



THE RESORT MUNICIPALITY OF WHISTLER

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September 28, 2019

George Heyman
Ministry of Environment and Climate Change Strategy
Recycling Regulation Amendments
PO Box 9341 Stn Prov Govt
Victoria, B.C. V8W 9M1

Dear Minister Heyman,

RE: Clean B.C. Plastics Action Plan & Recycling Regulation amendments

The Resort Municipality of Whistler (RMOW) appreciates the opportunity to share feedback on the Clean B.C. Plastics Action Plan. Welcoming over 3 million visitors annually, Whistler is committed to collaborating with stakeholders to find appropriate solutions to protect the environment. The Whistler mayor and council recently added its endorsement to a B.C. Local Government letter on the B.C. Plastics Action Plan. That joint submission supports a focus on reduction and reuse, seeks clarification of local government authority, and further internal and external consultation. A community-led approach akin to the existing *B.C. Energy Step Code* adoption model is also advised, as well as a suite of suggestions for the improvement of Extended Producer Responsibility (EPR) programs. This supplementary letter further outlines EPR improvement opportunities and highlights additional opinions of RMOW staff in direct response to the Plastics Action Plan Policy Consultation Paper.

1. BAN ON SINGLE-USE PACKAGING

1.1 Bans and product priority

Restricting and regulating single-use plastic items is a necessary and welcomed step to reducing persistent plastic litter in the environment. However, the behaviour of properly disposing of single-use items will not be solved with simply swapping one type of material for another. Reduction of single use materials through reuse opportunities should be considered and supported where deemed beneficial to the goals of this initiative (e.g. refillable container options, BYO take-out containers, etc.).

Priority should be aimed first at plastics that aren't recyclable—such as plastic straws and cutlery—and that are persistent in the environment—such as plastic bags and polystyrene. Following the EU lead to include plastic cotton swabs, cutlery, plates, straws, drink stirrers and balloon sticks, as well as polystyrene foam containers and products made from oxo-degradable and biodegradable plastics is also recommended, for global consistency and reducing consumer and commercial confusion. Compostable plastics should not be encouraged until compostable product development has been standardized and acceptability to all commercial composting facilities in B.C. is realized. Health issues related to persistent chemical compounds found in plastics such as, perfluoroalkyl and polyfluoroalkyl substances (aka. PFAS) need also be documented and eliminated.

1.2 Type of ban (disposal/sales)

B.C. should take a lead role in developing a Single-Use Plastics Reduction Policy in advance of the National Strategy which likely will take more time to develop and employ. An element to consider is province-wide distribution bans and/or levies on difficult to recycle single-use items. A uniform approach is easier to navigate for businesses and local governments as disposal bans can be hard to manage, particularly without alternative disposal options. Further, levies could help to fund regulatory compliance and public education campaigns to change consumer behaviour. A province-wide policy should work to support a circular economy



approach where waste is designed out of the system in the first place, working to proliferate safe and sustainable reusable options.

1.3 *Exemption considerations*

The RMOW supports working with credible sources like the Associations for Speech Language Pathologists, Dietitians, and Occupational Therapists to determine the need for medically necessary single-use items. Further, there is a need to have unbiased (as in independent, non-industry funded) evidence that the ban will be problematic for individuals with unique health needs. Hardship or unwillingness to change from industry or business should not be a rationale for exemptions.

1.4 *Federal, Provincial and/or local level bans*

All levels of governments should work together to find practical solutions to impose additional penalties for non-recyclable materials so they can be phased out by producers; this can be achieved through the use of differential fees or poor material choice surtaxes. A national strategy would have the most significant impact to improving materials design as a larger portion of the global commodities will be impacted. Provincial governments play a role in setting targets, timelines and reporting requirements from producers. Regulating single-use items using a stepped approach similar to the recent B.C. Building Code update, while also allowing local governments to move as quickly as they wish. Further, the role of the local government needs to be better defined and the Community Charter amended to allow for local governments to be able to enact bylaws to protect the environment (as the recent court ruling on the City of Victoria's bag ban has left many local governments confused on their authority). Local governments will continue to play a significant role in implementing regulations and working with local stakeholders to ensure compliance.

2. DRAMATICALLY REDUCE SINGLE-USE PLASTIC IN LANDFILLS & WATERWAYS

2.1 *Packaging-like products and single-use plastic inclusion to the Recycling Regulation amendments*

Including packaging-like products in the Recycling Regulation would reduce rampant confusion and frustration with recycling programs by reducing the need for residents to distinguish between packaging and products. RMOW staff are of the opinion that the Province can utilize bans rather than EPR inclusion for certain items, such as stir sticks and cutlery, as those items are not suited for collection and processing at material recovery facilities.

2.2 *Additional Recycling Regulation amendments*

Throughout North America, B.C. is a recognized leader in EPR programs. It would be advantageous to use that platform to continue to push progressive policies including full cost recovery, circularity indicators and recycled content requirements. The intent of EPR is for the Producers to take full responsibility for their products end-of-life. However, the current reality is that many EPR programs are significantly subsidized by taxpayers—particularly in small and rural communities—therefore better funding mechanisms are necessary. Also, the development of circularity indicators for Producers to report on should support more reuse opportunities and the right to repair items. At the same time, working quickly in B.C., alongside the Federal Government's longer term goals, to implement mandatory recycled content for plastic and paper packaging (see section 4.1 below for more details) will benefit investment and job growth.

The RMOW believes that EPR can reduce GHG emissions and create a context for stable, long-term end markets for recyclable materials to be created in British Columbia and Canada. As such, a paramount issue for our community is for the expedient inclusion of industrial, commercial, and institutional (ICI) printed paper and packaging (PPP) into the Recycling Regulation. As a resort community welcoming over 3 million visitors a year, it can be challenging to find viable ICI recycling options. As is demonstrated with the recent closure of Foam Only Recycling in the Lower Mainland, where Whistler and Squamish sent commercial foam. In 2018,

nearly 14 tonnes of Whistler ICI foam was processed at Foam Only, which translates to 280 cubic metres or approximately 16 twenty yard roll-off containers. With no other options available, this material can be collected and stored at a cost to the taxpayer until an alternate solution is found or shipped to Regional Disposal's Rabanco Landfill in Washington State.

Additional benefits of regulating ICI PPP material, include but are not limited to:

- Provide industry more assurances for making critical recycling technology investments to process materials.
- Improve the level of service to businesses, visitors and institutions in our communities;
- Create framework for processing recycling materials in B.C.
- Remove the burden of handling ICI recycling from taxpayers; and
- Reduce recyclables going to landfill.

In this manner, the expansion of regulated products captured by the *Recycling Regulation* is supported, including ICI PPP, packaging-like products, and further, mattresses, textiles, single-use household pressurized cylinders, and new and used gypsum drywall.

3. PLASTIC BOTTLE AND BEVERAGE CONTAINER RETURNS

3.1 *Including milk and alternatives.*

The RMOW supports the direction to include ALL single-use drink containers to the deposit system as that is a logical move to reduce widespread consumer confusion with recycling programs. However, a comprehensive education campaign is recommended to alleviate the service change confusion to Recycle B.C. curbside programs that are currently accepting milk containers.

3.2 *Uniform deposit refund for all beverage containers*

The decision to raise the Beverage Container Deposit is warranted as having an increased, standardized amount will stream line and modernize the return it system. However, the RMOW would prefer to see the amount be \$0.20 to \$0.30 for all containers, so as not to see any reduction in deposits (i.e. containers over 1 litre). Any deposit reduction is problematic, particularly as higher deposit rates are known to significantly increase diversion and improve recycling rates. Furthermore, lower income and marginalized communities often play a significant role to recover beverage containers for recycling, so an increase in deposits would better align with the ever increasing cost of living in B.C.

3.3 *Allowing electronic refunds*

Allowing electronic refunds will also modernize the return-it program, however, maintaining cash refunds at all locations will ensure the status quo will be preserved.

3.4 *Other Feedback on Beverage Containers*

The RMOW, through the shared Squamish-Lillooet Regional District Solid Waste and Resource Management Plan, endorses the Ministry's approach to move programs further up the Pollution Prevention Hierarchy. Providing incentives to support reuse—which often also result in GHG emission reductions—such as the Beer Bottle program, growlers and past pop shops structure should be considered. Additionally, health and safety concerns and clear solutions to allow people to bring their own take-out containers should be evaluated to further reuse waste in the first place and support the reduction of single-use packaging.



4. REDUCING PLASTICS OVERALL

4.1 *Considerations for a National Standards*

The development of national recycling content for packaging is a necessary step to improve recycling programs across Canada by increasing the value of recycled materials, improving infrastructure investments over time and creating new jobs. Developing clear national standards will improve consistency and reduce confusion for Producers. Product recyclability, and not just recycled content, needs to be supported so as not to create additional unwanted material streams. Labelling of various types of plastic with the intent to create a system that can retain commodity quality versus the down-cycling of degraded materials should be promoted. Having a standard icon indicating Producers are supporting full recovery of materials and innovating for improved environmental stewardship, such as the Green Dot program in Germany can increase Producer participation and provide a national level of assurance.

Further, it can be anticipated that an increase in paper and compostable packaging will replace common single-use plastic items. To effectively manage this transition, standardizing compostable plastics and establishing mandatory recycled content for packaging is highly recommended. Accepted materials should be simple and quick to identify as compostable. Evidence based results to prove that materials are free of PFAS and can adequately decompose in various composting technologies across Canada, from simple windrowing, to in-vessel tunnels, and anaerobic digestion.

In conclusion, the RMOW is committed finding collaborative solutions to protecting our environment and is grateful for this opportunity to comment on the Clean B.C. Plastics Action Plan. The province of B.C. can continue to be a North American leader in EPR by increasing the list of materials in the Recycling Regulation, ensuring the full cost recovery by producers and requiring continuous design improvements towards circularity. The RMOW, along with our regional partners in the SLRD, will continue to engage with local stakeholders to craft a Single-use Plastics Reduction Strategy for our communities. We look forward to having a suite of Provincial and National tools to help us with our transition towards more sustainable communities.

Thank you for your time considering our feedback,

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Tucker", written over a white background.

Andrew Tucker

Manager of Transportation and Waste Management
Resort Municipality of Whistler