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# Standing Committee on Environment and Sustainable Development

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Chair: Mr. Francis Scarpaleggia





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• (1530)

[English]

**The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):** I call the meeting to order.

Welcome, Mr. Viersen, to the environment committee. I hope you enjoy your experience here.

Welcome to the 22nd meeting of the House of Commons Standing Committee on Environment and Sustainable Development. Pursuant to the order of reference of Wednesday, February 3, 2021, and the motion adopted by the committee on February 17, 2021, the committee is resuming its study of Bill C-204, an act to amend the Canadian Environmental Protection Act, 1999, regarding the final disposal of plastic waste.

We have government officials with us here today as requested. They will be here to answer questions during the clause-by-clause.

As the name indicates, this is an examination of the clauses in the order in which they appear in the bill. I will call each clause successively, and each clause is subject to debate and a vote. If there are amendments to the clause in question, I will recognize the member proposing the amendment, who may then explain the amendment. The amendment will then be open for debate. When no further members wish to intervene, the amendment will be voted on. Amendments will be considered in the order in which they appear in the bill or in the package each member received from the clerk. Members should note that amendments must be submitted in writing to the clerk of the committee, or by email for members participating virtually.

Since this is the committee's first clause-by-clause consideration of a bill in a hybrid meeting format, the chair will go slowly to allow members to follow the proceedings properly. Amendments have been given an alphanumeric number in the top right-hand corner to indicate which party submitted them. There's no need for a seconder to move an amendment. Once an amendment is moved, you will need unanimous consent to withdraw the amendment.

During the debate on an amendment, members are permitted to move subamendments. These subamendments must be submitted in writing or by email for members participating virtually. They do not require the approval of the mover of the amendment. Only one subamendment may be considered at a time, and that subamendment may not be amended. When a subamendment to an amendment is moved, it is voted on first. Then another subamendment may be moved or the committee may consider the main amendment and vote on it.

Once every clause has been voted on, the committee will vote on the title and the bill itself, and an order to reprint the bill may be required if amendments are adopted so that the House has a proper copy for use at report stage.

Finally, the committee will have to order the chair to report the bill to the House. That report contains only the text of any adopted amendments as well as an indication of any deleted clauses.

I thank the members for their attention and wish everyone a productive clause-by-clause consideration of Bill C-204.

**Mr. Lloyd Longfield (Guelph, Lib.):** Mr. Chair...?

**The Chair:** Yes, Mr. Longfield, let me just get set up to see the hands here. We have Mr. Longfield and Ms. Collins.

Go ahead.

**Mr. Lloyd Longfield:** Thank you.

Just before we get going to the clause-by-clause, we've received a number of letters. Three of them have been translated, and there are seven more, to my count, that haven't been translated yet. However, they've been sent to us, and I've looked at them.

We have the president of the Alberta Plastics Recycling Association, the president of Merlin Plastics, Van WasteCo, P.E.T. Processing out of Delta, B.C.—

• (1535)

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** I have a point of order.

**The Chair:** Excuse me, Mr. Longfield—

**Mr. Lloyd Longfield:** I'm in the middle of a motion. I'm just giving you a short preamble to give you a motion.

**Mr. Dan Albas:** I have a point of order.

**The Chair:** I'll come back to you, Mr. Longfield.

Go ahead, Mr. Albas.

**Mr. Dan Albas:** Mr. Chair, this is not relevant to the subject of clause-by-clause.

**Mr. Lloyd Longfield:** No, it actually is.

**Mr. Dan Albas:** I came here specifically intending to do clause-by-clause.

**Mr. Lloyd Longfield:** It actually is. I have a motion that I'm in the middle of making. I was just listing the letters we've received, and then I was going to make a short motion, Mr. Chair.

**The Chair:** Go ahead, Mr. Longfield.

**Mr. Lloyd Longfield:** There are letters from the chief executive officer of Ontario Waste Management Association; the president of Waste Management Association of B.C.; the sustainability manager of Ice River Sustainable Solutions from Shelburne, Ontario; the director of Rundel Eco Services out of Calgary; and of course the president and CEO of the Association of Plastic Recyclers.

These are important stakeholders we haven't heard from. Three of the letters have been translated for our consideration, and Bill C-204 is generating a lot of interest from industry that we haven't heard from.

We've had only three of these letters translated, Mr. Chair, so I'd like to move that we defer consideration of Bill C-204 to consider these submissions; that the remaining submissions be translated and distributed to members; that we have the steering committee consider whether some of these individuals should be asked to appear as witnesses; and that the steering committee report back to the committee on its recommendations.

**Mr. Dan Albas:** I have a point of order again, Mr. Chair.

**The Chair:** Yes, Mr. Albas.

**Mr. Dan Albas:** We are here to do the business of clause-by-clause, not to entertain other motions for committee business. I think you should find that the member is not being relevant to the subject at hand. I think you should rule this out of order, so that we can get on with the business we are here to do today.

**Mr. Lloyd Longfield:** I think this is in order, Mr. Chair.

**The Chair:** Give me a second. We're going to go slowly today, since this is our first experience with clause-by-clause.

First of all, Mr. Longfield's motion relates to Bill C-204. It also relates to clause-by-clause in the sense that he wishes to delay clause-by-clause. I have to consider the motion in order.

Ms. Collins.

**Ms. Laurel Collins (Victoria, NDP):** Thank you, Mr. Chair.

This is not necessarily related to Mr. Longfield's motion, but it's potentially relevant. I was just having tech issues as we were logging in. I haven't done my audio check-in. Hopefully, this can serve as that.

**The Chair:** You sound fine. Yes, it's all good.

**Ms. Laurel Collins:** Great.

We had agreed at our last meeting to start off this meeting with a motion on the commissioner of the environment and sustainable development. I was hoping we could still do that.

**The Chair:** You did mention that, absolutely, Ms. Collins. I'm told that you would still have to move it at this meeting. Unfortunately, Mr. Longfield moved his first. What I would suggest is that after the debate.... Well, let's get through Mr. Longfield's motion first.

Mr. Baker.

**Mr. Yvan Baker (Etobicoke Centre, Lib.):** Thanks, Chair.

I want to speak to Mr. Longfield's motion. I think what Mr. Longfield is trying to do is to flag for the committee the concerns

of a number of stakeholders whom I think he would like us to hear from. I think that makes a lot of sense.

I'd be surprised if there was push-back on this; I'll put it that way. I hope there's not push-back. There are concerns from across the country, from British Columbia, from Alberta, and I think there are pretty significant and foundational concerns from industry groups. They are concerned about the loss of jobs, including in Alberta and B.C.

Some of the letters have been translated. Some of them have not. We should at least have time for those letters that haven't been translated so that we can all consider them. We've had a number of discussions at this committee and at others about the importance of making sure that materials that are brought to the committee are translated. Here we have several letters that haven't yet been translated. That's not a criticism of anyone. I'm just trying to underline how important it is that we take the time to get them translated so that we can properly interpret them and consider them.

My greatest concern, of course, is the substance of what's being said in these letters, which is that businesses could be destroyed and jobs could be lost. I just think that's something we should be considering before finalizing the bill and sending it back to the House.

• (1540)

**The Chair:** We'll go to Mr. Bittle in a moment.

Ms. Collins, I'm told that after we deal with this motion, we could go to yours.

Mr. Bittle

**Mr. Chris Bittle (St. Catharines, Lib.):** If it's all right, Mr. Chair, I see that Madam Pauzé and Mr. Albas have their hands up. I'd like to hear from them. I'm happy to go afterwards.

**The Chair:** Okay. You can take your hand down then and put it back up again.

**Mr. Chris Bittle:** Yes, certainly.

**The Chair:** Okay. We'll go to Mr. Albas, and then Mr. Bittle is back, after Madam Pauzé.

Mr. Albas.

**Mr. Dan Albas:** Thank you, Mr. Chair.

I would simply point out that we went through this exercise before. The Liberals actually did invite additional witnesses, and the witness in question said no. Now it's "the dog ate my homework" and "we need more time". I know the Liberals opposed this in the House, and they've opposed this and have tried to stall this over and over. I would like us to get to clause-by-clause instead of this usurping of the process before we actually get to it.

I've done my homework. Our Conservative members have done their homework. We have amendments that have been proposed by all parties except the Liberals. This is just a blatant attempt, Mr. Chair, to stall the process, and I'm not sure why the government is doing this.

Our Conservative members feel very strongly about the environment. We want to make sure that plastic waste is not being disposed of in developing countries where they have different laws or no laws. We want to make sure that our oceans do not have plastic in them. It really seems interesting that we have MPs on the Liberal side saying that this is about jobs and investments.

Really, we are going to be studying their own government's proposal on plastics, which is creating a huge amount of concern within the industry. I really hope those arguments are also going to be heard whenever we get to the motion on plastics and to the Liberal government's decision to ban certain plastics without a proper scientific process.

Thank you.

[*Translation*]

**The Chair:** Thank you, Mr. Albas.

It's now Ms. Pauzé's turn.

**Ms. Monique Pauzé (Repentigny, BQ):** Thank you, Mr. Chair.

I'm going to go sort of in the same direction as Mr. Albas.

Last time, we asked the witnesses questions, and we agreed on another hour of study. But that didn't happen, and we moved straight to clause-by-clause consideration of the bill.

Meanwhile, I looked at it again and made an amendment.

Indeed, the letters we received were already translated. During our study on zero-emission vehicles, a witness submitted a document in French only. So he translated it himself before it was sent to the committee and distributed to us. As a result of that experience, I think that organizations should do this translation work. However, in the letters we received, which were already translated, we can see that the concerns are the same.

I think that during the clause-by-clause study, we may be able to answer some of these questions.

**The Chair:** Thank you, Ms. Pauzé.

● (1545)

[*English*]

We have Mr. Bittle.

**Mr. Chris Bittle:** Thank you so much.

I do apologize. In the background there may be a couple of toddlers screaming, but around this time when kids are returning from school my Internet connection gets worse, so I'm afraid to close the door and cut that off. I do apologize if there's a bit of yelling in the background. Everyone is okay—not to worry.

I'm a bit concerned by Mr. Albas's phrasing of this as “usurping” the process, when we're trying to get documents translated into French so that we have a full understanding of the impact of this. I appreciate that Mr. Albas thinks this is magnificent legislation. I think others have raised fundamental concerns. I know that I'm new to this, and based on what I've heard and what I've read—in English—in these letters, there are some serious concerns about this legislation, which is perhaps well intended but may have significant consequences for Canadian jobs across the country.

We've said from the start—I know Mr. Albas is shrugging as if Liberals don't care about jobs, and nothing could be further from the truth—that with our environmental policy and our action on climate change and sustainable development, this is about being part of furthering jobs for Canadians and furthering economic benefit, and doing so in a sustainable way and in an environmental way that tackles climate change.

I'm a bit worried that we're rushing this through. If I remember... The last meeting was my first meeting, and I don't know why the opposition cut short our debate. That seemed to be my first interaction with this. We're just asking for a little more time to ensure that we have all of the information before us. I know that's what the opposition wants. If this is really a science-based and evidence-based plan for plastic pollution, then I don't know what can be harmed and why there's a willingness to shut this down and rush this through as quickly as possible.

Coming in from the outside, it's worrying to me, based on what I've read and what I've heard, and the concerns that I've seen from [*Technical difficulty—Editor*] the desire to have some kind of win on climate change. Given what the Conservatives have done in the past, which is very little, I can appreciate the desire to have some win on an environmental issue, but why rush that through? I appreciate that owning the Libs may be at the heart of it. Maybe that's the case. I hope I'm wrong.

Again, I truly believe this comes from a place of genuine concern. It did receive support from other opposition parties as well and that should be part of our discussion and thought on this issue, but if we're throwing out or ignoring... That's probably a better way to describe it. If we're ignoring experts in the field, even from Mr. Albas's own province, or from my own province as well, in that there may be an issue in terms of jobs....

I know that people maybe overuse “the environment and the economy go hand in hand” and that we've heard that a lot in question period, but there's a truth to that. There's a significance to that. I think everyone here wants to see good jobs. We all want better action on pollution and plastics [*Technical difficulty—Editor*] the issue by holding off a bit so that we have all the information in front of us. It seems [*Technical difficulty—Editor*] move forward on this. We wouldn't want to pass a bad piece of legislation that's well intended.

I'll give you an example. I remember that in the last Parliament Mr. Cooper brought forward a piece of legislation with respect to bail reform, and I voted for it at second reading. Based on my cursory reading of the legislation, it seemed well intentioned. It was worthy of study.

• (1550)

We needed to move that forward and have that debate, but then we heard from expert after expert about how flawed that legislation was, what a disaster it could be and what significant impacts it could have on our justice system. Despite voting on it at second reading, we heard from Crowns, we heard from defence lawyers and we heard from police chiefs, all—

**Mr. Dan Albas:** On a point of order, Mr. Chair, he is not being relevant to the issue at hand, and I'd ask you to bring the member to order. I hear that he loves to filibuster, but this is about what we're debating and not about his prior experiences on other committees, or else we could all regale each other with stories.

**Mr. Chris Bittle:** Mr. Chair, can I speak to that point of order?

**The Chair:** Yes, but I would like to bring you back to the realm of environmental policy if possible.

**Mr. Chris Bittle:** On the realm of environmental policy, Mr. Chair—I'll just very briefly speak to the point of order by Mr. Albas—I'm explaining how this exact same process worked out in another parliamentary committee in terms of how we view and how we operate things. Just because I didn't say the word "environment"... It is a process of Parliament, a process by which we were determining a private member's bill. I don't see how I've gotten off track, because I haven't—

**Mr. Dan Albas:** On a point of order—

**Mr. Chris Bittle:** I'm speaking to the point of order, Mr. Chair.

**Mr. Dan Albas:** It sounds like debate to me.

**Mr. Chris Bittle:** Again, I'm finishing my response to the point of order, Mr. Chair, if that's all right.

**The Chair:** I understand that you're making a parallel between what happened in another committee, and that's fine. However, I would urge you, now that the parallel is made, to come back to the environmental fold.

Mr. Albas, did you have another point of order?

**Mr. Dan Albas:** I was going to say, again, on relevance, Mr. Chair, that he is not showing respect for your ruling.

**The Chair:** No, I think he's nodding, so I think I made my point. We'll see if Mr. Bittle appreciates my point.

Go ahead, Mr. Bittle.

**Mr. Chris Bittle:** I always appreciate your point, Mr. Chair, and I appreciate all your work, and not only here. Mr. Scarpaleggia also chairs our national caucus. I apologize if I'm going off point here, but I respect your opinion and your views regardless of the circumstances or place.

Again, that parallel exists, but in terms of the environment, again we have a significant.... I mentioned justice and it's outrageous that I would mention something like justice in the environment committee, but we do want there to be a positive outcome. That's what I'm arguing for. That's what we all want to see. We all want to see the environment benefit at the end. Perhaps we can get these letters translated, it will become part of the public record and everyone will want to move forward—no problem.

I don't see the issue of leaving out a piece of the puzzle. I guess that's the surprising thing. Again, I know that I'm new to this committee. You've all sat through these meetings, and I don't want to overstep—even though now that I'm a member of the committee I guess I'm not overstepping. There's something missing for me, and I want to get that piece of the puzzle back in here.

Be it climate, be it justice or be it any issue before Parliament, it's a bit surprising that we want to avoid this information, that we don't want to see it and that we don't want it translated, which is, I guess, according to Mr. Albas, "usurping" the process, to have documents translated into French. That's a weird definition that Mr. Albas was suggesting, which is surprising given his party's commitment and what they talk about in question period, but when the rubber hits the road in committee, nothing could be further from the truth.

I see a few more of my colleagues with their hands up. I guess I'll leave it there, Mr. Chair. I appreciate all that you bring to the committee and I appreciate the opportunity to [*Technical difficulty—Editor*] again after hearing from my colleagues.

• (1555)

**The Chair:** Thank you, Mr. Bittle.

We have Mr. Longfield.

**Mr. Lloyd Longfield:** I think Ms. Saks might have had her hand up before me. I don't want to butt in.

**The Chair:** It's possible, but this is what the system is telling me. I mean, if you want to have Ms. Saks go first....

**Mr. Lloyd Longfield:** No, that's fine, if Ms. Saks is okay with that.

This isn't a process of filibustering or delaying. I think my concern going into this meeting was that we just heard from a lot of people who didn't just "not like" this legislation; they really did not like it. In fact, they said it would jeopardize the future of their business as well as any future activities going toward a circular economy.

One letter that we haven't been able to see is from Rundle Eco Services Ltd., from Calgary. We don't have it on the record, so I just want to read this very short paragraph from him, which states:

Simply put, passage of Bill C-204 will put Canadian Recyclers like Rundle Eco Services Ltd. out of business. Our employees will lose their jobs and certain jobs of the service providers Rundle employs such [as] the construction companies and transportation companies, may be in jeopardy. The development of a plastic circular economy will be that much more challenged as we lose opportunities to create economic value and new jobs. Critical channels for our clients to recycle will be redirected to Canada's landfills.

This is the point I was making in the last committee meeting. It continues:

Our US recyclers will be short of used plastic materials and unable to supply the increasing demands for higher recycled content in a multitude of plastic products.

These aren't wishy-washy statements. I think they're very critical to the study we're doing. It's very important that their voices are heard. This is Calgary, Alberta. It's not a political "let's hear from my constituents". We have similar letters from Alberta Plastics, from Merlin Plastics in British Columbia, from the Ontario Environment Industry Association, and from Ice River Sustainable Solutions in Shelburne, Ontario. These are people who are very concerned about this study, saying that if this legislation goes through, it will have a dramatic impact on their business as well as recycling in Canada, which I think is critical for our study.

I want to find a way to have their voices heard, especially the ones from [*Technical difficulty—Editor*] need their voices at this table, but also Ontario and Quebec. Are we going to tell Quebec how to run their landfill systems after this? I think there's enough flaw here, before we go to clause-by-clause, that we need to hear their voices.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Longfield.

Ms. Saks.

**Ms. Ya'ara Saks (York Centre, Lib.):** Thank you, Mr. Chair.

I think we're missing a critical piece of due diligence here. For any piece of legislation that we're going to go through and review, and even get to the clause-by-clause stage on, the due diligence needs to be done. I'm frankly shocked that Conservative MPs, who are always asking for due diligence, who are really always asking us to get down to the facts and to the nitty-gritty and to the fine details of understanding the full picture, are in this case saying "no". I don't know how western Canadian businesses would feel to see a Conservative MP saying that their voices aren't relevant to this discussion and that their businesses don't matter. I'm really quite surprised.

Frankly, if we're going to go through this process, we didn't receive one or two letters; we received seven. We have an absolute obligation to make sure that everything is translated to meet our obligations, not just to this House but to the language laws of Canada, to make sure that all members in all committees can have access to this important information from stakeholders.

If western Canadian industry is saying that this is a problem for them, and if Quebec recycling.... They're a model for the country with what they've built there. If they could potentially be impacted by this, why wouldn't we pause to make sure that we have a full-some, Canada-wide understanding of the impact on industry before we take a bill that's been rushed through this process?

Everyone here wants a good direction in climate action. Everyone here wants proposals and legislation put on the table that will help the Canadian economy grow and thrive while we switch to a green economy. Why wouldn't we take the time to make sure that these stakeholders are heard in both official languages and we have a clear understanding of what we're doing as we move forward? Frankly, I'm just very shocked.

Thank you, Mr. Chair.

• (1600)

[*Translation*]

**The Chair:** Thank you, Ms. Saks.

Ms. Collins and Ms. Pauzé would like to speak.

[*English*]

**Ms. Laurel Collins:** Mr. Chair, I had lowered my hand to go after Madam Pauzé.

**The Chair:** I was wondering. That explains it.

[*Translation*]

Ms. Pauzé, you have the floor.

**Ms. Monique Pauzé:** I'd prefer to speak after Ms. Collins. I'd like to hear what she has to say since she hasn't spoken on the matter yet.

**The Chair:** Okay.

Ms. Collins, would you mind going before Ms. Pauzé?

[*English*]

**Ms. Laurel Collins:** I was going to ask the chair if we could call the question, but I would love to hear from Madam Pauzé before doing so.

[*Translation*]

**Ms. Monique Pauzé:** Okay.

**The Chair:** Please go ahead, Ms. Pauzé.

**Ms. Monique Pauzé:** I'll come back to what I was saying earlier.

The letters we received in committee that were already translated are along the same lines as what Ms. Saks read earlier. The concerns of the industry are there. That's why I've already proposed an amendment to respect jurisdictions and everything else.

I think we needed to do this work between the two times Bill C-204 was discussed in committee, it needed to be done. The advantage of Bill C-204 is that it contains respect for international law and for the Basel Convention. In other documents I've seen on the Canadian Council of Ministers of the Environment, there was no mention of the the Basel Convention. That's the advantage of Bill C-204, especially with Ms. Collins's amendments. We have to enforce our international obligations at the national level.

That's what I think is so interesting about this bill.

**The Chair:** Thank you, Ms. Pauzé.

Ms. Collins, you have the floor.

[*English*]

**Ms. Laurel Collins:** I was just going to ask the chair if we could call the question.

**The Chair:** We'll have a vote.

(Motion negatived: nays 6; yeas 5)

**The Chair:** We'll move on.

Ms. Collins, your hand is up.

**Ms. Laurel Collins:** As we discussed at our previous meeting [*Technical difficulty—Editor*].

**The Chair:** Sure.

**Ms. Laurel Collins:** I move:

That this committee call upon the government to bring forward legislation to strengthen the role of the Commissioner of the Environment and Sustainable Development by:

1. making the Commissioner a full and independent Agent of Parliament (“Office of the Commissioner of Environment and Sustainable Development”) reporting to Parliament directly through the Speakers of both the House of Commons and the Senate;
2. clearly affirming and appropriately circumscribing the duty of the Office of the Commissioner to advocate on environmental and sustainable development issues;
3. requiring that the appointment of a Commissioner be approved by both the House and the Senate;
4. ensuring that a funding mechanism at arm's length from the government be established for the Office of the Commissioner; and
5. protecting the right of the Commissioner to name the Office's staff, including environmental auditors, without government influence.

And that the Committee adopt these recommendations as a report to the House and that the Chair present this Report to the House.

**The Chair:** Thank you, Ms. Collins.

I have Mr. Longfield.

**Mr. Lloyd Longfield:** Chair, thank you, and thanks to Ms. Collins for putting that motion on the floor.

I have an amendment to delete all words after “That this committee” and then replace them with the following: “That this committee, further to the motion adopted on February 1, 2021, related to a hearing on the role of the Commissioner of the Environment and Sustainable Development, produce a report with respect to strengthening the role and mandate of the Commissioner of the Environment and Sustainable Development; and that the committee take into consideration all testimony to the committee with respect to that role and mandate in the 43rd Parliament, as well as the report of the committee tabled in the 39th Parliament, first session, on March 1, 2007.”

• (1605)

**The Chair:** Mr. Longfield, would you mind sending that to the clerk so that I can have in front of me a version of the motion as you are suggesting it be amended?

**Mr. Lloyd Longfield:** Sure.

**The Chair:** That is a long amendment, and I just want to make sure I understand what we're trying to do.

Ms. Collins, was your hand up from before?

**Ms. Laurel Collins:** It's a new hand in response to the amendment, just to say that I'm not going to take this as a friendly amendment. I would like a vote on it, and I would like to speak to it, if possible.

**The Chair:** You were coming after Mr. Longfield, but before Mr. Baker. You don't need to put your hand up. I've made a note.

Mr. Longfield, if you could take your hand down....

**Mr. Lloyd Longfield:** I'm multi-tasking. I'm just sending you an email.

**The Chair:** That's fine.

We have Ms. Collins and then Mr. Baker.

We'll have to pause for a second. I need to see this written down. I think Mr. Longfield is sending the amendment to the clerk, who will then send it to me.

**Mr. Lloyd Longfield:** I've just sent it to both you and the clerk.

**The Chair:** Thank you, Mr. Longfield.

If the clerk wouldn't mind sending me Ms. Collins' motion with Mr. Longfield's amendment in yellow or some colour that demarcates it from the original motion.... I'm sorry for the delay, but this is the new reality.

I'm going to wait until I receive the wording, but as I understand it, Mr. Longfield, what you're doing is just saying that you would like to be considered, as part of this report, that—

**Mr. Lloyd Longfield:** We had a previous study on it and we could take some additional testimony in order to do the proper work to give our report back to the House.

**The Chair:** Yes. I'll just take a second.

Okay. Here we go. Here's the way it reads with Mr. Longfield's amendment. As I understand it—and please feel free, Madam Clerk, to correct me—the only part that would stay the same would be “That this committee”.

The motion as amended by Mr. Longfield reads, “That this committee, further to the motion adopted on February 1, 2021, related to a hearing on the role of the Commissioner of the Environment and Sustainable Development, produce a report with respect to strengthening the role and mandate of the Commissioner of the Environment and Sustainable Development; and that the committee take into consideration all testimony to the committee with respect to that role and mandate in the 43rd Parliament, as well as the report of the committee tabled in the 39th Parliament, first session, on March 1, 2007.”

I think I remember that report.

That's what we're voting on, essentially. Does somebody want to debate this?

Mr. Baker, do you want to debate this amendment?

• (1610)

**Ms. Laurel Collins:** Mr. Chair, just to remind you, I still had the floor while you were pausing. I would like to comment first.

**The Chair:** You're absolutely right, Ms. Collins. Go ahead.

**Ms. Laurel Collins:** Thanks so much, Mr. Chair.

I just want to say that this amendment does delete the entire content of my motion, which I'm not sure—this is my first term on committee—is totally in order.

I also want to speak to the fact that, really, this motion that I've put forward is a replica of the motion that was put forward by the Liberals back in 2007. This is something the Liberals were on board with when they were not in government. They sent a report at that point.



We heard very clearly from all of the witnesses in our one-day hearing that this needs to happen. We need an independent officer of Parliament. I guess it's surprising to me that the Liberals have hesitation about supporting the motion as is.

I'm hoping that we can just vote on the motion as is and ideally send this report to Parliament.

[*Translation*]

**The Chair:** Thank you, Ms. Collins.

Mr. Baker, you have the floor.

[*English*]

**Mr. Yvan Baker:** Thanks very much, Chair.

Ms. Collins made a few points. I want to speak to one or two of those, and then I have some other thoughts to add.

I hear your point, Ms. Collins, about removing so many words of your motion. The good news, at least from my vantage point, is that I think the intent is to address the same problem that I think you're trying to address. I'm not trying to put words in your mouth, but I think what Mr. Longfield is trying to do is to suggest that we look into the problem that I think you're trying to flag—or at least one of them, if I understand the intent of your motion correctly—which is to make sure that we understand how we strengthen the accountability mechanisms, or one of the key accountability mechanisms, to make sure that government is doing what it has to do to fight climate change, protect our environment and achieve a whole bunch of other goals.

So although I appreciate how it has eliminated a lot of the text, I wanted to flag that aspect of it. I saw it much more as a sort of cooperative or constructive approach to trying to address the same problem that I think you were trying to address, although I'm not trying to put words in your mouth.

You referenced that this motion is similar to what was done in the past. I have to admit that I wasn't around for that. I gather you weren't. You clearly identified it, though, and I applaud you for having caught it. I wasn't there for that. I wasn't part of that Liberal team. I don't know what was moved and in what context and everything else. I also wasn't there for the reports that Mr. Longfield alluded to that had been done by the committee.

My thinking is that if we're trying to solve the problem of making sure that the environmental commissioner is providing the appropriate oversight and transparency, a study on the matter, or studying the matter further, would be helpful. It would just help us be that much better equipped to make sure we have those mechanisms in place. That would be my key argument for supporting this.

One other thing that is worth keeping in mind.... I think it was when Ms. Hogan came and presented to us. I think on a couple of occasions the issue came up of the importance of having environmental and sustainable development expertise available and involved across all audits. There are such things as just environmental audits, but many audits or a lot of oversight involves a range of expertise across a range of ministries, etc. That would be an argument for why, I think, if we want to achieve the goal of providing the best possible oversight....

Let's look into that. Let's study that. I'm all for that. It's important. But I would suggest we take that extra step to do it as thoughtfully and in as balanced a way as possible to make sure that we come up with the best outcome.

• (1615)

**Ms. Laurel Collins:** A point of order, Mr. Chair.

[*Translation*]

**Ms. Monique Pauzé:** A point of order.

**The Chair:** Ms. Collins and Ms. Pauzé have a point of order.

Go ahead, Ms. Collins.

[*English*]

**Ms. Laurel Collins:** I just wanted a ruling on whether this was in order, given that it takes out the entire content of my motion.

**The Chair:** Just one moment, please. I believe it's—

[*Translation*]

**Ms. Monique Pauzé:** Excuse me, Mr. Chair—

**The Chair:** Yes, Ms. Pauzé.

You have a point of order.

**Ms. Monique Pauzé:** I'll be brief. I feel excluded from the debate. I'm having trouble following you. If I at least had the written motion in English, I could use the interpreter. I don't have the written motion, so I can't know what it's about.

**The Chair:** I understand.

**Ms. Monique Pauzé:** I thought it was to be sent to our personal email. This would have allowed me to at least better follow what's going on during the debates.

**The Chair:** I understand.

One moment, please.

[*English*]

Ms. Collins, I've checked with the clerk, and I think you're right, in the sense that.... It's not so much the number of words that Mr. Longfield has added; it's that an amendment is meant to add to the motion or subtract from the motion to some extent, but here we seem to be totally stripping the motion of all its content.

As I said at the beginning, all we're leaving is “That this committee”, so I have to agree with you that it's not admissible.

**Ms. Laurel Collins:** On Madam Pauzé's point, just so that—

**The Chair:** We're going to send the motion as amended to everybody.

**Ms. Laurel Collins:** If the amendment is not in order, potentially not, but for the main motion, everyone should have a translated copy of that.

**The Chair:** Yes. Everyone should have the translated copy.

Based on what I'm seeing on my screen, your motion has a number of paragraphs. I think there are four or five points in it.

Is that correct?

**Ms. Laurel Collins:** That's correct.

**The Chair:** Your motion says “That this committee call upon the government to bring forward legislation” and then has paragraphs one, two, three, four and five. Is that right? Okay.

You should receive it in a moment, but unfortunately I do have to rule it out of order based on the advice of the clerk. I must say that I see the clerk's point.

**Mr. Lloyd Longfield:** Mr. Chair, I have another suggestion, then.

**The Chair:** Mr. Longfield, if you want to do that, you have to put your hand up and wait your turn.

**Mr. Lloyd Longfield:** It is.

**The Chair:** Okay.

We'll move now to Ms. Saks on the main motion.

**Mr. Lloyd Longfield:** I had another amendment.

**The Chair:** I think you still have to wait your turn. I'm sorry about that.

**Ms. Ya'ara Saks:** Mr. Chair, is it possible for me to give my spot to Mr. Longfield in an effort to try to move this issue forward?

• (1620)

**The Chair:** Normally I would say no, but Mr. Longfield comes right after you. If you would withdraw your comments, we can go to Mr. Longfield.

**Ms. Ya'ara Saks:** I will withdraw my comments so that my colleague can speak.

**The Chair:** Okay.

Go ahead, Mr. Longfield.

**Mr. Lloyd Longfield:** Okay. Thanks.

Maybe we could change the amendment to “that this committee produce a report for the government to consider strengthening the role of the Commissioner of the Environment and Sustainable Development” and then leaving the rest of that, including...but I think we need a report on this. We don't normally jump to recommendations without having background. We have heard some testimony, but I think what we want to do is produce a report for the government to consider the following items, whether that would be acceptable. Then we don't have to go through a whole translation. I'm adding the words “that this committee”—

**The Chair:** So you're submitting another amendment.

**Mr. Lloyd Longfield:** It's another amendment, yes.

[*Translation*]

**Ms. Monique Pauzé:** A point of order, Mr. Chair. I'm sorry, but I'm unable to follow the debate.

**The Chair:** That's why—

**Ms. Monique Pauzé:** The motion is too long. I haven't received it yet. I'm trying to refresh my page, but there's nothing I can do, and a new amendment has been submitted.

**The Chair:** I understand, but I assume you have the motion as proposed by Ms. Collins in both official languages.

**Ms. Monique Pauzé:** Where?

At any rate, it's not in my P9 account. It's not in my House of Commons email inbox or my personal email inbox.

**The Chair:** You should have it in your binder somewhere, because notice of this motion was given. Ms. Collins' motion is not brand new, notice was given.

**Ms. Monique Pauzé:** When?

**The Chair:** Madam Clerk, when did you send the motion?

It may be hard to say off the top of your head, but...

[*English*]

**Ms. Laurel Collins:** On a point of order, Mr. Chair, it looks as though the clerk has just emailed us a new copy. I did send it out months ago, but it looks as though it just arrived in my email.

**The Chair:** Let me check my email.

[*Translation*]

**The Clerk of the Committee (Ms. Isabelle Duford):** Ms. Pauzé, notice was sent out in November, so it has been a while. I just sent it to the committee again.

**Ms. Monique Pauzé:** Thank you.

**The Chair:** I just received it. Perfect. We have the motion.

Mr. Longfield would like to propose another amendment to the motion.

[*English*]

**Mr. Lloyd Longfield:** Perhaps I could just restate it for the benefit of Madam Pauzé, because I think I'm making it easier to follow by—

**The Chair:** Okay, but I would still ask the analyst to type in your amendment and send it around to us so that we know what we're.... It's one thing to hear it, but I need to see it.

Go ahead, though, Mr. Longfield.

**Mr. Lloyd Longfield:** For the analysts, then, it is “that this committee”, and then remove “call upon the government” and put in “produce a report for the government”.

At the end of that statement, take out the “by” so that it would say, “That this committee produce a report for the government to bring forward legislation to strengthen the role of the Commissioner of the Environment and Sustainable Development considering”, and then those points.

Then they aren't recommendations out of nowhere; they're considered and they are part of the report.

**The Chair:** Can we, so that we all know what we're doing...? That's a pretty simple change, so if the analyst or whoever is doing the typing over there—

**Mr. Dan Albas:** On a point of order, Mr. Chair, I don't believe there's any mal-intent here, but in effect he's doing the same thing that you've already ruled out of order. He's doing indirectly what he can't do directly, and I would ask you to simply say that a change to what Ms. Collins has put forward substantially changes the intent of the motion and should just be ruled out of order.

I would hope that members would simply let Ms. Collins have a vote on it so we could actually get on to the business that is on the committee docket today, which is Bill C-204. Thank you.

• (1625)

**The Chair:** I'm still going to ask an analyst or the clerk to send us a typed version of the motion as amended [*Technical difficulty—Editor*].

**Mr. Dan Albas:** [*Technical difficulty—Editor*] a ruling, Mr. Chair.

**The Chair:** Yes, I'm going to get to that, but I can't rule on it if I can't see it. I'd like to see the text with Mr. Longfield's changes in red or something, and I'd like that sent to the members of the committee, and then we can make a ruling on it.

**Mr. Dan Albas:** He's taking an NDP orange and making it into a Liberal apple. That's a substantive change.

**The Chair:** Your point is clearly made.

The clerk is sending it around so that we can all see what Mr. Longfield is proposing. Mr. Longfield's additions will be in red.

It hasn't changed much. It is very much a refinement. It's not a total negation of the ideas in Ms. Collins's original motion. I mean, look, if there's disagreement with the amendment, the committee can vote down the amendment. Then we're back to debating and voting on Ms. Collins's original motion.

I don't think it's out of order, to be honest, but I'll wait until you all get a written copy. We have more speakers, but that doesn't prevent us, after the speakers, from voting on Mr. Longfield's proposal. If it's defeated, we're back to the original motion.

Has everyone received the written version with Mr. Longfield's proposed changes?

As I understand it, it says "That this committee produce a report for the government to bring forward legislation to strengthen the role of the Commissioner of the Environment and Sustainable Development considering", etc., and then it all follows.

• (1630)

**Mr. Lloyd Longfield:** Yes. That's fine.

**The Chair:** The clerk has just sent it. There's one error, I think. There are two mentions of "considering" in the motion. The first one doesn't belong there, so that it's just "bring forward legislation to strengthen the role of the Commissioner".

So that first "considering" comes out. I think you can all see that.

We'll go now to Mr. Bittle.

**Mr. Chris Bittle:** Thank you very much, Mr. Chair.

Mr. Longfield has his hand up, so perhaps he can address this. I think there might be a disparity in what was sent by the clerk and

what Mr. Longfield proposed. He can explain that better than I can, but I'll make my point regardless.

It's a very bizarre argument that, "Hey, MPs like you, 14 years ago, agreed on this. Let's just push this forward without any further discussion on the issue." If that's my understanding of things, in 2007 I was just out of law school. Mr. Baker was probably in elementary school—

**Ms. Laurel Collins:** Point of order, Mr. Chair.

**The Chair:** Ms. Collins.

**Mr. Chris Bittle:** Mr. Chair, I have the floor, and I'm making a point—

**Ms. Laurel Collins:** It's a point of order.

**The Chair:** If it's not a point of order, we'll just go back to....

**Ms. Laurel Collins:** I very much want to hear what Mr. Bittle has to say.

I just wanted to maybe get clarity from Mr. Longfield to make sure that the amendment is correct before we continue on with a discussion of the amendment.

**The Chair:** Mr. Longfield, am I correct that the only—I don't want to call it an error—thing that needs to be taken out of what the clerk just sent us is the first "considering"? There are two in the same sentence.

**Mr. Lloyd Longfield:** Yes. In what the clerk has sent out, what's highlighted in yellow would be removed and replaced with what's in red.

**The Chair:** That's right. Okay. So—

**Mr. Lloyd Longfield:** The main point is for us to provide a report that would substantiate those recommendations.

**The Chair:** Yes. The red part is the new part.

Okay. That's what it is, Ms. Collins. Mr. Longfield has confirmed that.

Mr. Bittle, go ahead, please.

**Mr. Chris Bittle:** I do apologize. Even though I'm new to this committee, I should probably know better than to question the clerk in any committee, so I do appreciate that and I do apologize for that.

Going back to my point about 14 years ago, a lot has changed. Maybe the chair was here as a member of Parliament, and perhaps some others on this committee. I was just out of law school and, as I was suggesting, Mr. Baker was far younger than I was and probably in elementary school at some point.

I can appreciate what is trying to be done here, which is to gum up the House of Commons in terms of giving an opportunity for a concurrence debate on the issue to prevent passage and delay passage of things like UNDRIP and to prevent passage of other pieces of legislation, to delay it, to slow things down a bit.

This is my first time in a committee—and I've been on a few others, as I've mentioned, on justice, but I've been on PROC and transport and now on environment—where it's just “let's just have a report”, with no evidence and no witnesses and “we'll just put this forward”. I appreciate Mr. Longfield's amendment that's saying “let's take some time to consider this.”

I know there are a lot of items on the committee's agenda. I don't know that there's enough time to deal with all the items on the committee's agenda before we get to the end of June, but we have the fall. We have a lot of time. There's lots of time left in this Parliament to debate the important issues, and jumping the gun on this issue isn't necessarily the right way to go. I appreciate that it will make for a great concurrence debate to take three hours out of the House of Commons and to.... There may not be enough opposition days for the NDP to fill the time as they would like, and this would be perhaps a great opposition day motion.

I would think.... From speaking to my colleagues before I started on this committee, my understanding was that there was a real willingness on this committee to get to the bottom of various items, and I guess I've been disappointed today. First, in this effort to rush forward legislation, we didn't want to hear with respect to stakeholders in an industry who were concerned about losing their businesses, to delay it a week or so, so that we could hear and get evidence. Now, to push forward something that, hey, this was something that was agreed on 14 years ago and let's just push it forward....

I think Mr. Longfield is right. Let's have a discussion. Let's bring in some evidence. Let's bring in some witnesses. Let's talk about these items. Let's have a proper report. If we're going to make recommendations to the government, I think there is a willingness to listen to recommendations, but is this coming from a place where we want this to be properly considered? Is this that we just want there to be an opportunity for a concurrence motion so that we can have a few clips for Facebook and then we lose that opportunity to really sink our teeth into something that is significant and something that is fundamentally important?

Again, I see the willingness of all members of this committee who want a greener future, a greener Canada, and there are different paths forward on that, but I don't see how this is really advancing things, and again, from the other side of it, how it's going to slow things down in the House of Commons....

• (1635)

I see a couple of hands up, and I will yield the floor, but I appreciate that and hope that we move forward with a thorough discussion and a proper report.

Thank you.

**The Chair:** Ms. Collins.

**Ms. Laurel Collins:** Thank you, Mr. Chair.

I just want to triple-check to make sure that I have the correct wording that we're actually discussing and arguing about.

At the end of the sentence that we sent, “considering” was added, but otherwise nothing would have been added other than “produce a report for the government to bring forward legislation”, and then it starts up at my wording, beginning with “to strengthen”.

**The Chair:** Yes.

**Ms. Laurel Collins:** That's great. Okay.

I would love to just go to a vote so that we could get on with committee business, but I see that Mr. Longfield has his hand up still.

If we could call the question as soon as possible, that would be great.

**The Chair:** Okay.

**Mr. Lloyd Longfield:** I just have a brief intervention.

I love the word “great” in that last sentence.

I think what we're trying to do here—

**The Chair:** Just a moment, Mr. Longfield, please.

Okay. Go ahead.

**Mr. Lloyd Longfield:** Just briefly, I'm not trying to drag this out.

The point is that if we've invested.... We have invested in the commissioner of sustainability's budget, and we have invested in the Auditor General's budget. They have both said they think they can get expertise in, and that would be another piece that I would like to have in the background, which doesn't show up in the motion. I think the motion can really address the urgency of getting the commissioner some added strength and some teeth within his department.

I would just like to have the background information that would come up with recommendations that would have some background behind them.

• (1640)

**The Chair:** Okay.

Ms. Collins.

**Ms. Laurel Collins:** Quickly, in response to the comments that have been made, I will say that we had background. We had the environment commissioner as well as the Auditor General here twice. We've had reports. We had a report in 2007. We've had another hearing. The witnesses have clearly articulated that this is needed.

I am so confused as to why the Liberals, who supported this up until they formed government, and who now, I guess, are maybe hesitant about being held accountable, are wanting to delay, wanting to push it back and not actually wanting to make a decision on this.

I hope we can vote and get on with this.

**The Chair:** Mr. Longfield.

**Mr. Lloyd Longfield:** Just in response, we have heard all of that, and, yes, we have spent some time on this, but it doesn't show up in this motion.

All I'm asking for is to follow normal committee procedure of having a report, along with recommendations, not just recommendations without referring to anything that we've heard from, such as where we came up with this. Was it something from 2007 or was it something that has changed between then and now? I would just rather have a report with recommendations, the way we always do.

**The Chair:** Mr. Bittle.

**Mr. Chris Bittle:** Again, to address that point, this is quite unusual. I have to agree with Mr. Longfield. If there has been evidence that this committee has heard in this session of Parliament, let's do a proper report.

I guess I haven't seen it.... That doesn't mean it doesn't happen all the time. Perhaps I'm not paying enough attention. But the practice of the committees that I've been on, which maybe are different from this committee, is that we hear evidence. We compile that evidence. We do a report. Then we submit that report to Parliament, rather than just have a quick motion in order to produce a concurrence report at the end of the day so that we can slow down the House of Commons on fundamental issues. That's debate that can happen on other issues.

I can appreciate that this may be a great opposition day motion for the NDP. This might be a great one. But trying to do this in a way that, again, doesn't build on what's been heard.... If evidence and witnesses have come forward, let's do a report and say, "This is where the commissioner said X. This is where they said Y. This is where we agree. This is what we recommend to the government." Again, there is a willingness to listen. There is a willingness to have a strengthened regime for environmental protection across government and in this country. I don't see the need to rush this.

Is this something that we do all the time in this committee? It really worries me that, on day two of being on this committee, it's, "Hurry up. Just pass it. We don't need to hear from witnesses. We don't need proper reports." It's troubling, given the significance of all these issues to Canadians, be it with respect to the first motion and the businesses that could potentially be impacted, and now in terms of having an actual report and putting the evidence together and piecing that together.

I know it's more challenging. I know it's more difficult. I know it will take longer to be in a position to have a concurrence motion. But rather than just put it through, isn't it better to put it off a couple of months and have something genuine?

Again, I believe this is genuine. If there is evidence tied to actual recommendations that allow for the government to respond back, then we have something positive, something that we can build upon and something that we can be proud of as a committee.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Bittle.

Ms. Saks.

• (1645)

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

I'll try to keep my comments brief, because I know there's an interest by Ms. Collins to move ahead.

I'm a rookie here in Parliament and I'm a rookie on this committee. I've watched the process happen, and I would say to Ms. Collins that just like we did with the zero emissions work for Madam Pauzé on her report, you want to take something to the House that you're proud of, that really has impact and can make a shift.

It's not really a matter of accountability to me here. It's that we've compiled evidence and we don't have a report. I know you think that with the reports from years back...but I certainly didn't sit at those meetings, nor did you or many other individuals who are sitting here. Let's put something forward that makes sense so that it has impact when it gets to the House, rather than having a back-and-forth. I'd like to see some of the things you've suggested in your motion. These pieces are important. My constituents have talked to me about how important accountability is for them.

You're better served in the House with a motion that has a report to back it up. It's not about stalling here. It's about doing the process and the good work that comes to the House to have impact. That's why I'm here. I really do want to support conceptually what you're trying to move forward, but the strength comes with the material and the recommendations behind it rather than a fast and dirty throwing down of a motion and sending it through. I'm a fan of substantive work. I like to be proud of what I put my name on when it goes forward into the House, and I would hope for that too. That's really what we're trying to do here, rather than just copying and pasting and saying, "You said this then. Let's do it now."

Well, certain principles of what you're putting forward still matter now, absolutely, but we have more information and we have to compile that and make it comprehensive for the House so that what you put forward sticks. Otherwise, I really question why we wouldn't do it in a way that process dictates we do through this committee.

Thanks, Mr. Chair.

**The Chair:** Thank you.

Seeing no other speakers, we can proceed to a vote on Mr. Longfield's amendment. You have it all in front of you, highlighted properly.

Madam Clerk, would you like to go through the members to see how they want to vote on this?

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

**The Chair:** We can vote on the motion as presented by Ms. Collins, because the amendment was defeated.

(Motion negatived: nays 5; yeas 2)

• (1650)

**The Chair:** Okay. I don't think there's any more business related to motions. I guess that means we can go to clause-by-clause.

Let's get ourselves organized for clause-by-clause. Essentially, what I'm doing is seeing if we agree with clause 1 as it appears in the bill.

(On clause 1)

**The Chair:** On clause 1 in the bill, how do we view it?

Mr. Longfield.

**Mr. Lloyd Longfield:** I'm glad that we're moving forward into clause-by-clause, but I'm troubled that we're missing out on the voices that we've received.

Richard Seto from Rundle Eco Services was the example I brought forward to try to have his voice heard at our committee, and we're not hearing his voice. We don't have a translated copy, but I think it's really important to hear his voice. He represents a lot of voices in Alberta and I want to tell you what he said:

Rundle Eco Services Ltd...appreciates the opportunity to provide this brief [on] concerns regarding Bill C-204.

Rundle is a small business operating in Alberta and a member of the Alberta Plastics Recycling Association. We endorse their comments as laid out in their briefing submitted to the Committee.

Unfortunately, as I said, these haven't been translated, but we can read it so that we can get the translation. It continues:

Rundle does not support in any way whatsoever, the export of plastics to other countries as a means of plastics disposal. In this brief, we wanted to describe what the passage of Bill C-204 will do to our small business which will be reflective of what will happen to many other small businesses engaged in plastic recycling in Canada.

Rundle collects plastics from major petroleum producers in Canada. Our clients do have a cheaper option and can dispose of the plastics directly to a land fill. However, they choose Rundle because of Rundle's commitment to ship plastics to recyclers who will transform the recovered plastic into feedstock for producing other products. Furthermore, our clients desire to kickstart a circular economy while fulfilling their environmental stewardship duties.

Since inception, our company largely depends on exporting our plastic commodity with most of it going the United States and a lesser amount to Asia. Rundle continues to search out Canadian recyclers but there are few takers for our type of plastics. The acceptance of used plastic is challenging. Typically, a recycler producing recycled plastic feed stock needs to be located close to major manufacturing hubs. Those recyclers, based on their customers needs, take only certain types of used plastic and certainly not all plastics. These recyclers must make significant investments in technology and specialized facilities that can sort, clean and process used plastic. A high level of plastic throughput is mandatory to achieve economies of scale and create value. Most of this infrastructure for Rundle exists only in the United States.

Since Rundle started shipping used plastic to the USA years ago, each individual load is scrutinized by US Customs and Border Protection. The loads were admitted only because their end use is for feed stock for a specific recycler. We further note Canada has ratified, along with 170 other countries, the recent amendments to the Basel Convention. Specifically, new entry B3011 in Annex IX allows for the cross-border movement of nonhazardous plastic waste that is only bound for recycling that will be performed in an environmentally sound manner. Bill C204 wants to prevent plastic waste from be exported however this prevention already exists as mentioned. We are concerned that Bill C204 is redundant and will cause further confusion.

Simply put, passage of Bill C-204 will put Canadian Recyclers like Rundle Eco Services Ltd. out of business. Our employees will lose their jobs and certain jobs of the service providers Rundle employs such the construction companies and

transportation companies, may be in jeopardy. The development of a plastic circular economy will be that much more challenged as we lose opportunities to create economic value and new jobs. Critical channels for our clients to recycle will be redirected to Canada's landfills. Our US recyclers will be short of used plastic materials and unable to supply the increasing demands for higher recycled content in a multitude of plastic products.

• (1655)

He concludes with the following:

Rundle appreciates the opportunity to present it's concerns to the Committee. We are available to answer any questions the Committee may have about our submission.

Yours very truly,

Richard Seto

Director

Rundle Eco Services Ltd.

This is what I was saying when we had our initial debate. There are letters upon letters, and they all say the same thing: This legislation is dangerous for their businesses, will not help us recycle and, in fact, anything in this legislation that could be considered positive already exists in agreements that we've already signed as a country.

Based on that, for clause 1, I can't see passing it, because it is going to hurt Canadian businesses and not get us to the objectives of recycling that we all want.

**The Chair:** Thank you, Mr. Longfield.

We go now to Mr. Baker.

**Mr. Yvan Baker:** Thanks very much, Chair.

I want to also highlight concerns raised by folks in the recycling industry. In this case, I wanted to cite the concerns raised by the Alberta Plastics Recycling Association. I'm not going to read the entire letter. You all have it. I just want to highlight some of their concerns. They say:

We are aligned with our colleagues at the Chemistry Industry Association of Canada...in our assertion that Bill C-204 will bring great harm to the industry, while detracting from our efforts to build a circular economy and increase opportunities for plastics recycling.

When I hear that, that's very concerning. I'm not going to read the entire letter, but here's another piece:

It is important to note that, despite best of intentions, the current sorting infrastructure and technology systems in place at Canada's recycling facilities do not allow for completely pristine (clean and fully sorted) bales of plastic to be sent for recycling. This means that bales of plastic destined for recycling will include materials that end up for final disposal in the US. This Bill could hamper the efforts to develop and support the recycling ecosystem whereby mixed bales are sent to various facilities with different sorting capabilities across North America.

That's speaking about how the bill would prevent that ecosystem from functioning.

I want to read on:

In addition, because of the absence of any definition for 'final disposal' this Bill fails to recognize that what may be destined for final disposal in Canada could potentially be used by companies for manufacturing in other jurisdictions. Since we lack infrastructure for advanced sorting, Canadian companies may send plastics bales to other locations because of equipment/technologies they have in place. It is not unusual for bales to go through primary and secondary sorting at different facilities in North America; this Bill is unclear regarding how the definition of final disposal will apply and when it will apply in the trade of plastic bales.

What they're basically saying is that it's uncertain what would be allowed for export and what would not. Regardless, what they're saying is that a lot of infrastructure is necessary to process what may be required to stay in Canada and that means it may not be processed. You can imagine that would mean it would likely go to landfills, and that's the last thing we want.

Near the bottom of the letter, they talk about this:

Bill C-204 does not represent the interests of our members who provide plastic recycling solutions in support of Alberta and Canada's objectives to advance a plastics circular economy. Bill C-204, if passed, would create harm to our members' and the wider industries' ability to collect, process and market plastics in the future. Alberta needs full access to overseas markets.

All this is to say that I think the folks at the Alberta Plastics Recycling Association have highlighted a number of concerns.

One is that the definitions in the rules in the bill are unclear, which makes it unclear as to which materials would be allowed for export and which would not. That's number one. Number two, they're highlighting that it would bring great harm to the industry.

Number three, they're highlighting that this would have an environmental impact within Canada, a negative one, certainly, because the infrastructure doesn't exist in Canada to process much of the material that would be prevented from export and which is currently exported for the purpose of processing cleanly. This would do harm to the environment because it presumably would force Canadian industry to put a lot of this material into landfills.

The fourth concern is the economic impact on the members of Alberta Plastics Recycling Association and also the employment impact.

I wanted to highlight all of those and thus suggest that this portion of the bill shouldn't pass. Thank you.

● (1700)

**The Chair:** Thank you, Mr. Baker.

We'll go to Mr. Saini.

**Mr. Raj Saini (Kitchener Centre, Lib.):** Thank you, Chair.

I want to build on what my colleague Mr. Baker was saying. Usually on committee [*Technical difficulty—Editor*] letters are against the passage of this bill, and they are from people who are widely connected in the industry, have investments in the industry and probably know the industry better than we do. I think if we're going to impact people in such a way that every letter reflects how this will have a negative impact on us, then we have a duty to listen to them, to listen to their concerns and to really get down to the bottom of this in terms of how we are producing legislation when there's so much economic influence tied to that.

I'm looking at one letter from my home province of Ontario, from the Ontario Waste Management Association, which writes:

The Ontario Waste Management Association strongly supports recycling and waste diversion efforts, including transitioning Ontario's signature Blue Box recycling program to full producer responsibility. Evidence shows that this is the best way to encourage producers, manufacturers and retailers to incorporate changes in product and packaging design to reduce waste.

The industry itself is on the pathway to reducing waste. They go on further to say:

Policies to encourage waste diversion and material recovery here in Canada are far more beneficial to our country's circular economy, and the environment, than an outright ban on waste export. There is considerable potential for increased capital investment and job creation in the recycling sector through producer responsibility requirements for end-of-life management of plastics, as well as economic benefits by stimulating the development of markets for recycled materials.

An outright ban on the export of waste materials that contain certain types of plastic will have a significant cost impact on waste management companies and municipalities—

He's now talking about the legislation affecting municipalities and ultimately affecting provinces:

—who regularly transport a range of materials for recycling and final disposal across the Canada-US border.

It is impossible to overstate the negative impact on Canada that would result from the type of waste export ban that is being proposed in Bill C-204. Many of the plastics listed in Schedule 7 of Bill C-204 are normally found in solid waste that is routinely transported from Canada to the United States for disposal. The disruption to this cross-border waste flow would greatly exceed the physical capacity of disposal sites in Canada to manage these volumes.

We urge the Standing Committee on Environment and Sustainable Development to recommend against the passage of Bill C-204.

It's signed, "Sincerely, Mike Chopowick, Chief Executive Officer".

He, in his letter, has been very clear and succinct in three main areas. One is that investing in our own industries will create more jobs and would be better for the economy and, ultimately, better for the environment because you would have that circular recovery.

Number two, things are going to be impacted. We have free trade agreements across borders that may be impacted by this. Also, he mentions, significantly, that the municipalities would be impacted, which would also encroach upon their jurisdiction and the jurisdiction of the provinces. More importantly, he talks about the negative impact and how it's going to impact the association and its employees.

I think it's important that we hear these voices and we continue to investigate to see how this legislation will have negative impacts, because as a committee, we would want to be more aware, not less aware, and more knowledgeable as to how the actual impacts will occur. I think it's important that we hear these voices, as I've said on other committees, to get different, varying degrees of opinion.

These are serious organizations. These are serious people. These are people who have skin in the game. Their organizations have skin in the game. Multiple recyclers across the country are going to be affected, and I, as one person, would like to know how the impact will happen, in what way the impact will happen and how we can either minimize the impact or change certain things. I think to just ignore all these voices would be bad for us and ultimately bad for the country. These voices, as I said before, who have skin in the game with investments, who have made clear investments not only economically but in terms of training their employees, are coming not just from one province; they're coming from Ontario, Alberta and B.C.

● (1705)

I think we need to hear their voices to make sure, as we review this legislation, that we're making a positive impact and trying our best to make sure that all voices are heard. The voices that are the most pertinent are the voices of those folks, the individuals or associations, who have come out clearly asking us to not pass this legislation. They have clearly defined in their letters how this legislation would impact them.

I reviewed it earlier. First, economically there will be an impact. Second, there will be the loss of recyclable ability for certain companies. Third, companies have acknowledged that they want to take a path forward in making sure that they try to keep the plastic circular in a way.

They have also defined that going in that direction would actually be good for the environment and good for the economy. Jobs would be produced. I think you have a win, win, win. You are protecting the environment. You're advancing the economy. You're creating jobs for Canadians.

If you look at all the letters, they are all similar to some extent, depending on what part of the [*Technical difficulty—Editor*]. We need to take the time to analyze this in a way that reflects their worries, but also encourages us to be more aware, more responsible and ultimately produce legislation that's going to be effective and not have a negative impact on those people who are currently working to reduce waste.

Mr. Chair, that's all I have to say.

**The Chair:** Thank you, Mr. Saini.

[*Translation*]

We will continue with Ms. Saks.

[*English*]

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

I would like to continue with what my colleagues Mr. Saini and Mr. Longfield have shared about the letters we have received from the industry. I have one here from Ice River Sustainable Solutions, another industry leader here in Shelburne, Ontario. This letter says the same things about the impact on the circular economy that we have heard in the other letters we have received, and not just the circular economy within Canada but also in terms of our relationship and our imports and exports with the United States.

I just don't see how we can ignore the impacts of not hearing these voices as we review this legislation. Ice River shares that:

Without a clear definition for the term "final disposal," Bill C-204 has the potential to block the export of plastic wastes for the purposes of downstream processes that could permit secondary markets and maximize value from plastic waste. Downstream processes like advanced recycling, waste to fuels, and waste to energy, are integral components of a circular economy for plastics.

Given the absence of any definition for "final disposal", this Bill fails to recognize that what may be destined for final disposal in Canada could potentially be used by companies in other jurisdictions. Since we lack infrastructure for advanced sorting, Canada may send plastic bales to other locations because of equipment/technologies they have in place.

If we disrupt the industry this way and we don't think about the impacts, there would be a cost all along the way. There would be a cost to industry, a cost to the end-user, a cost to B2B and a cost to Canadians. Without a careful thought process [*Technical difficulty—Editor*] to clause 1, we're missing a clear definition on what we're talking about in terms of plastics.

I share the concerns of my colleagues in making sure that we do hear from these individuals and from these companies. They are making their voices loud and clear. Many of them are from out west, from B.C. and Alberta, and I don't understand why our Conservative colleagues don't want to stand up for these businesses and make sure they are heard as we move through this discussion.

Thank you, Mr. Chair.

● (1710)

**The Chair:** Thank you, Madam Saks.

Mr. Longfield.

**Mr. Lloyd Longfield:** I'm just going to read a few excerpts from one other letter that otherwise wouldn't have a voice. This one is from P.E.T. Processing in Delta, British Columbia. It comes to us from its president, Antoine Moucachen.

**Ms. Laurel Collins:** I have a point of order, Mr. Chair.

**Mr. Lloyd Longfield:** This is different from what we've had before—

**The Chair:** Mr. Longfield, Ms. Collins has a point of order.

**Ms. Laurel Collins:** Again, this is my first time on committee, so this is just as a point of clarification for me. We're doing clause-by-clause. We're voting on the first clause. It just seems as though most of the speakers have either been arguing against the amendment that we defeated earlier or been debating the bill as a whole.

I just wanted to know from you, Mr. Chair, if this is in order.

**The Chair:** I believe it is. It's debate around clause 1. Mr. Longfield is the last speaker.

**Mr. Dan Albas:** I have a point of order on the same topic, Mr. Chair.

Every time I've done clause-by-clause, it seems to start immediately by going to amendments.

**The Chair:** Yes. That will be the next step.

**Mr. Dan Albas:** Okay. Usually we do amendments and then vote on the clause—whether or not it's been changed—and I just hope we can get to that.



**The Chair:** I was about to get to the amendments when we got into some debate.

We just have Mr. Longfield. If no one else is added to the list, then I can ask for amendments to clause 1.

**Mr. Lloyd Longfield:** Yes.

P.E.T. Processing has sent us a letter from their president, Tony Moucachen. I won't read the three pages other than his closing, which is based on all of the background in his letter. It has a lot of technical issues in it. Unfortunately, we don't have the letter in front of us because of translation services. I absolutely respect that. I think we just passed a motion about making sure we have everything available in both official languages.

Mr. Moucachen says the following in his closing:

PET believes it's important that the Committee understand the following realities and how the passage of the Bill will negatively affect the plastics recycling industry:

Intricate north-south business relationships are already well established;

Prohibiting shipments of plastics waste bales across the border because only a small component may not be recyclable, would be a crushing blow to the recyclers and their ability to successfully recycle the millions of pounds of plastic that are recycled every year.

He has three more points:

Cross border shipments are often made to facilities that have the ability and interest to perform additional sorting and additional recycling for specific plastic types;

Canada does not have as robust a manufacturing sector as the US. Therefore, what the Bill might designate as being for "final disposal" could actually be something that is usable by US manufacturers for other purposes;

Not all plastic types are recycled in Canada, and there are more recycling facilities available in the US. Therefore, if access to the US is reduced, this will correspondingly reduce access to their recycling infrastructure and hamper Canadian businesses.

We therefore submit that enacting the Bill will frustrate the proper development of a circular economy and should not be passed.

Thank you for allowing us to share our views on the Bill.

I wanted to give him a voice here. He doesn't mention it directly in his conclusion, but it's stated elsewhere in his letter that the municipalities, therefore, would have to handle the extra waste.

We now have before us clause-by-clause on a bill on which we are being screamed at by the industry. They're a for-profit industry, but they're based on helping the environment through commercial means and through recycling and sorting. They're saying, "You're going in the wrong direction." Now we're in clause-by-clause. How do we get back to the right direction? At least partly, it's to get their voices at the table.

Thank you, Mr. Chair.

• (1715)

**The Chair:** That's the end of the speakers list. I will now ask if there are any amendments to clause 1.

Yes, Ms. Collins.

**Ms. Laurel Collins:** In terms of the amendments that we had submitted in advance [*Technical difficulty—Editor*], I submitted a motion or a—

**Mr. Jacques Maziade (Legislative Clerk):** Mr. Chair, if I may, this is the legislative clerk speaking.

I just wanted to make sure of this before we start on NDP-1. I just want to know if CPC-1—

**The Chair:** Yes, that's what I'm wondering.

**Mr. Jacques Maziade:** Yes, because it's before NDP-1. I just wanted to make sure of this to avoid confusion.

**The Chair:** Is somebody proposing CPC-1?

**Mr. Dan Albas:** Mr. Chair, in testimony, we decided that we heard there was adequate.... The Basel Convention has a very clear section B: "Operations which may lead to resource recovery, recycling reclamation, direct re-use or alternative uses". That's clearly laid out.

While there were some industry concerns about there not being a direct definition in the bill, rest assured that there is one, in a reference in CEPA to the convention itself, which actually says that operations that may relate to "resource recovery, recycling reclamation, direct re-use or alternative uses" are clearly allowed. This should at least put some minds at ease that there is a very clear process for it, as there are over 170 different signatories to the Basel Convention, and this happens every day in certain jurisdictions.

We will not, therefore, be putting forward the amendment at this time.

**The Chair:** Okay.

Ms. Collins, are you moving NDP-1?

**Ms. Laurel Collins:** I am.

**The Chair:** Would you like to speak to that?

**Ms. Laurel Collins:** The intent behind this motion is to align the language in the bill with the Basel Convention. Other countries have done this in line with our commitments in the Basel Convention. We want to ensure that we are not shipping waste to countries that do not have the infrastructure to deal with it.

Also, an important piece of this amendment is that it specifically talks about the amendment that Canada hasn't ratified—specifically, around the waste for "special consideration"—and that is an important gap in this bill that needs to be strengthened. I hope that I will have the support of the committee to move this forward.

**The Chair:** I have Madam Paupé and then Mr. Longfield.

[*Translation*]

**Ms. Monique Paupé:** May I present my amendment?

**The Chair:** We're not there yet. We are debating the NDP's first amendment.

**Ms. Monique Paupé:** The NDP amendment affects clause 1, and so does mine. It would add subsection 1.4.

**The Chair:** I think we need to do things in order.

**Ms. Monique Paupé:** Okay.

[*English*]

**The Chair:** Go ahead, Mr. Longfield.

• (1720)

**Mr. Lloyd Longfield:** I think this amendment really significantly changes Bill C-204 from its current form. I wonder whether the clerk could comment on whether this amendment is admissible, given the wide range of changes that it provides.

**The Chair:** Could the legislative clerk speak to that?

**Ms. Émilie Thivierge (Legislative Clerk):** Yes. Thank you, Mr. Chair.

The way we see it is that Bill C-204 is prohibiting the export of certain types of plastic waste to foreign countries for final disposal, and NDP-1 also seeks to prohibit the exportation of plastic waste, so that's why we believe it's receivable.

**The Chair:** Okay.

Mr. Longfield, does that answer your question?

**Mr. Lloyd Longfield:** I can see the reasoning about that, but in terms of what this amendment is going to do, it's prohibiting something that already applies to the exports for final disposal. The recycling isn't defined in the bill or the act's regulations, so that's going to create some uncertainty.

If adopted, this term could be clarified in regulations that are already made under paragraph 191(a) of CEPA, so again, this is one of those things where we're already doing it. This isn't adding anything other than possibly introducing some confusion to what we've already agreed to internationally.

**The Chair:** Mr. Bittle.

**Mr. Chris Bittle:** Thank you so much, Mr. Chair.

Ms. Collins' amendment appears to be based on the jurisdictions that are exempt from the application of the Basel ban amendment under the Basel Convention.

My understanding is that government officials spoke to the reason Canada did not ratify the ban amendment, and I am wondering if I could ask the officials present if they could clarify whether this amendment would be necessary to control plastic waste exports, or if Canada's existing regulations already control this waste.

**The Chair:** That is a question for the officials. I don't know who wants to go on this.

**Ms. Helen Ryan (Associate Assistant Deputy Minister, Environmental Protection Branch, Department of the Environment):** Thank you, Mr. Chair.

This amendment is not necessary to provide the authorities, as they do already exist and they are controlled through the regulatory regime that we have in place.

**The Chair:** Thank you.

Mr. Bittle, does that answer your question?

**Mr. Chris Bittle:** It does, and if I still have the floor and can have a follow-up question, I'm wondering if I could have clarification from the officials on a separate point. Would limiting the scope of a proposed prohibition to non-OECD countries be inconsistent with Canada's international trade obligations?

**The Chair:** Would that be Mr. Tarasofsky perhaps?

**Ms. Helen Ryan:** Yes, it would.

**Mr. Richard Tarasofsky (Deputy Director, Oceans and Environmental Law Division, Department of Foreign Affairs, Trade and Development):** Thank you.

I'm afraid I can't provide a legal opinion on that.

**The Chair:** Okay.

Ms. Saks.

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

With respect to the second part of Ms. Collins' motion, I'd like to point out that Bill C-204, as it's currently drafted, proposes a ban on exporting plastics to foreign countries for final disposal.

The second part of the amendment, as we're looking at it, appears to deal with plastic waste exports destined for recycling, which is beyond the scope of the bill before us at the moment, as I understand it.

I'm not really clear on why we would propose to exempt something that is not already captured under this bill.

**The Chair:** Ms. Collins.

**Ms. Laurel Collins:** Thank you, Mr. Chair.

First, to respond to Mr. Bittle's question and to what we heard from the officials, unfortunately, despite that reassurance, since the current legislative structure we have has been in place, we have seen waste showing up in countries that do not have the infrastructure to deal with it. There have been a number of reports since Canada changed its regulations and its rules, which means there is still a gap. This is very well documented. We have also had testimony and briefs from environmental stakeholders, and we referenced a report from the Environmental Law Association demonstrating that there are still gaps in our current legislation.

Our current legislation is not adequate to actually stop the export of this kind of waste. I think it's really important also to note that we have heard from two different Liberal committee members so far that, on the one hand, this is somehow redundant and we do not need it whatsoever, and on the other hand, it somehow goes far beyond the scope of the bill and is going to be way too far-reaching.

I think you have to choose one or the other.

I would just say in closing that I think it's really important that we're addressing not only the issue of waste for final disposal but also the issue of unsorted plastic waste that ends up in countries and has serious health impacts for people around the world. Canada needs to stop doing this. We also need to make sure we have strong legislation to avoid what we've heard again and again, which is that currently there's a loophole that allows Canada to send waste to the U.S., which could then be sent to other countries that don't have the infrastructure to deal with it, and that there isn't a firm way to stop that.

This amendment attempts to strengthen the bill, and I hope we can get committee support to do so.

• (1725)

**The Chair:** Thank you, Ms. Collins.

Mr. Saini is next.

**Mr. Raj Saini:** Thank you, Chair.

Just to comment, one of the things that the bill's sponsor was very frank about was that he had limited time to draft this bill because he was one of the first MPs to be drawn in the PMB lottery. As members of this committee, I think we need to be careful about advancing amendments that would create more uncertainty with a bill that has already been subjected to limited consultation.

In terms of Ms. Collins, I think the officials [*Technical difficulty—Editor*] Basel amendments and with all the other transboundary agreements that we have worldwide, I don't think the amendment is necessary. Maybe the government officials can comment on that, but I just heard them say that there is no loophole and there's no way that anything is going to change with this amendment, so I don't see the necessity of it.

Thank you.

**The Chair:** We have Mr. Albas and Madam Pauzé.

**Mr. Dan Albas:** Thank you, Mr. Chair.

I simply would remind Mr. Saini that Mr. Davidson feels very strongly about the issue of protecting our oceans and our water. He has worked on Simcoe to restore some of the beauty of it and also to conserve it as a lake. It's very important to him.

I would say that just because a member comes up first does not mean that the work was rushed to the point that it did not meet the need. I think it's a bit of an unfortunate piece of rhetoric that's being used here to say that, because his number came up early, somehow the work wasn't done well. We are going to simply not support this particular amendment, but we do feel that the legislation was drafted correctly and meets the intent of what Conservatives want to see, which is to make a real difference in protecting our oceans from plastics.

[*Translation*]

**The Chair:** Thank you, Mr. Albas.

Ms. Pauzé, you have the floor.

**Ms. Monique Pauzé:** I just want to say that the Bloc Québécois is going to vote for this amendment because it forces action, in a way. We take issue with the inaction.

For example, not that long ago, this past July 23, the Canadian Council of Ministers of the Environment did not even discuss the Basel Convention. We even wondered whether the government had panicked itself into deciding to adopt the Basel Ban Amendment.

The advantage is that it puts the Basel Convention back on the agenda. So it forces action, in a sense. That is why we will be voting for the amendment.

• (1730)

**The Chair:** Thank you, Ms. Pauzé.

Ms. Collins, you have the floor.

[*English*]

**Ms. Laurel Collins:** Thank you, Mr. Chair.

I think it's important to note as this amendment is put forward that the exceptions are there because we're adding the language

around “special consideration”. That is not in the bill. Canada has not ratified amendments around “special consideration” and this is a huge gap. We need that. We need to ensure that we are not shipping waste that falls under what the Basel Convention talks about in terms of “special consideration”, which is mixed waste that ends up harming people around the world.

Just to respond to Mr. Saini's points around certainty, this language is actually taken directly from the Basel Convention, and it's not creating more uncertainty. It's actually creating certainty, because we're aligning with international agreements around shipping and attempting to stop the shipping of this kind of waste to other countries.

**The Chair:** Next is Mr. Longfield.

**Mr. Lloyd Longfield:** Thank you.

One of the difficulties I've had with this is that we've had testimony that is clearly saying that the legislation we have, which we introduced in December, by the way.... This isn't something we've been sitting on for years. We worked with our international partners on the Basel Convention. We actually led a lot of those discussions. Then we worked with the new administration in the United States so that we have a regime in place to make sure that, first of all, we protect the recycling industry and do no harm there, and second of all, we reduce the amount of plastics going into landfill, which I think all of us would like to see.

The point is that this legislation doesn't achieve that, in a two-line private member's bill that's up against all of the documents that we have, that we've negotiated internationally and that protect the environment from plastics getting into landfill and our oceans and streams. The industry itself is eager to continue to do this. Now the industry is saying to us that what we're doing will cause a lot of harm to their industry. It will actually go in the opposite direction to achieving the results around reducing the amount of plastics that end up, in a linear economy, going from consumption to landfill. We need a circular economy. This legislation will not get us there.

We're not saying, “Let's stop. Let's do the status quo.” The status quo has already changed. We've negotiated that internationally. We have partners through the Basel Convention. We have partners now with the United States. We are on track to reducing the plastics getting into our rivers and streams and our landfills. This actually puts an anchor around our ankle.

The good intention is there, but the legislation doesn't back up the good intention. The details aren't there even for the definition of what “final use” is. We have no definitions to work with. Industry needs certainty. This doesn't give certainty. It actually gives the opposite. It opens it up to a free-for-all.

**The Chair:** Before I go to Mr. Saini, I want to mention that it's 5:30 p.m. We can continue if that's what the committee wishes. If the committee doesn't wish that, then—

**Mr. Dan Albas:** Yes.

**The Chair:** You wish to continue. Okay.

We'll keep going until we get a motion to adjourn.

Mr. Saini.

**Mr. Raj Saini:** Yes.

I just want to clarify my remarks, especially to Mr. Albas. In no way was I suggesting that Mr. Davidson was not passionate about the environment. I would never suggest [*Technical difficulty—Editor*]. I was just recalling part of his testimony when he was in front of the committee.

Now that we're talking about the second amendment, I wonder if the officials could reiterate what they said earlier and give a wider sort of understanding of why this amendment would not be necessary.

**The Chair:** Would the officials like to comment?

**Ms. Helen Ryan:** Mr. Chair, I will turn to Nathalie Perron on that.

[*Translation*]

**Ms. Nathalie Perron (Director, Waste Reduction and Management Division, Department of the Environment):** Thank you very much.

[*English*]

In this amendment, there is new terminology that is not clear, but from what we understand, waste that is clean, exempt from contamination and single resin, which is actually now excluded from the Basel Convention, would now be covered under existing regulations and would require prior and informed consent, including with the U.S.

That's our understanding of how this amendment would work.

• (1735)

**The Chair:** Does that answer your question, Mr. Saini? Okay.

We'll go to Ms. Saks.

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

I'd like to circle back with Ms. Collins about the second part of the amendment. We heard clearly from the Basel Action Network that Bill C-204 would not address the much larger issue of plastic waste destined for recycling. The executive director, James Puckett, testified to this committee that "Bill C-204 aims to halt exports for final disposal, but all of this waste now moving to developing countries is not moving for the stated purpose of final disposal; it is all moving for recycling."

Neither Bill C-204 nor this amendment would address that much bigger problem. I'm really not clear on that.

**The Chair:** Is this a question for the officials, or...?

**Ms. Ya'ara Saks:** My question is first to the officials, and then I would also like to hear from Ms. Collins.

**Ms. Helen Ryan:** I'm going to call on Laura Farquharson to answer that question.

**Ms. Laura Farquharson (Director General, Legislative and Regulatory Affairs, Department of the Environment):** I'm sorry, but it cut out halfway through, so I didn't hear what the question was.

**The Chair:** Could you repeat the question, Ms. Saks?

**Ms. Ya'ara Saks:** Certainly. Does this amendment address the larger problem of recycling when it's sent to foreign countries?

**Ms. Laura Farquharson:** I think someone from the program is probably more suited to answering that.

**Ms. Helen Ryan:** Yes. I'm sorry. I had understood it as a different question.

I will call upon Nathalie Perron.

[*Translation*]

**Ms. Nathalie Perron:** Thank you very much.

[*English*]

As written, the bill deals with final disposal and would not apply to waste that is destined for recycling. I will let you conclude how that could help with what was raised in the context of the NGO's comment, but as we understand it right now, this bill is dealing with final disposal only.

**Ms. Laurel Collins:** In response to Ms. Saks's question and comments, for the latter portion of this amendment, it's really important to know that Canada has ratified specific amendments, but they have not ratified a very crucial amendment around waste for "special consideration".

What we heard from the testimony from Mr. Puckett... He was our witness from the organization focused on the Basel Convention. He said that this amendment would actually fill in an important gap in the current legislation, and that he was hoping to see us align our language with the parts of the Basel Convention that we haven't yet ratified.

In response to what we have heard from officials, yes, absolutely, since 2016 we have changed our regulations to require permits whenever plastic garbage is exported to countries that see that waste as hazardous, but since 2016 we have been seeing.... In 2019, there were reports from Malaysia and Cambodia that they had found containers of Canadian plastic garbage in their ports. Clearly, the 2016 changes have not addressed the issue.

The amendments that came in most recently in December are amendments that don't actually cover hazardous waste, or waste for special consideration in particular, which is why I have put forward this amendment.

• (1740)

**The Chair:** Seeing no other speakers, we can go to a vote on this amendment.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** Are there any other amendments that someone would like to move?

As no one is moving CPC-2 or CPC-3, we will be moving on to Bloc-1.

[*Translation*]

**Ms. Monique Pauzé:** It will come as no surprise to you that the Bloc Québécois is thinking about provincial and federal jurisdiction.

I believe it would also reassure people in the industry, who were asking a lot of questions about the fact that the bill didn't distinguish between levels of jurisdiction. That's why I am proposing this amendment, which respects the jurisdiction of the federal and provincial governments.

**The Chair:** Okay.

We will hear from Mr. Bittle, Mr. Albas and Mr. Baker.

[*English*]

Go ahead, Mr. Bittle.

We have you, Mr. Albas and then Mr. Baker on Madam Pauzé's amendment.

**Mr. Chris Bittle:** I appreciate that. I have a question for the officials.

Can you please help us understand how this amendment would impact the functioning of the proposed prohibition?

**Ms. Helen Ryan:** I'm going to call upon Laura Farquharson to answer the question.

**Ms. Laura Farquharson:** Strictly speaking, it's not necessary because all laws are interpreted in light of the Constitution, so a federal law has to be exercised in federal jurisdiction.

Moreover, there's already a section in CEPA—section 2—that covers the idea. It says that “the Government of Canada shall, having regard to the Constitution”, administer the act, so the idea of being within your jurisdiction is already in CEPA. In fact, if you add it to this part, it might introduce some confusion about whether it's a concept that applies only to this part or to other parts of CEPA.

**The Chair:** Does that answer your question, Mr. Bittle?

**Mr. Chris Bittle:** It does. Do I still have the floor or should I put my hand back up, Mr. Chair?

**The Chair:** You still have the floor.

**Mr. Chris Bittle:** Thank you. Further, I have another couple of questions for the officials, but I'm happy to proceed however the committee would like.

I was wondering if the officials could explain how the Government of Canada works with provinces and municipalities in managing plastic waste.

**Ms. Helen Ryan:** I'll call upon Dany Drouin to answer this question.

**Mr. Dany Drouin (Director General, Plastics and Waste Management Directorate, Department of the Environment):** Thank you.

There are a few points to say on this one. The transboundary movement of plastic waste is a responsibility of the federal government. The CEPA allows for issuing permits to municipalities, but to provinces and territories first, to manage the recycling and the treat-

ment of waste, and then municipalities do the operations. That is in general how it works.

Having said that, there's a strong collaboration between all levels of government, in particular around the CCME action plan for zero plastic waste or, generally speaking, in programs by the federal government that incentivize infrastructure, for example.

Thanks.

• (1745)

**The Chair:** Thank you.

Does that answer your question, Mr. Bittle?

**Mr. Chris Bittle:** It does.

Could the officials explain how the government ensures that it considers provincial jurisdiction when protecting the environment?

**Ms. Helen Ryan:** I'm going to call upon Laura Farquharson to answer that question, Mr. Chair.

**Ms. Laura Farquharson:** I think that's a very general question. Every day, obviously, the environment is an area of shared jurisdiction, so in developing or implementing all legislation, that is considered. People are aware of the various sources of jurisdiction that are provided for in the Constitution and that's considered in our daily work.

**The Chair:** That's good.

We now have Madam Pauzé.

[*Translation*]

**Ms. Monique Pauzé:** I do not believe this amendment is dangerous or that it changes everything in the bill. It just reinforces what already exists in the Constitution, as we know.

That said, this amendment would help reassure some in the industry who are unaware of all the purposes of the Constitution. I have talked to people who said the bill is not clear in that regard. That's why I wanted to reassure them by putting forward this amendment.

**The Chair:** Okay, thank you.

Mr. Redekopp, you have the floor.

[*English*]

**Mr. Brad Redekopp (Saskatoon West, CPC):** Thank you, Mr. Chair.

I just want to let you know that Mr. Albas's computer died on him. He's in the process of coming back into the meeting.

I'm trying to catch up here a little bit. It seems to me that, possibly, it's redundant, I suppose, but there is no harm that can come by putting it in here. As Madam Pauzé just said, it provides clarity, and if somebody is not sure exactly how things fit together, it reinforces a principle that is common in law, as it should be.

From our perspective, we like this amendment and would like to see it in there.

**The Chair:** I see no further speakers, so it's time for a vote. However, Mr. Albas is trying to get back into the meeting.

How do we handle that, Madam Clerk? How would we handle a situation where, through no fault of his own, a member—

**Mr. Chris Bittle:** On a point of order, Mr. Chair, can I propose a five-minute suspension, to be fair?

**The Chair:** Okay. Let's do that. It's five minutes, so we'll be back at 5:53.

Thank you.

• (1745) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1750)

**The Chair:** There are no further speakers on Bloc amendment 1, so can Madam Clerk count the votes?

(Amendment agreed to: yeas 8; nays 3 [*See Minutes of Proceedings*])

**The Chair:** Shall clause 1 as amended carry?

**Mr. Yvan Baker:** Mr. Chair, I had my hand up.

**The Chair:** Oh, I'm sorry. That's my fault.

**Mr. Yvan Baker:** Are we still on clause 1?

**The Chair:** Yes. We've amended clause 1, and we're about to vote on clause 1 as amended.

**Mr. Yvan Baker:** I have a question for the officials about the definition of "plastic waste".

**The Chair:** Sure. Go ahead.

**Mr. Yvan Baker:** I want to ask the officials to clarify whether references to plastic, any type of plastic, in the bill are too broad. Could these terms create any kind of uncertainty with respect to what could be captured by the bill?

**The Chair:** Who would like to answer that?

**Ms. Helen Ryan:** I'm going to turn it to Dany Drouin.

**Mr. Dany Drouin:** CEPA does not define plastic or plastic waste. The regulations that we have in place would consider waste as hazardous or non-hazardous, based on the fact that.... For example, if it's hazardous under Canadian regulations, or if the receiving country prohibits or just doesn't want to receive the waste, that would be captured under regulations like this.

• (1755)

**The Chair:** Okay.

Shall clause 1 carry as amended?

**Mr. Lloyd Longfield:** Let's have a recorded vote.

**The Chair:** Okay.

Could you count the votes, please, Madam Clerk?

[*Translation*]

**Ms. Monique Pauzé:** Pardon me.

**The Chair:** Yes, go ahead.

**Ms. Monique Pauzé:** I'm sorry, we're talking about clause 1 as amended. Ms. Collins also has amendments.

She had introduced a paragraph (1.2.1). Is it included in clause 1?

**The Chair:** Correct me if I'm wrong, Madam Clerk, but I don't believe it is.

The amendment was defeated.

**The Clerk:** That's right.

**Ms. Monique Pauzé:** Was the amendment proposing subsection (1.22) also defeated?

**The Chair:** Everything Ms. Collins introduced was defeated.

**Ms. Monique Pauzé:** All right, thank you.

**The Chair:** We will continue with the vote.

[*English*]

**Mr. Yvan Baker:** On a point of order, Chair, can I ask that we clarify what we're voting on?

**The Chair:** We're voting on clause 1 as amended to talk about respecting provincial jurisdiction.

**Mr. Yvan Baker:** Thanks. I just wanted to clarify that.

(Clause 1 as amended agreed to: yeas 6; nays 5)

(On clause 2)

**The Chair:** Does anyone have anything to say about clause 2? If not, we'll go to a vote.

Go ahead, Mr. Albas.

**Mr. Dan Albas:** No, I agree with it. We should just let it go by.

**The Chair:** Okay.

Mr. Longfield.

**Mr. Lloyd Longfield:** I wonder if the officials could clarify what challenges would be posed in enforcing this clause. We've just done a study on the enforcement of the Canadian Environmental Protection Act. Does this clause give any authorities that are needed?

Is there a way of properly enforcing this, given the other legislation that this pertains to?

**Ms. Helen Ryan:** I will turn to Laura Farquharson to answer the question.

**Ms. Laura Farquharson:** I think the issue is that, while this bill clearly identifies that if you violate the prohibition it is an offence under the act [*Technical difficulty—Editor*] provisions in CEPA there [*Technical difficulty—Editor*]. For those inspection powers, it gives authority to inspectors to enter a place where they suspect a substance is found, let's say, just as an example. Then "substance" is defined as waste and hazardous waste, not plastic waste.

You have a situation here where you have created an offence, but you may not have the authority you need to inspect and the other powers you might need to actually follow through with the enforcement.

• (1800)

**Mr. Lloyd Longfield:** Could I have a follow-up?

**The Chair:** Sure.

**Mr. Lloyd Longfield:** When we have a schedule that gets down to the molecular levels of what types of plastics are in there and if we have mixed shipments, do we have the means to enforce, let's say, one type of plastic that might be on a schedule that's being proposed in this legislation? How would we actually physically enforce the legislation?

**Ms. Laura Farquharson:** I can imagine that.... I'm not from the enforcement branch, but obviously when you are trying to.... It's a lot of testing. If you have big shipments of mixed waste, obviously it's a lot of testing. I don't have any more details on how you go about that.

**The Chair:** Okay.

Now we have Mr. Bittle.

**Mr. Chris Bittle:** Thank you so much.

I guess this is just concerning.... Again, I didn't hear the evidence, and I've gone back through and looked over some material. I appreciate the author's commitment to the environment. I know that he has spoken passionately about it. He was on the transport committee. These are issues that are near and dear to him.

It seems to be a proposal written on the back of a napkin that we are now putting forward to Parliament and that could have significant far-reaching consequences and cause chaos in the industry, but that would have no mechanism with which to properly enforce it. What are we trying to achieve here? I guess that is my question.

We've rushed this, in my short view of it, because on the two motions we've heard on this bill, one was to limit debate and the next one was to prevent further debate. That one was today's motion. Now we're hearing that there may not be an ability to enforce these confusing mechanisms that are being put into place. Why are we doing this? This is problematic. If it doesn't help and it can't be enforced, why are we even going through this exercise, to just cause chaos in the industry?

Again, I get that Conservative politicians had a bad week last week on climate change with the Supreme Court decision, with doubling down on failed rhetoric and [*Technical difficulty—Editor*] want to achieve that win, but what's the win going to look like?

Again, I appreciate the passion, and I appreciate that everyone wants to see better management of plastic waste. I don't think that's an issue that's disputed. We all want to see that. Why are we doing it in such a way that it can't be enforced or will be challenged just based on that one answer? If it can't be inspected, it can't be enforced. If the inspection powers aren't tied to it, are charges going to be thrown out?

I've already asked one legal question and was told I couldn't get a legal opinion, so I won't ask another one. This is fundamentally flawed, yet we push on, and yet we want to see this through, regardless of the outcome, regardless of the industry's pleading to put a pause on this, to try to make it so that there's some sense in this.

Again, if the goal is to have it enforced—and I appreciate that my friends in the opposition likely want this enforced—and if Parliament passes legislation, we want to see that enforced and enforced properly. If that can't happen, what are we doing here...?

I appreciate that Mr. Albas has his hand up, and I'm really looking forward to hearing from him, but this is shocking to me, coming into this, and again at the last minute. I don't know where this committee wants to go with this and where it sees this piece of legislation—which is confusing, unenforceable and has the potential to cause damage to an industry that is trying to help—ending up.

I appreciate that Mr. Albas has a point. I'd be happy to hear from him.

• (1805)

**The Chair:** Mr. Albus.

**Mr. Dan Albas:** Thank you, Mr. Chair.

I'd like to thank Mr. Bittle for raising my intervention, because I hope this will not just help clarify the position of the Conservatives but also allow for industry as well as for Canadians in general to understand that our primary motivation is that we are concerned that too much plastic is ending up being dumped into our oceans. That is why we are here. We want to make sure that Canada is being responsible for its own waste. As a father and as a community leader, I know there is so much that we could be doing, and the average citizen is saying, "Let's try to make systems that work."

First of all, I would just say to this that I believe that 99.9% of Canadian industry members are ethical and want to do the right thing, but as long as we have laws that allow them to utilize other means, they will be at a competitive disadvantage. The great thing about Scot's bill here, Bill C-204, is that it clearly says that we are no longer going to be allowing this to happen unless it falls under annex IV B of the Basel Convention. People who still want to recycle clean, sorted plastics can do so and have that trade. That's not a problem, but what has been cited here is a small ability from the enforcement [*Technical difficulty—Editor*] inspection.

If—as we believe and, I hope, Mr. Bittle agrees—99.9% of Canadian industry members are good, outstanding citizens who want to do good things for our planet and for our country, they are going to comply. I will also point out to him, seeing as he sits on the ENVI committee with us, that we will have an opportunity to review the CEPA at some point so we can fine-tune those things.

If he's really concerned about the enforcement mechanism, why on earth doesn't he use his position as a parliamentary secretary to the Minister of Environment to go to Jonathan Wilkinson, look him in the eye and ask, "Why, Minister, have we signed an agreement with President Trump whereby the Americans have not given themselves the power to stop items from going out?" We had officials say, in the hearings we had, that right now, we have traceability. I have asked how the Americans can have a system that Canada recognizes as being equivalent to Basel if they don't have a mechanism to even charge people if they decide to send our plastic waste to another country for it to be dumped, illegally, perhaps, or even legally, because some countries don't have that.

If the member is truly committed to enforcement, then he will work with Conservative members when that part of CEPA comes up. He will then also go to his minister and protest the fact that Canada has signed up with a country that doesn't have a legal mechanism to enforce the same standard as that under Canadian law.

I would simply say to the member that he can be part of the solution. He can join with Conservatives right now. We can pass this legislation and we can all go home tonight—or for those who are at home, such as me, we can go to the other room—and say to our family members, “We did something good for Canada today.”

**The Chair:** Before we go to Mr. Bittle, I'll mention that we can't go beyond 7 p.m., for technical resource reasons.

Mr. Bittle.

**Mr. Chris Bittle:** It's a very interesting point that Mr. Albas brings up in agreeing that this is flawed legislation and that we'll fix it later. That's whenever we get to it, because legislation is moving very quickly through Parliament, so I'm sure it will rapidly get to things.... I probably shouldn't be sarcastic in a transcript situation. I always warn my clients against that, because that can be read back into the record as the opposite. Sarcasm doesn't read well, but seriously.... I appreciate Mr. Albas suggesting this and telling me my new job, and I do appreciate any suggestions that do come up, as it has only been a few days on the job, but as a lawyer, this really boggles the mind.

Yes, I agree that 99% of businesses and 99% of Canadians are going to follow the law. They want to do what's right, but imagine creating a Criminal Code offence.... I know that I'm speaking of an analogy, and I'll wait for Mr. Albas's point of order to come up because we can only speak about the environment in the environment committee, and I'm sure he may be concerned that I'm venturing off on a point of relevancy. Imagine creating a Criminal Code offence that the police couldn't investigate, or where there would be challenges in investigating that offence. That's not doable. Maybe that 99% becomes 98%, which becomes 97% or 96%, because there's not going to be a concern.

I sit not too far from the Queen Elizabeth Way and [*Technical difficulty—Editor*] if he's been down to southern Ontario. The speed limit is 100 kilometres an hour. In some places, it's 110 kilometres an hour. If we knew that the OPP, the Ontario Provincial Police, were never going to set up a speed trap on the QEW, I can imagine that the rate of speed may increase, despite the good wishes of southern Ontarians to be safe. That may not be the case. You might not get 99% compliance on a regulatory offence or a regulatory conviction.

Again, if there is this desire to better ourselves and to better the disposal of plastic waste—which, again, I believe is there—why are we doing this if it can't be enforced? Why are we doing this if this is the challenge?

At the end of the day, we're getting to a point where it's “Hey, we passed legislation, but we'll fix it later. We just need a Conservative piece of legislation that shows that maybe we care about the environment and we care about climate change”—even though this may

or may not be related to that—“despite our previous positions going back. We need that win.”

That's despite the fact that the win is a mess that will cause significant issues, potentially, and which will, if it gets to a court [*Technical difficulty—Editor*] for problems that do exist, for problems that exist with respect to investigations that don't follow the proper course of action.

I guess I'd go back to Mr. Saini's point that perhaps this was rushed. I get it. I've seen colleagues in the previous Parliament who were up early and had to get something out the door fast, and it may not have been as great as they would have hoped.

If we're all acknowledging that it's bad and we'll fix it later, why don't we just acknowledge that there are problems with it and...? We've gone past the point. We tried to hit pause on this because industry in British Columbia, Alberta and Ontario, industry that is trying to make this planet a better place.... Mr. Longfield is right when he says they're for-profit companies, but they're for-profit companies trying to do the right thing, trying to be green, trying to be part of recycling and trying to make things better, because that's what Canadians want. When we put out that blue bin, we want to know that it's being done properly.

● (1810)

We don't want to see waste exported. We don't. I think we're all in agreement on that.

My former member of provincial parliament and Mr. Baker's former colleague in the legislature, a gentleman by the name of Jim Bradley—I want to get his name in the record—was a member of provincial parliament in St. Catharines for 41 years. He was the minister of the environment in the 1980s who brought in the blue box program in Ontario.

This is something I'm excited about—he was a mentor to me—and I know St. Catharines is excited about and Canadians are excited about. They want to be part of that and they want to do more. If we're going to create issues, if we're going to create problems, and if we're going to create a mechanism of enforcement that's laughable, where the committee's message back to the parliamentary secretary is, “Go speak to the minister to fix the mess we created”....

It's unbelievable, Mr. Albas. That argument is unbelievable. I haven't heard anything so interesting, to put it mildly, in my five and a half years here: “It's a mess and we'll fix it later, maybe, possibly, and hopefully it will be before it starts going through the court system, before someone gets charged—or no one may ever get charged, because the view is that the enforceability is zero. We'll count on the good graces of Canadians, because 99% of them will do the right thing.”

It's weird. I don't hear that when we discuss issues of criminal justice reform: “Oh, Canadians are good. They'll do the right thing.” [*Technical difficulty—Editor*] necessary, and we won't tie back our amendments to the Criminal Code into sections that will deal with the level of enforcement.



It really just seems to me, in this interaction, how concerning this piece of legislation is...or maybe it's just acknowledgement that "It won't do anything, but we'll get a 'win'. We can try to convince Canadians that we're tough on the environment. Don't listen to our party members and what they have to say. We're tough on the environment. We're going to get things done. We have a plan—maybe."

We've been hearing about this plan now for a few years going back. I appreciate that there's a desire for enforcement, but there wasn't a desire to look into how that works.

I don't know. Mr. Saini's point about perhaps its being rushed isn't an insult against the author of the bill, but that's what it seems, that we have a piece of legislation—I've used this analogy before—that is well-intentioned legislation written on the back of a napkin, and an acknowledgement by the opposition that it has serious issues. There's no desire to fix those issues and no desire to hit pause. There's just a desire to push ahead.

I get "The government's opposed, let's stick it to them." But why are we sticking it to the government if that means people will potentially lose their jobs, it creates uncertainty and it might create unnecessary litigation in our court system and lead to tie-ups there? That's if it even makes [*Technical difficulty—Editor*].

Maybe he can come down one day and I'll take him for a ride on the QEW. To go back to the analogy I gave—I didn't reach this part of my point—despite the view of Canadians, I think the average speed seems to be well in excess of 120 kilometres an hour. My colleagues from Ontario can chime in there. Again, in the absence of enforcement on a regulatory offence, you get some creep in there. Canadians want to be safe on the QEW. They want to do the right thing, but at the end of the day...why?

• (1815)

Why are we doing this? This is shocking.

I guess Ms. Collins has her hand up, so maybe I'll come back to it after Ms. Collins speaks.

This is shocking.

**The Chair:** Okay.

Ms. Collins.

**Ms. Laurel Collins:** That was a lengthy debate.

Maybe just calling the question would be great.

**The Chair:** We can do that since there's no one else on the speaking order.

• (1820)

**Mr. Dan Albas:** Could I have a recorded vote?

(Clause 2 agreed to: yeas 6; nays 5)

(On clause 3)

**The Chair:** Shall clause 3 carry?

**Mr. Dan Albas:** I'd like a recorded division.

**Mr. Yvan Baker:** Chair, I had my hand up.

**The Chair:** Okay.

Go ahead, Mr. Baker.

**Mr. Yvan Baker:** I'm actually going to withdraw and let Mr. Saini go.

**The Chair:** Mr. Saini.

**Mr. Raj Saini:** We're on clause 3 now. Is that right?

**The Chair:** Yes.

**Mr. Raj Saini:** I just want to make a comment on the schedule. Schedule 7 of the bill is called the "List of Plastic Waste", but we've heard from a lot of witnesses that there are entries on that list that are not typically considered plastics. There are certain chemicals that may be used for other reasons but that have been captured on that list.

Somebody who raised that point was Bob Masterson from the Chemistry Industry Association of Canada, who pointed out that the list contains ethylene, which is a feedstock, not a plastic waste. In fact, it is a gas at room temperature. We can see that there are issues with some of the listings.

Also on the list are styrene, acrylonitrile and butadiene, which are not typically considered plastic. I think the list was not carefully drafted and could pose a serious problem for administration and enforcement of the bill. Also, obviously if chemicals are being used for different purposes but are captured incorrectly on that list, that would pose a huge problem for industry. They'd have to use the chemical for one thing and not use the chemical for something else.

In looking at the Chemistry Industry Association's input, I think it's very important that it be recognized that you're dealing with chemicals that are extremely important in the production of certain things. We have to be careful. Schedule 7 does not reflect the sort of in-depth review that we should be doing to make sure we don't inadvertently put a chemical on the list that shouldn't be there.

Thank you, Chair.

**The Chair:** Ms. Collins.

**Ms. Laurel Collins:** Mr. Chair, I just want to move the amendment that I had sent on this section, on the schedule.

**The Chair:** Okay. Yes, we're on the schedule.... No, wait a second here.

**The Clerk:** We're still debating clause 3, Chair. We haven't voted on it.

**Ms. Laurel Collins:** Okay, I'm sorry.

Then maybe in response to Mr. Saini's comments, which were really about that list, it's pretty clearly outlined that the minister can add or remove items from this list. I thought it was important—we'll talk about my amendment shortly—to add something that was missing and that is in the Basel Convention. PVC is one of the most toxic types of plastic. I think it's important that we as a committee put that on there. Anything that needs to be taken out can be taken out by the minister.

If the Liberal members on this committee had concerns about specific items in this, they had the opportunity to move amendments.

**The Chair:** Mr. Bittle.

**Mr. Chris Bittle:** On the last point Ms. Collins raised, again, it's a weird argument from the opposition: that it's a bad bill but you guys can make it better. We've heard it on enforceability. We've now heard it with respect to this. The concerns that keep getting raised grow.

I don't want to cede the floor, Mr. Chair, but I do have a question and I hope to continue afterwards.

Could the officials speak to the challenges of enforcement with this bill, which includes a range of substances, many of which aren't even considered plastic? Could they speak to that?

• (1825)

**Ms. Helen Ryan:** In terms of the current schedule that's before us, it doesn't include the term "plastic waste", so it can present some confusion. In addition, it does contain a number of items that aren't normally considered plastics, as we previously heard.

In addition, we have current requirements within our regulations that contain restrictions on a number of these items, so we would have issues with respect to those regulations and what might be put forward in the bill. We would need to make corrections in order to be able to reconcile that.

Then when we think about the specifics in terms of the items, you are looking for something very specific as opposed to something general—plastic waste versus a specific chemical constituent—so that can be more challenging.

**Mr. Chris Bittle:** I have a point of order, Mr. Chair.

I don't know if anyone else was getting it, but I was getting the French translation over the English channel.

**The Chair:** Is that easily fixed? Is it better now?

Go ahead, Ms. Ryan.

**Ms. Helen Ryan:** Thank you, Mr. Chair. I'll try to remember what I just said.

With respect to the items that have been put forward in the context of the schedule, these are items that have not been specifically defined in the context of plastic waste but rather in terms of the actual chemical constituent. There are a number of them that are not normally considered to be plastics. In addition, those items—for instance, ethylene, styrene and others—are regulated under other regulations that we have in place.

With respect to how you enforce it, you are now looking at something that's very specific and precise as opposed to a broader term such as "plastic waste", so you need to then be focusing on those chemical constituents in terms of how you look to enforce the requirements.

**The Chair:** Okay.

Can we go to Mr. Longfield? Does that answer your question?

**Mr. Chris Bittle:** It answers my question. I guess I'll continue, though, on my point with respect to enforceability.

Again, the more we hear about this, I don't see how, if someone is charged, this won't be a massive fight and unnecessarily clog up the court system. We already know it's flawed. I appreciate the op-

position saying that we can just fix it later. That's what the point of this is, and we're now so far down this road.

I apologize if it was a rhetorical question. I genuinely am looking for an answer to what we are doing. If the opposition is so keen on passing a flawed piece of legislation, which it is known cannot be enforced or won't be enforced because of the legal complexities and the hope from Mr. Albas that everyone will be good—they promise, probably, maybe....

From the industry we hear that this is going to lead to uncertainty, uncertainty in terms of the regulations and uncertainty in terms of enforcement. What are we hoping to achieve here with this bill? If it's uncertain as to its goals, if it's uncertain as to its enforcement, what's the goal? Why are we rushing this unnecessarily?

I appreciate Ms. Collins saying that we could have proposed amendments. We look at this and see it as a flawed piece of legislation. I don't know if I appreciate Mr. Albas's point to just fix it months down the road when we deal with this, and "Mr. Bittle, you march down to speak to Jonathan Wilkinson and tell him to fix the mess that this committee has created." I don't think that's the role of a parliamentary secretary, but perhaps it will be. Should this bill pass, I'll probably have to go back and report that there is a mess that may need to be cleaned up.

Again, with legislation at a standstill in the House of Commons [*Technical difficulty—Editor*].

No one has answered the enforceability question. I'd be happy to hear from Mr. Albas or Ms. Collins. I hope there's a better answer than that the government can bring amendments months down the road once we've let the horse out of the barn. I'm sorry if that's an agriculture reference, Mr. Albas, in an environment committee meeting.

This is fundamental. People's jobs are on the line here. That's an argument I've heard from Mr. Albas in the House of Commons before on different pieces of legislation. He has been impassioned about that. It seems to be absent here. Again, to get that political win for reasons, I guess.... It's truly bizarre where we are at this moment.

I'm disappointed I wasn't able to participate in earlier debate on this bill, but I'm really disappointed that we were not given the opportunity to hit pause on this, knowing what this committee heard, knowing what we heard from officials. Again, everyone wants to do better on plastics, including, I'm sure, the industry, but to subject them to this, to subject the court system to this, to create that level of uncertainty.... Who is this fair to?

It's not going to lead to an improvement. I'm sure it's a win for the householder, and that's great, but when the rubber meets the road, I'm sure we can tell our constituents that we had this political win, but it's not a win for the environment. It's not a win for the justice system. It's just a bill. It's just a piece of paper. What's the point? It's a potentially dangerous piece of paper if it's going to cost jobs at the expense of not being enforceable.

• (1830)

My mind is blown here at this committee. Again, I appreciate everyone's genuineness of wanting to improve things, but at what cost? What's the cost of the harm that this bill may potentially bring? I don't think that question has been answered by anyone.

Again, it's hurry up and pass it. Minister Wilkinson, please fix it later. We won't let you pass it through the House of Commons, but we want you to fix it later and we'll blame you for not fixing it. We'll blame you for not enforcing it properly, even though officials have raised red flags about it.

I look forward to the questions in question period, should this bill pass down the road. Not getting into our time machine here, but the ghost of question period future may be here to say, "Why isn't the government enforcing this legislation passed by Parliament that doesn't allow for enforcement?" I'm looking forward to that one. That one's going to be glorious when it comes. I see Mr. Albas nodding. I look forward to him leading that question in question period.

These issues have been raised. It worries me that there isn't a concern from the opposition on this. Again, if it's confusing, if it's unenforceable then what have we accomplished? I hope your householders are great and this fits well onto the front page in terms of what everyone wants to see, because the harm may be real.

• (1835)

**The Chair:** Thank you.

We'll go to Mr. Longfield.

**Mr. Lloyd Longfield:** [*Technical difficulty—Editor*] multiple times expressed concern over this. Industry has expressed concern.

I think of myself as a managing director of a business where I had to fill in an environmental report to the board of directors every year. The board of directors in England had to know that I was complying with all laws, that I was actually tracing where shipments were going, that they were being handled properly and that the waste disposal companies that we had under contract were delivering according to environmental standards. I couldn't sign that paper with this type of legislation because I don't know.

The definitions are moving. The list is a list that we can change later. One of our witnesses said that they did not know where this list came from and that this is certainly not the list that the Basel Convention is following. We have this fictitious group of products—some are plastic, some are gases, some aren't either—and trying to enforce that....

Years later, I was on the solid waste management committee at the City of Guelph. We had contracts with other countries and other jurisdictions to share waste that we could use as a resource. We had contracts in place. What happens to those contracts? Now the waste management committee at the City of Guelph needs to, instead of

shipping on a contract to recycle, put it in the ground. We don't have the landfill capacity. We've had testimony that we have a landfill capacity that will be maxed out in many communities by 2030. Now we're putting legislation in place to accelerate that.

As for the clip of "the Liberals don't care about waste and don't care about plastics", we deeply care. We need to have legislation that is enforceable and that meets the recycling objectives that the world has. This, on the back of a napkin...and change it later? I'm with Mr. Bittle. Putting my name on this report.... At least we have testimony I can refer to that says, "This was a terrible piece of legislation that we're going to try to fix later. I tried to make my points but we didn't have the votes in committee. The votes came from the NDP, the Bloc and the Conservatives. They weren't Liberal votes." I can count votes and I know where this is going.

There are real-world consequences on the businesses that are going to be affected by this legislation, as well as every municipality in southern Ontario that's shipping waste across the border. We're not making friends with this legislation and rightly so, because we're not objectively looking at this in terms of meeting the plastics diversion targets that we all have.

I'm very disappointed. I'm disappointed in the committee, disappointed in the politics that's going on, but mostly I'm disappointed because we didn't listen to the voice of industry. We shut that down. We didn't call on witnesses from municipalities. We shut that down. We tried to get the Federation of Canadian Municipalities involved. We rushed this report and the result is that we have a report that's really not a good report.

I'm disappointed, but I've had my say and that's on the record.

**The Chair:** Thank you.

[*Translation*]

Ms. Pauzé, you have the floor.

**Ms. Monique Pauzé:** Thank you, Mr. Chair.

I would like to come back to the issue at hand.

We do need to discuss the schedule to this act. Ms. Collins reminded us that the schedule can be amended and that discretion can be exercised there. So it seems to me that it should be fairly simple to vote on it. I don't think it needs to take another 20 minutes.

I'm sorry, but I'm a little exasperated at all the time we waste rehashing. Let's focus on the task at hand, the schedule. It seems to me that we should be able to vote on it quickly.

• (1840)

**The Chair:** Ms. Collins, you have the floor.

[English]

**Ms. Laurel Collins:** If Mr. Longfield is finished, if it's not raised again, then I'm happy to vote and move on to the schedule.

**The Chair:** Okay.

Shall clause 3 carry?

**Mr. Yvan Baker:** Can we have a recorded vote, please?

(Clause 3 agreed to: yeas 6; nays 5)

**Ms. Ya'ara Saks:** Mr. Chair, I'd like to move an amendment from the floor.

**The Chair:** Is that to the schedule?

**Ms. Ya'ara Saks:** No, I'd like to move the following amendment, that Bill C-204 be amended by adding new clause 4, on page 2, after line 10: "Coming into force: The provisions of this act come into force on a day to be fixed by order of the Governor in Council."

**The Chair:** That's pretty straightforward.

Does anyone want to say something about that?

Mr. Bittle.

**Mr. Chris Bittle:** If this piece of legislation is going to pass and the opposition knows it's going to be flawed, I guess here's an opportunity to at least give the government some time to deal with the consequences therein. I think it's reasonable to expect that if everyone here acknowledges the flaws in the legislation—and, as Ms. Collins said, they could have proposed amendments—as Mr. Albas said, I'll march down to Jonathan Wilkinson's office and demand changes. That at least would buy industry and the government some time to deal with it, and would potentially mean the government would have to bring legislation.

I think it's reasonable, especially given the points raised by Ms. Collins and Mr. Albas—about why we don't make it less worse—so this is our attempt to do what the opposition has suggested we do, which is to fix the mess that is this bill. Perhaps this is a minor opportunity to bring some changes to avoid the consequences of this well-intentioned but flawed piece of legislation.

**The Chair:** Mr. Baker.

**Mr. Yvan Baker:** Thanks very much, Chair.

I want to weigh in on the proposed amendment by Ms. Saks. I think it makes a lot of sense.

It really looks like Conservative members in particular are determined to push this bill through. I know it's from a Conservative MP. They're determined to push it through the committee, despite the serious issues that have been raised by government officials and that have been raised by people in the waste-processing and recycling sector, who would bear the responsibility for actually making sure that we can process our waste if this bill were to pass and come into effect. I would at least hope they would give the government reasonable time to make those corrections that Mr. Albas was saying need to be made to the bill.

I think there are a number of other things that need to be corrected. The schedule needs to be amended because there are things that

aren't plastic listed on the schedule. We've heard from officials about the need to amend regulations or update regulations.

The government members of the committee, including me and others, have tried to underline some of the concerns that have been raised by the sector that's responsible for waste processing and recycling across Canada, through our references and summarizing of the letters that our committee received objecting to the bill and pointing out the consequences. The government would have to undertake regulatory changes to make sure there was clarity for that sector and for the enforcement authorities.

There's another thing that we've talked about in previous meetings. Today we haven't spent as much time on it, but in previous meetings members of this committee asked officials what the implications of this bill would be for waste processing in this country. We heard that a tremendous amount of the products that currently are exported for processing would essentially have to go into landfills, which, first of all, is impractical because we have a landfill capacity problem in most provinces. Provinces weren't consulted on this, but even before consulting them we know that landfills across Canada, in many provinces anyway, have very limited capacity. In Ontario I think we will max out in about 10 years, and it takes five to 10 years just to build a landfill, to permit it, regulate it, construct it, etc., and make it available to process waste. That's the first thing.

The second thing is that I don't know how to explain why we would pass a bill that would allow plastics to go into a landfill when they could potentially be recycled, which is what the current process allows for. Even though they have to be exported, they get processed.

The reason I'm raising all this is to say that these are the kinds of flaws that exist in this bill. These are the kinds of issues that we've heard from witnesses and officials need to be resolved, clarified or better defined.

I think Ms. Saks presents an amendment that's quite reasonable and practical, which is designed to give the government time to fix the bill, to fix the regulations to ensure that they conform and to make sure that we have the capacity to actually implement this.

The last point I'll make is that, at the end of the day, we're the environment committee and we're here to protect the environment. What we've heard from folks, including officials, is that this bill, if it were to pass in its current state, would potentially have plastic waste, some of which could have been recycled, sitting in landfills. That's not protecting the environment. That's damaging it.

I'm disappointed about that. I'm disappointed that this bill has come this far along. I do not think we should allow it to pass, but if that's the will of the opposition members, then I think, at the very least, they should give the government time to make the necessary adjustments to compensate for some of these flaws and problems.

• (1845)

**The Chair:** Ms. Saks, I see your hand is up. Is that from when you proposed the amendment or is that new?

**Ms. Ya'ara Saks:** No, Mr. Chair. I've added myself to the speakers list. Considering it is my proposed amendment, I'd like to speak to it when it's my turn.

**The Chair:** It looks like it's your turn, and then Madam Pauzé and then Mr. Longfield.

Did you take your hand down and then put it back up, or did you just leave it up?

**Ms. Ya'ara Saks:** No, I took it down and put it back up.

**The Chair:** Okay, then it's your turn.

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

We've certainly heard from colleagues the concerns of rushing this through and the insistence that we're all on the same page on what we want to achieve here. I'd like to ask the officials, since we have them here, what the implications would be of our rushing this forward. If we rush to push this into force as it is now, where does that land us in terms of this legislation?

I'd like to hear from the officials.

**The Chair:** Ms. Ryan.

**Ms. Helen Ryan:** Mr. Chair, we can't comment on the outcome of your debate and discussions. We look forward to seeing what the committee will conclude.

**The Chair:** Okay.

Is that good, Ms. Saks?

**Ms. Ya'ara Saks:** Well, the officials can't comment necessarily based on the amendments that we've passed and what we've discussed until now. The officials can't give us any insight on the.... They've commented themselves about some of the unworkability of this. Let's hear from them. If it's passed as is, are we okay?

**The Chair:** It's speculative, a bit.

Officials, do you want to answer that?

• (1850)

**Ms. Helen Ryan:** Mr. Chair, as I said, we will look to what the committee will conclude in terms of their interest with respect to this bill.

**The Chair:** I see many, many hands up. I would just remind everyone that at 7 p.m. we have to break. We can come back tomorrow at 11 a.m., I'm told. We can even come back at 9 p.m.

We're going to need a decision on the part of the committee in a few minutes. I will consult the committee in about five minutes as to what the members would like to do.

[*Translation*]

Ms. Pauzé, the floor is yours.

**Ms. Monique Pauzé:** All I wanted to say is that I will support the amendment as long as Canada implements the Basel Convention, of which it is a signatory. That's what I found worthwhile in this bill. To give the industry some space, I will support this amendment.

I didn't think that we were going to launch into a whole other discussion again. I would have liked to see a vote on this sooner, but I will be patient.

[*English*]

**The Chair:** Mr. Longfield.

**Mr. Lloyd Longfield:** I know it's not fair to ask the officials to weigh in on a political discussion, but I'm wondering about the process going forward of how a regulatory review would happen in order to solve all the issues that we've identified, and there are many. How much time does it take to...?

When we did the Basel convention, and we did the work with the United States, we developed our lists and we did all the work that needed to be done to have effective legislation. Would there be the same types of people involved in reviewing this legislation to propose amendments back to the government? Do we wait for the courts to say that what we're asking to do is in provincial jurisdiction and is not constitutional? What's the process, going forward, of reviewing this? Have we given it enough time to go through the proper review?

**The Chair:** Is this a question for the officials?

**Mr. Lloyd Longfield:** Yes, that's correct.

**The Chair:** Ms. Ryan.

**Ms. Helen Ryan:** Mr. Chair, I will answer the first part of the question, and then with respect to the process, I'll turn to Laura Farquharson to answer.

With respect to being able to implement, there would be a number of things we would need to undertake to do in order to clarify and provide for some of the definitions that would be required. We would need to be looking at how we align this with our current regulations and then make sure there are consistencies with respect to that. We would need to seek to have clarity with respect to the schedule, in terms of what would be potentially things that would be banned and things that wouldn't be banned, so that we could have clarity with respect to going forward on that.

Now I'll turn it over to Laura Farquharson to speak to the process.

**Ms. Laura Farquharson:** To the extent that it will be difficult to implement this immediately, given the changes that have been identified, that's an issue. In terms of the process, first of all, the GIC has the power, under this bill, to change the schedule, on the recommendation of the minister. That's a typical regulatory process. We typically count on two years to change regulations. That's just the whole process from beginning to end.

CEPA, including this kind of order, also requires a mandatory 60-day consultation period. It's published first in the Canada Gazette. There are 60 days for publication; we take comments and then it's published again. I know that only sounds like 60 days, but typically, regulations take two years. Orders might be slightly shorter, but we've identified a need for both.

**Mr. Lloyd Longfield:** Thank you.

**The Chair:** Ms. Collins.

• (1855)

**Ms. Laurel Collins:** Thank you, Mr. Chair.

[*Technical difficulty—Editor*] amendment, I am a little bit concerned. The bill is a tiny step in the right direction. I would have liked to see it strengthened. Mr. Bittle asked why we are passing it if it has gaps. I'll be voting in favour of it because I'd rather have a small step in the right direction than no step when it comes to stopping the export of plastic waste to countries like the Philippines, Cambodia and Malaysia, where Canadian waste is endangering ecosystems and human health.

We could have had a big win for the environment, a big win for protecting human health, but the Liberals voted against my motion to strengthen the bill. It's disappointing but it's not surprising, since they have voted against even the small step that this bill takes.

If members legitimately have concerns about the bill and want it strengthened, then they should make amendments to strengthen it. It's clear that the Liberals do not want to strengthen the bill. They didn't propose any amendments except for this one, to delay. Instead, they've spent committee reading letters into the record, speaking at great length, which I can only interpret as filibustering. They're not speaking about the need to address the issue of exporting waste to countries that don't have the infrastructure to deal with it, but reiterating again and again the concerns from the plastics industry. It's just surprising to me that it seems [*Technical difficulty—Editor*].

I'm not wholly opposed to Ms. Saks's amendment, but I am concerned about the delay.

**The Chair:** We have four minutes left, and then I'll decide when the next meeting is. I will consult the committee, but ultimately, I'm told, it's the chair's decision.

We'll go to Mr. Albas, and then Mr. Bittle.

**Mr. Dan Albas:** Thank you, Mr. Chair.

The government members opposed this in the House. They've opposed this at committee. They've had a dog-ate-my-homework excuse twice now. I don't want to give any more fodder for Mr. Bittle to follow up with, but I do understand that there are some concerns in regard to it.

What I would simply suggest is an amendment. I'll make the following amendment, that we change the language of MP Saks's amendment to say, "six months from royal assent".

Essentially, Mr. Chair, [*Technical difficulty—Editor*] it would say that once this receives royal assent, the government would have six months to implement it. That would allow for them to go through much of what they're talking about. There's nothing to prevent them

from starting today to do the necessary work. I do think that six months would give the government adequate time to put everything into place in terms of the schedule.

**The Chair:** Do you consider that a friendly amendment, Ms. Saks?

**Ms. Ya'ara Saks:** No, I do not, Mr. Chair.

**The Chair:** Okay.

Now we have, literally, two minutes left.

**Mr. Dan Albas:** That is an amendment, Mr. Chair, and I'm proposing the amendment.

**The Chair:** I understand.

We have Mr. Albas's amendment. You know what? I think at this point we need in writing Ms. Saks's amendment as amended by Mr. Albas.

Ross, can you write it out for us and send it to us? Then we can have it on paper. We can have Ms. Saks's amendment as amended by Mr. Albas. Why don't we wait for that?

In the meantime, let me write down who is on the speakers list, not that we are going to get to everyone tonight. We have Mr. Bittle, Mr. Baker, Ms. Saks, Mr. Saini.

I'm just going to wait for.... I don't know if Ross has had....

Okay, so next meeting.... We're not going to get to vote on this tonight, but it would be good to have it on paper. In fact, we could have it on paper in both official languages because we'll have time to translate it.

Are there any thoughts on when the next meeting should be? We're not going to debate this. I'm just getting some input.

• (1900)

**Mr. Lloyd Longfield:** We have a scheduled meeting on Wednesday.

**The Chair:** Instead of having the steering committee, do we want to do this Wednesday?

**Mr. Dan Albas:** Yes.

**The Chair:** Okay, there seems to be a consensus.

We'll change Wednesday's meeting from a steering committee to a committee to continue our discussion on Ms. Saks's proposed amendment, with the proposed amendment by Mr. Albas.

**Mr. Chris Bittle:** I have a point of order, if I can, Mr. Chair.

**The Chair:** Yes.

**Mr. Chris Bittle:** I know no one will believe me, but I don't think it's going to take two hours. Perhaps we can finish the bill and do the steering committee.

**The Chair:** Listen, if there's time left—

**Mr. Dan Albas:** I don't believe anything that any of these members have to say, after the way they talked into the record.

I love you all, but I don't believe you today.

**The Chair:** The point I'm trying to make is—

**Mr. Chris Bittle:** I'm hurt.

**The Chair:** The point I'm trying to make is that we're going to have a meeting to finish this off on Wednesday. If we finish it in 15 minutes, then I assume Madam Pausé, Ms. Collins and Mr. Longfield won't mind staying for one and three-quarter hours for a steering committee meeting. We'll have to log off and log back in. If this goes on for another two hours, that will take up the whole meeting on Wednesday.

That's what we'll do. We'll continue this on Wednesday at 3:30, and we'll see what happens. By then we'll have Ms. Saks's proposed

amendment in writing, and Mr. Albas's proposed subamendment to Ms. Saks's amendment in writing as well. Then we'll really know what we're dealing with.

I wish everyone a very pleasant rest of the evening. Here in the east it's seven o'clock. Our evening, what remains of it, is shorter than what they have out in B.C. Regardless, I hope everyone has a good evening.

I bring this meeting to a close.

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