A proposed integrated management approach to plastic products to prevent waste and pollution

WHAT WE HEARD REPORT

Environment and Climate Change Canada
Environnement et Changement climatique Canada
Canada

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Introduction

Why we consulted Canadians

Plastic is polluting our rivers, lakes, and oceans, harming wildlife, and generating microplastics in the water we use and drink. Every year, Canadians throw away 3 million tonnes of plastic waste, only 9% of which is recycled, meaning the vast majority of plastics end up in landfills. In 2016, about 29,000 tonnes of plastic waste found its way into our natural environment. At the same time, Canada is able to reap significant benefits from reducing, reusing, remanufacturing and recycling plastics by transitioning to a circular economy that promotes innovation, resource efficiency and clean growth. Achieving zero plastic waste by 2030 could create up to 42,000 direct and indirect jobs and reduce annual greenhouse gas emissions by 1.8 megatonnes.

In November 2018, through the Canadian Council of Ministers of the Environment, the federal, provincial and territorial governments approved in principle a Canada-wide Strategy on Zero Plastic Waste. The Strategy builds on the Ocean Plastics Charter, and takes a circular economy approach to plastics and provides a framework for action in Canada.

In October 2020, the Government of Canada published a discussion paper outlining an integrated management approach to plastic products to prevent waste and pollution.[1] The discussion paper outlined the important role all partners and stakeholders can play in achieving zero plastic waste and eliminating plastic pollution, including federal, provincial and territorial governments, Indigenous Peoples, industry, civil society and individual Canadians. The paper explained how no one measure can overcome the systemic challenges standing in the way of a circular economy for plastics, and that change was needed across the plastics value chain, including:

- **eliminating certain sources of plastic pollution:** reduce environmental harm caused by plastic products, in particular single-use plastics, by managing or, where necessary, prohibiting their use;
- **strengthening domestic end-markets for recycled plastics:** stimulate demand for recycled plastic that can drive the development of sustainable and resilient recycling markets and spur investment in recovery infrastructure;
- **improving the value recovery of plastic products and packaging:** raise collection and recycling rates of plastic products and packaging, reduce the amount of plastic waste that ends up in landfills or the environment, and incentivize investment in infrastructure that can supply secondary end-markets with sufficient quantities of high-quality recycled plastics; and
- **supporting innovation and the scaling up of new technologies:** provide the incentives and regulatory space for businesses and researchers to develop, test and scale up technologies that help prevent plastic waste and pollution, such as new forms of plastic, new technologies for recovering value from plastic waste, and innovative business practices to improve the management of plastics throughout the value chain.

[1] Available online at https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/plastics-proposed-integrated-management-approach.html

The Government also proposed three initiatives to help effect these changes:

- **managing single-use plastics** through a management framework, and using the framework to identify single-use plastics as candidates for bans or restrictions (six were identified);
- **establishing performance standards**, in particular standards for using recycled content in new plastic products and packaging; and
- **ensuring end-of-life responsibility** by improving and expanding extended producer responsibility in Canada.

The Government then sought input from partners, stakeholders and Canadians to help inform the development of these measures. This What We Heard report details how the Government sought input, who provided input, and what was said. In addition, it outlines next steps for the Government's integrated management approach as it works towards achieving zero plastic waste by 2030.

How we consulted

A public consultation period on the integrated management approach was held between October 7 and December 9, 2020. Consultations were held entirely online to facilitate national participation and due to restrictions caused by the COVID-19 pandemic. Consultation activities included:

- **Written comment period**: ECCC solicited written input by mail or email from all interested parties between October 7 and December 9;
- **Webinars**: ECCC hosted five webinars over Zoom that were open to all interested parties, that ran between 1 and 1.5 hours and included a presentation from ECCC officials, a question-and-answer session, and a chat box to post written questions and comments; and
- **Stakeholder discussion sessions**: ECCC hosted four, 2-hour stakeholder discussion sessions over Zoom to discuss specific issues related to the integrated management approach with key partners and stakeholders, including industry, civil society organizations, experts and other jurisdictions.

The consultation was advertised using the Department's social media accounts, including regular posts on Twitter and Facebook.

Further information on the consultation approach, as well as recordings of the webinars, are available online at https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/consultations/plastics.html.

Figure 1: Twitter post from October 7, 2020

Consultation method	Topic	Dates
Written comments	All topics	October 7 – December 9
Webinar 1	Overview of proposed integrated management approach to plastic products to prevent waste and pollution	October 30
Webinar 2	Managing single-use plastics (Part 1)	November 6
Stakeholder discussion session 1	Alternatives and limitations to single-use plastics and non-conventional plastics	November 6
Webinar 3	Managing single-use plastics (Part 2)	November 13
Stakeholder discussion session 2	Jurisdictional approaches and distributional impacts of proposed restrictions or bans on single-use plastic products	November 13
Webinar 4	Establishing performance standards	November 20
Stakeholder discussion session 3	Various proposed approaches to establishing recycled content requirements, as well as associated opportunities and barriers	November 20
Webinar 5	Discussion on key technical topics raised in webinars 1-4	November 27
Stakeholder discussion session 4	Definitions and the scope of instruments; exemptions; proposed options for extended producer responsibility	November 27
Indigenous engagement session	Webinar and question-and-answer session for Indigenous Peoples	January 8

Who participated

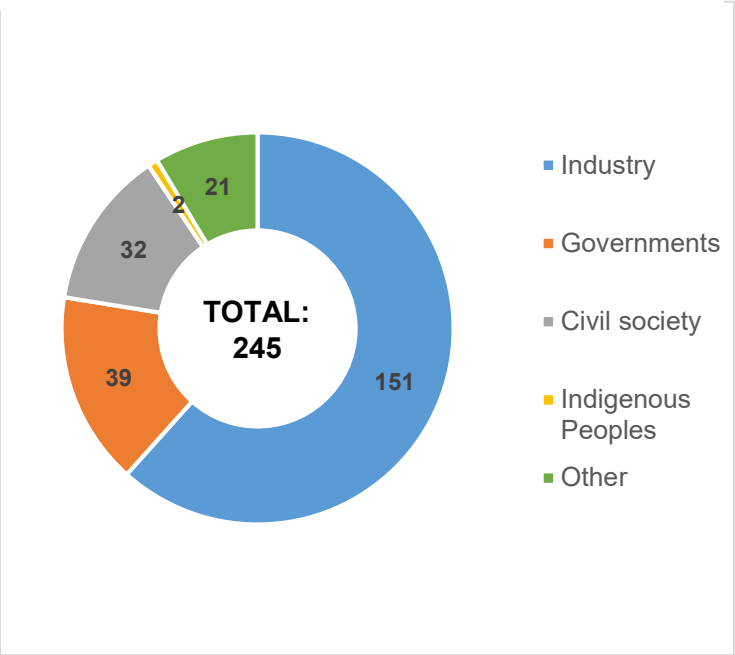
Participation was high across each of the consultation opportunities described above, with a broad range of industry sectors, non-governmental organizations, governments and individuals represented. The Government of Canada wishes to thank everyone who provided input.

The following section provides a breakdown of who participated in the different consultation opportunities provided.

Written comments on the discussion paper

In total, the Government received written comments representing the views of 245 stakeholders and partners in the following categories (see Figure 2):[2]

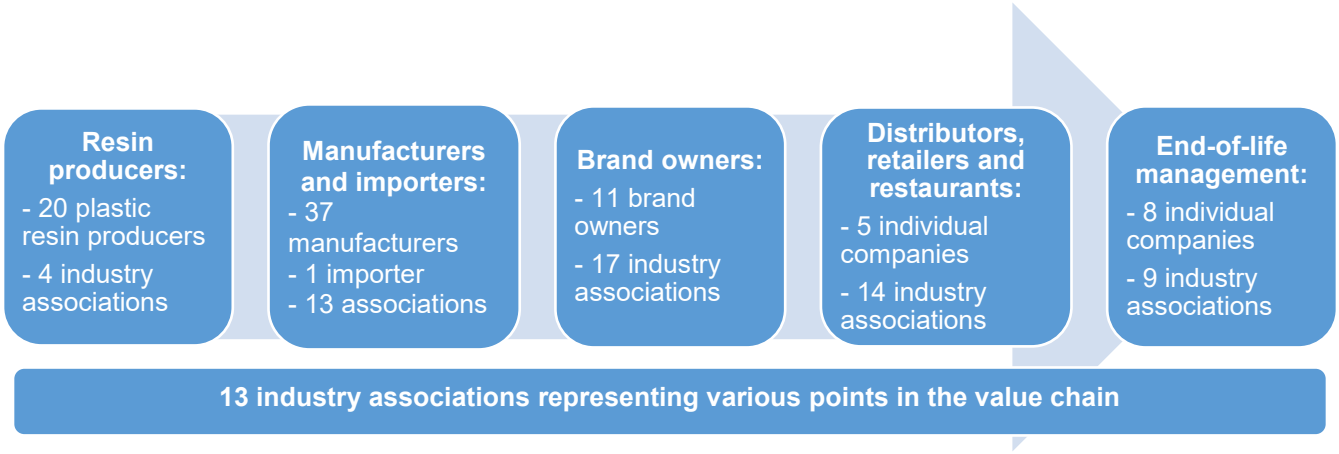
Figure 2: Breakdown of stakeholders that provided written comments on the discussion paper



- **Industry:** the majority of comments received were from companies and industry associations situated at almost every point in the plastics value chain (see Figure 3, below)
- **Governments:** written comments were received from governments across Canada:
  - 3 provinces and 3 territories
  - 25 local governments
  - 7 local government associations
  - 1 foreign government
- **Civil society:** almost all civil society organizations were environmentally focused, with the exception of one think tank, and one US-based taxpayer organization.
- **Indigenous organizations:** 2 Indigenous organizations provided written comments
- **Other:** written comments were received from academics, scientists, and members of the public.

[2] Written comments were also received on the draft Order-in-Council proposing to add "plastic manufactured items" to Schedule 1 of the *Canadian Environmental Protection Act, 1999*, which was published in *Canada Gazette* Part I on October 10, 2020. These comments are summarized and addressed here: https://www.canada.ca/en/environment-climate-change/services/evaluating-existing-substances/summary-public-comments-received-proposed-order-adding-plastic-manufactured-items-schedule-1-canadian-environmental-protection-act-1999.html

Figure 3: Industry stakeholder comments and their position on the plastics value chain

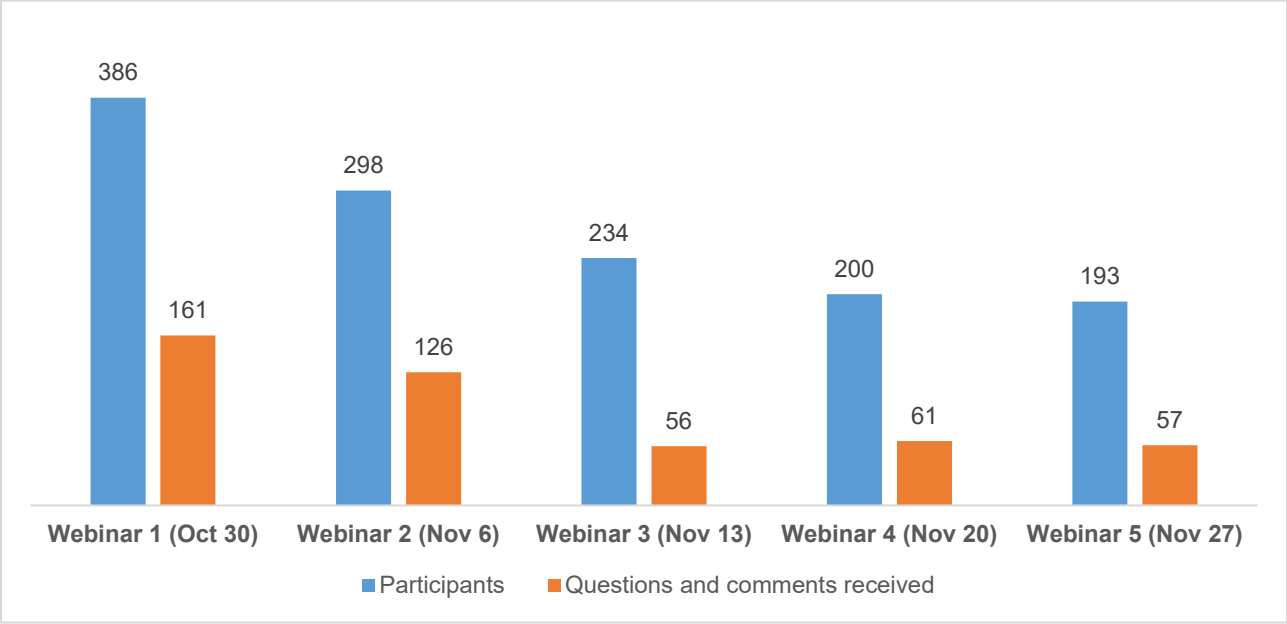


Webinars

Webinars were open to anyone who registered and were hosted over Zoom. Participation is reflected in Figure 4 (below), which shows the number of participants for each webinar, as well as the number of questions and comments that were either submitted in advance by a registered participant, or during the Zoom webinar using the chat function.

Over 6,000 stakeholders received the email invitations to participate in the public webinar sessions and details and registration information were posted on the ECCC consultation webpage. Over 700 participants representing a number of different stakeholder categories (primarily industry, government and civil society organizations) and sectors participated in at least one session, with many participating in several sessions. Overall participation across all sessions totalled 1,474 participants.

Figure 4: Webinar participants, questions and comments

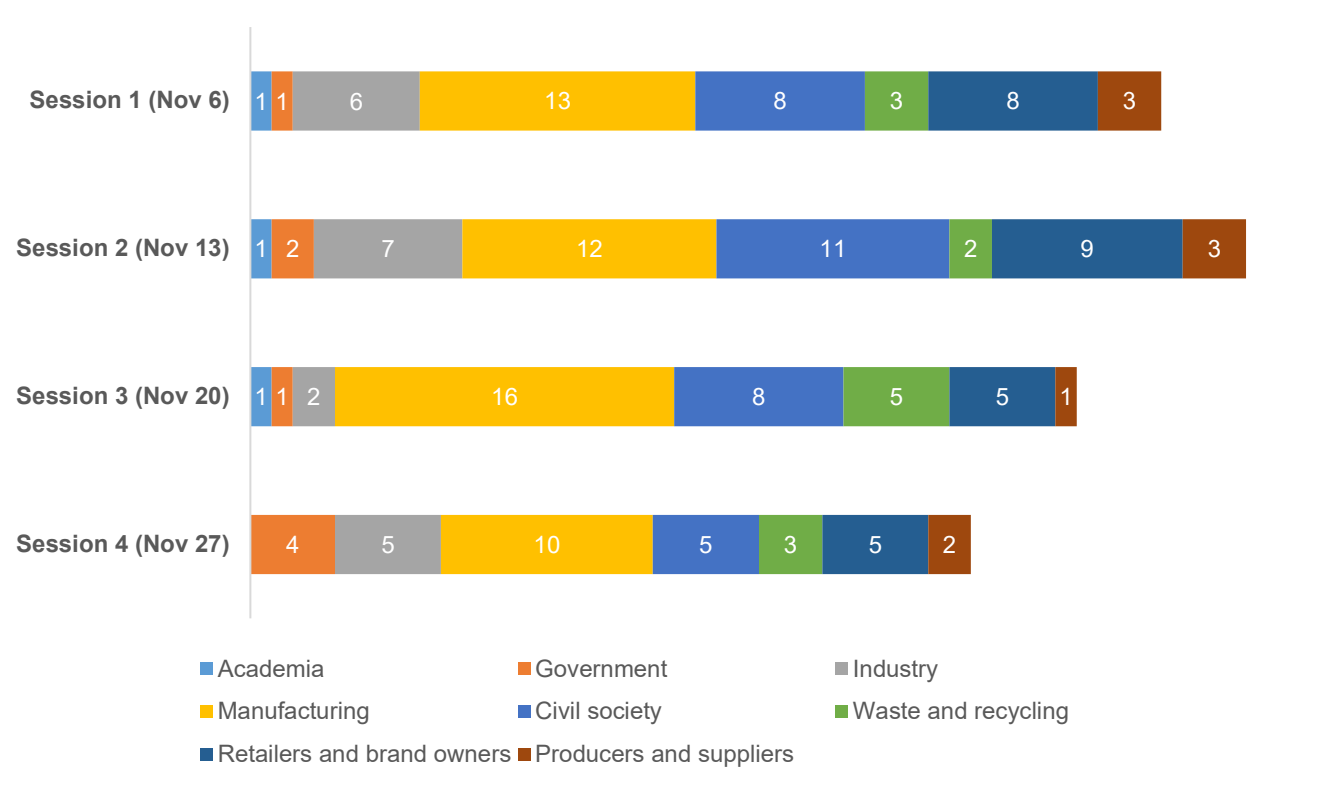


Stakeholder discussion sessions

For the targeted stakeholder discussions, approximately 100 to 150 participants representing a wide variety of stakeholders, were invited to each webinar. As shown in Figure 5 below, there were

- 43 participants in the November 6, 2020 session on alternatives and limitations to single-use plastics and non-conventional plastics.
- 47 participants for the November 13, 2020 session on jurisdictional approaches and distributional impacts of proposed restrictions or bans on single-use plastic products.
- 49 participants for the November 20, 2020, session on approaches to establishing recycled content requirements
- 34 participants for the last session on November 27, 2020 on definitions, the scope of instruments, exemptions, and proposed options for extended producer responsibility.

Figure 5: Participants in stakeholder discussion sessions



Input from the public

In addition to the above input, the Government of Canada received thousands of emails from individual Canadians expressing their opinions on the proposed integrated management approach. Many of these emails were facilitated by environmental and industry organizations such as Greenpeace, Environmental Defence, and the Chemistry Industry Association of Canada. In total, the Government received over 24,000 emails from individual Canadians. Of these, approximately 350 were opposed to the Government's integrated management approach, while the rest were supportive or urged the Government to do more.

Thousands of Canadians also made their voices heard through online petitions. For example, a petition supporting the Government's integrated management approach, including the proposed ban on certain single-use plastics, hosted on the online platform Change.org and started by environmental organization Oceana collected over 100,000 signatures.[3]

What we heard

This section presents a summary of comments received on the integrated management approach as outlined in the discussion paper. It summarizes a large number of comments received, and is not intended to be attributed to specific organizations or individuals. The Government of Canada also received comments on the draft Order-in-Council proposing to add "plastic manufactured items" to Schedule 1 of the *Canadian Environmental Protection Act, 1999*.[4]

What we heard on the integrated management approach

- There was general agreement among all stakeholders that plastic waste and pollution must be managed better.
- Some local governments and civil society groups proposed that additional measures should be put in place to achieve zero plastic waste, such as targets for recycling or using reusable plastic products.
- Some local governments and civil society groups called for regulation of certain additives or replacement materials, such as per- and polyfluoroalkyl substances.
- Local governments emphasized the need to consider the waste implications of any measures, and not to unduly burden local governments with increased waste from alternative materials (e.g., paper or wood).
- Many industry stakeholders were of the opinion that waste management is a provincial and territorial responsibility, and that the Government of Canada should work with these jurisdictions through the Canadian Council of Ministers of the Environment.
- All stakeholders stressed the need for the Government of Canada to work closely with partners and stakeholders to develop measures that address plastic waste and pollution.

[3] https://www.change.org/p/justin-trudeau-help-end-the-plastic-disaster
[4] https://www.canada.ca/en/environment-climate-change/services/evaluating-existing-substances/summary-public-comments-received-proposed-order-adding-plastic-manufactured-items-schedule-1-canadian-environmental-protection-act-1999.html

What we heard on managing single-use plastics

- Industry stakeholders were broadly opposed to any bans or restrictions, arguing that the Government of Canada should instead invest in innovation and recycling infrastructure.
- Numerous stakeholders commented that the government should not limit prohibitions on single-use plastics to the six identified items and suggested other items that could be banned (e.g., cigarette filters, water bottles, cotton bud sticks).
- Numerous stakeholders raised concerns about the environmental impacts of alternative products, materials and systems (e.g., paper checkout bags versus single-use plastic), and stressed the need to take these lifecycle impacts into account in decision-making.
- Some industry stakeholders questioned whether some of the single-use plastics identified as candidates for bans or restrictions were truly "value-recovery problematic", when technology exists or could be developed to recycle hard-to-recycle plastics.
- Some retailers raised the cost implications of switching to more expensive alternatives, particularly in the context of the COVID-19 pandemic.
- Many stakeholders stressed the need to accommodate people with disabilities, in particular with regard to single-use plastic straws.
- Many local governments and civil society organizations urged the Government to ban or restrict additional single-use plastics, such as water bottles and tampon applicators.
- One Indigenous group signaled that some communities may depend on single-use plastics during boil-water advisories on reserves.

What we heard on establishing performance standards

- There was strong overall support for increasing the use of post-consumer recycled content, the importance of verification standards, and the ability of the Government of Canada to provide leadership through procurement, incentives for industry, and investment in infrastructure.

What we heard on ensuring end-of-life responsibility

- Some industry stakeholders argued that waste management is a provincial and territorial responsibility, and that the Government of Canada should provide support but allow provinces and territories to take the lead in developing extended producer responsibility programs.
- Some brand owners stated they were in favour of a single reporting system for the various provincial extended producer responsibility programs to reduce administrative burden.
- Some local governments and civil society groups urged governments to adopt a national, harmonized extended producer responsibility framework, with minimum standards and recycling targets.

Next steps

Next steps for each of the categories of actions outlined in the integrated management approach are shown in the following table:

Category	Next step
Managing single-use plastics	Publish draft regulations for consultations on banning or restricting certain single-use plastics
Establishing performance standards	Further consultations on key elements of minimum recycled content requirements
Ensuring end-of-life responsibility	Canadian Council of Ministers of the Environment to publish guidance to facilitate consistent extended producer responsibility

Draft regulations on banning or restricting certain single-use plastics will be published in *Canada Gazette*, Part I for a 75-day public comment period. Draft regulations are always accompanied by a Regulatory Impact Analysis Statement (RIAS). The RIAS includes detailed analysis of the potential effects of the proposed measure, including estimates of costs and benefits, a strategic environmental assessment, the application of a small business lens, and a gender-based analysis plus.

Appendix: Questions for discussion

The following questions were included in the discussion paper to help focus input:

Managing single-use plastics

1. Are there any other sources of data or other evidence that could help inform the development of the regulations to ban or restrict certain harmful single-use plastics?
2. Would banning or restricting any of the 6 single-use plastics identified impact the health or safety of any communities or segments of Canadian society?
3. How can the government best reflect the needs of people with disabilities in its actions to ban or restrict certain harmful single-use plastics?
4. Should innovative or non-conventional plastics, such as compostable, bio-based or biodegradable plastics be exempted from a ban or a restriction on certain harmful single-use plastics? If so, what should be considered in developing an exemption that maintains the objectives of environmental protection and fostering a circular economy for plastics?

Establishing performance standards

5. What minimum percentage of recycled content in plastic products would make a meaningful impact on secondary (recycled resin) markets?
6. For which resins, products, and/or sectors would minimum recycled content requirements make the greatest positive impact on secondary (recycled resin) markets? Why?
7. Which resins, products or sectors are best-placed to increase the use of recycled plastic and why?
8. Which plastic products are not suitable for using recycled content due to health, safety, regulatory, technical or other concerns?
9. What should be considered in developing timelines for minimum recycled content requirements in different products?
10. What would be the advantages and disadvantages to setting minimum percentage requirements that are distinct for each product grouping, sector, and/or resin?
11. How could compliance with minimum recycled content requirements be verified? How can the Government and industry take advantage of innovative technologies or business practices to improve accuracy of verification while minimizing the administrative burden on companies?
12. Besides minimum recycled content requirements, what additional actions by the government could incentivize the use of recycled content in plastic products?

Ensuring end-of-life responsibility

13. How can the Government of Canada best support provinces and territories in making their extended producer responsibility policies consistent, comprehensive, and transparent?