discuss the fact that B.C.'s minimum deposit for containers over 1 litre is 20 cents. To our knowledge, there is no data to indicate what will happen when deposits decrease from 20 cents to 10 cents. Based on the Oregon example, one might assume that recovery rates could drop significantly when deposits are cut in half. Interestingly, Encorp Return-It's 2018 annual report shows that containers with 20-cent deposits have some of the lowest recovery rates: 49.1% for bag-in-box and 69.8% for gable top, the second and fourth lowest of all container types, respectively. This suggests other factors may drive recovery rates, like convenience and consumer awareness.

We recognize that innovation is needed to improve recovery rates. It's possible that a uniform 10-cent deposit would create a simpler message and raise consumer awareness, and create operational efficiencies that would improve customer service. However, this is an experiment, and may result in unintended negative consequences which should be assessed.

Staff cautiously support the proposal to create a uniform 10-cent deposit, provided the ministry includes a requirement in the Recycling Regulation to increase the deposit for containers over 1 litre to 20 cents if their recovery rates drop below 2018 levels. We also encourage the Province

³ Mistry M, Allaway D, Canepa P, and Rivin J. Material Attribute: COMPOSTABLE – How well does it predict the life cycle environmental impacts of packaging and food service ware? State of Oregon Department of Environmental Quality. Portland, Oregon. 2018. Retrieved from <https://www.oregon.gov/deq/FilterDocs/compostable.pdf>

to set continuously increasing recovery targets such that zero beverage container waste is sent to landfill or incinerator by 2040, and to include bottle caps in the EPR program.

» Do you have comments or suggestions on the ministry's proposal to allow refunds to be electronic and paid in an alternative form of cash (e-transfer, cheque, in-store credit, charitable donation, or similar alternatives)?

Staff support the proposal to allow electronic refunds, provided the Recycling Regulation also requires appropriate coverage of cash back return locations, and provides a mechanism to ensure container counts and refunds are accurate for consumer protection. This will modernize the system and encourage consumer participation, while supporting binners in their important role in recovering containers.

4. Reducing Plastics Overall:

» What should B.C. consider in the development of a national standard on recycled content and any associated targets?

National recycled content standards are required for plastic *and* for alternatives to plastic. For example, we recommend a minimum 40% recycled content requirement for all paper shopping bags, which are a substitute for plastic bags. Subsidies on virgin plastic should also be eliminated so that recycled plastic can compete and be more affordable for consumers.

» Do you have comments or suggestions on any related provincial policies or actions?

Scope of plastics: We recommend the CleanBC Plastics Action Plan target the plastic products and regulatory approaches identified in the National Zero Waste Council Plastics Advisory Panel's paper, *Regulatory Approaches for Priority Plastic Wastes*, submitted May 7, 2019 for the Canadian Council of Ministers of the Environment (CCME) Plastics Strategy. In alphabetical order, priorities include bags, balloons, bottles and caps, cigarette butts (1 million are littered in Vancouver every day), clothing and other textiles made with synthetic fibres, fishing gear (nets, buoys, foam for docks), foam cushions like mattresses and furniture (the City of Vancouver collects 24,000 mattresses/year), foodware for take-out (containers, cups and lids, straws, utensils), food wrappers, and tires. Other plastic types for consideration include agricultural plastics, vinyl siding from construction and demolition, and other miscellaneous plastics like plastic toys, electronics, automobile materials, and child car seats (City of Vancouver collected 540 car seats from 7 drop-off events in 2018). Though not mentioned in the National Zero Waste Council's paper, sharps—which do have a plastic syringe—are another urgent priority for the City of Vancouver. We collect 75,000 sharps per year through our street micro-cleaning programs at a cost of \$1.2M, and received 3,500 inquiries regarding sharps as a significant safety concern in 2018.

Beyond plastic: We commend the Province for acknowledging that reducing plastic requires policies to minimize the environmental impacts of substitutes made from alternative materials. (E.g. City of Victoria's by-law to ban plastic checkout bags included minimum fees on paper and reusable bags.) These policies aren't explored in the consultation paper, but we look forward to seeing them in the CleanBC Plastics Action Plan.

Waste avoidance, reduction and reuse: We recommend including a pollution prevention hierarchy in the CleanBC Plastics Action Plan that prioritizes waste avoidance, reduction and

reuse/repair. The pollution prevention (P2) hierarchy in the Recycling Regulation requires producers to maximize redesign, reduction and reuse, before turning to recycling. It is incumbent on producers to meet this requirement, and for the Province to set reduction and reuse targets for problematic single-use items and packaging.

Full cost accounting approach to EPR: B.C.'s EPR programs are based on the principle of full producer responsibility in order to incentivize producers to reduce and redesign products. Although some programs have options for 100% producer responsibility (e.g. Recycle BC's option to provide direct collection to residents), some programs provide inadequate compensation to local governments for operating streetscape recycling, depots, and drop-off events, as well as to retailers for return-to-retail. Also, B.C. has not yet required producers to take responsibility for materials that escape EPR programs and end up as litter or in landfills/incinerators. A full cost accounting approach to EPR would make producers responsible for fully financing the collection of all the products and packaging they put on the market, and create the greatest incentive for a circular economy.

Convenient collection: The Province has accepted the Stewardship Association of British Columbia's standard for access to collection, which is defined as less than a 30 minute drive to a collection facility for urban communities of 4,000 or more people. However, as a local government with Greenest City targets to make over 50% of trips by foot, bicycle, and public transit, and to reduce the average driving distance per resident by 20% from 2007 levels, we hear from residents that a 30-minute drive is unacceptable. Moreover, recent public opinion research indicates that only 6% of Vancouver residents are willing to take foam cups and foam containers to a drop-off location for recycling. To improve recycling under the Clean BC Plastic Action Plan and EPR programs, there is a need to move beyond depots and introduce convenient collection models that are grounded in behavioural psychology and tested through civic engagement and public opinion research. Examples include curbside and multi-family collection, streetscape recycling, large-item collection programs (possibly scheduled on-demand), and community drop-off events.

Comprehensive Provincial Single-Use Item Reduction Strategy: As mentioned in the Mayor's May 19, 2019 letter to the Honourable George Heyman, Minister of Environment and Climate Change Strategy, we encourage the Province to develop a comprehensive provincial single-use item reduction strategy that includes:

- all material types, not just plastic
- a range of policy instruments (bans, provincial tax, minimum fees, by-request regulations, etc.) to drive reduction
- incentives for reusable programs and infrastructure (grants for renovations to install commercial dishwashers, grants and tax incentives)
- EPR to collect and recycle or compost single-use items, for all sectors
- provincial education and outreach programs to support businesses and consumers

Joint local government response: With only one session during the consultation period (July 24-September 30, 2019), Vancouver City Council was unable to consider signing the letter circulated by the districts of Squamish and Tofino for a joint local government response to the provincial plastics action plan. However, staff generally support the five themes identified in the letter: focus on reduction and reuse, clarify local government authority, a phased or stepped approach for local governments (although we recommend the Province introduce uniform policy where there is significant public and stakeholder support), improving EPR, and ensuring internal and external consultation.