

Recycling Regulation Policy Intentions Paper

Summary of Feedback Report

Final Report

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Recycling Regulation Policy Intentions Paper – Summary of Feedback

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British Columbia Ministry of Environment and Climate Change Strategy

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Abbreviations

EPR	Extended Producer Responsibility
EV	Electric Vehicle
HHW	Household Hazardous Waste
ICI	Institutional, Commercial and Industrial sector
PPP	Packaging and Paper Products
ZEV	Zero Emission Vehicle

A. Introduction

In the fall of 2020, the British Columbia (B.C.) Ministry of Environment and Climate Change Strategy (the ministry) published a [Recycling Regulation Policy Intentions Paper](#) to engage with key partners and stakeholders on proposed priorities to regulate more products for recycling and expand Extended Producer Responsibility (EPR).

B.C. currently regulates EPR for many products, requiring producers (manufacturers, distributors and retailers) of designated products to take responsibility for the life cycle of their products, including collection and recycling. This shifts the responsibility from local and Indigenous governments and taxpayers to the producers and consumers of products.

The [Recycling Regulation](#) (the regulation) sets out the requirements for EPR in B.C., giving producers the flexibility to find efficient and innovative ways to meet regulated outcomes that prevent waste disposal, improve recycling, and support reuse and resource recovery. New products and packaging are added to the regulation through the addition of new or amended Schedules and associated Product Categories.

The purpose of this engagement was to solicit feedback on expanding EPR by including more products under the regulation and other waste reduction policy approaches to ensure that these items are managed responsibly, including:

- Adding mattresses and foundations as a new product category.
- Expanding the residual product category to include more moderately hazardous products.
- Expanding the electronic and electrical product category to include more items and batteries.
- Expanding the packaging and paper product category beyond residential sources.

Lost or abandoned fishing gear in the marine environment is a significant source of marine pollution in B.C. Given the complex and unique challenges associated with managing lost fishing gear, the Intentions Paper (IP) also provided further opportunity for people to provide feedback on approaches to improve fishing gear collection and management.

How will my contribution make a difference?

The ministry welcomed input regarding potential products for inclusion in the regulation, or other policy initiatives to minimize waste. All consultation comments and feedback will be considered during the development of a multi-year strategy, which may include further outreach on proposed priorities.

Purpose of This Report

The purpose of this report is to summarize the input received in response to the questions posed in the Intentions Paper into a cohesive public report. Contents of this report do not represent the viewpoint of the ministry or the author (Pinna Sustainability Inc.), rather the report aims to represent the breadth and depth of input as submitted by respondents.

Additional clarification on how to interpret this report

The primary focus of the Intentions Paper and engagement was to garner feedback on what specific product types should be added to the Recycling Regulation, along with the priority order in which the different product categories being considered should be regulated, or the rationale for possible exemptions. However, numerous submissions included comments that went beyond identifying what

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products should be regulated and provided opinions and information on how industry-led EPR programs should be developed, funded, and operated. While obligated producers must have an EPR plan for regulated products approved by the ministry, the day-to-day business decisions, such as contractual relationships with collection facilities, transporters, and processing facilities, are left up to industry. To find out more about the content of EPR plans, refer to the [Recycling Regulation, Section 5](#). Although this additional feedback was beyond the scope of the consultation process, most of the comments have been included in this report for transparency and to help inform future policy review.

B. Process Overview and Summary of Respondents

Background to the Intentions Paper and Consultation Process

The Recycling Regulation Policy Intentions Paper was published on September 14th with feedback solicited until November 20th, 2020. Comments on the information outlined in the Intentions Paper were submitted by completing an online survey, which repeated the questions listed in the Intentions Paper, or through written submissions emailed to ExtendedProducerResponsibility@gov.bc.ca. Both the Intentions Paper and the online survey listed 13 questions, categorized by relevant topic headings. The online survey also requested identification by means of a self-selected role, and optional contact information if the respondent wished to receive updates on this matter.

Summary of Response Formats and Respondent Background

In total, the ministry received 165 submissions from a variety of individuals, stakeholders, and key partners, of which, 76 responded to the online survey and 89 submitted feedback by email. In some cases, two submissions were received from the same organization/organizational unit and these were combined in the tables below to count as one submission.

Respondents that completed the online survey were anonymous, however, respondents self-identified by selecting from a list of eight options under the question “What role best describes your interest in the topic?” In response, respondents self-identified by the following roles:

- 13 Local governments
- 3 First Nations
- 6 Producers (manufacturer, distributor, retailer) of products outlined in the Intentions Paper
- 6 Recyclers and/or processing facilities
- 3 Waste management companies
- 13 Community or environmental groups
- 16 Interested individuals with no affiliations
- 13 Other

Respondents that submitted email responses included the following, grouped by the author:

- 19 Local governments
- 1 Federal government
- 17 Industry associations
- 21 Producers (manufacturer, distributor, retailer) of products outlined in the Intentions Paper
- 5 Recyclers and/or processing facilities
- 3 Waste management companies
- 11 Community or environmental groups
- 3 Interested individuals with no affiliations

Analysis Approach and Format of this Report

The input summarized in this report is organized in the same manner as the headings taken from the published Intentions Paper, along with the questions asked in the Intentions Paper and online survey. To assist with summarizing the responses, the following groupings were used when counting responses, based on the self-identified groupings outlined above:

- **Local and federal governments**, including municipalities, regional districts, and federal government departments.
- **First Nations**, as self-identified in the survey.¹
- **Industry – sellers**, including producers, retailers, and relevant industry associations.
- **Industry – service providers**, including collection facilities/depots, recyclers (processors), waste management companies (transportation), and relevant industry associations.
- **Organizations and public respondents**, including community, environmental, Indigenous, and other organizations, and individuals with no affiliations.

For ease of review, the online survey comments that pertained to more than one question or a different question were moved and analyzed under the applicable subject heading. Additionally, a best effort was made to analyze and allocate comments from email responses under the applicable heading and/or question. Comments that do not relate to products explicitly identified in the Intentions Paper are summarized in the “Cross-cutting themes and other product types outside of this consultation” section of the report.

Quotes from respondents are in “*italics and quotation marks*”. Note that respondent quotes have not been edited and may include grammar or spelling errors, except to remove a respondent’s name. In these cases, the name is replaced with *[respondent]*.

Some respondents provided technical information regarding certain product types or categories that will be reviewed and considered by the ministry.

¹ The online survey included the voluntary question: “What role best describes your interest in the topic?” Therefore, for this report, respondents that self-identified their role as “First Nations” are grouped, although those respondents may represent an individual or an Indigenous government.

C. Summary of Input by Topic Area and Question

This section contains a summary of the responses received during the consultation period, organized using the same section headings and questions as presented in the Intentions Paper, with one additional section to summarize broad EPR-related themes and suggested product types that were outside of the scope of this consultation. The headings and associated questions are as follows:

1. New Schedule for Mattresses: Questions 1-2
2. Existing Schedule 2 – Residual Product Categories: Questions 3-6
3. Existing Schedule 3 – Electronic and Electrical Product Category: Questions 7-9
4. Existing Schedule 5 – Packaging and Paper Product Category: Questions 10-11
5. Marine Debris in B.C. – End-of-Life Management of Lost Fishing Gear: Question 12
6. Implementation: Question 13
7. Cross-Cutting Themes and Other Product Types Outside of this Consultation

1. New Schedule for Mattresses

Question 1: Do you have comments or suggestions on the intention to add mattresses and foundations to the regulation? [82 responses]

Respondents were either supportive of regulating mattresses and foundations, or provided neutral comments. Though no responses explicitly expressed opposition, some respondents raised concerns and identified potential impacts of regulating mattresses.

- **Local governments** (29): most expressed support (26) for inclusion of mattresses, while some remained neutral (3).
- **First Nations** (3): all expressed support.
- **Industry-sellers** (6): expressed support (2), provided neutral comments or concerns (4).
- **Industry-service providers** (8): expressed support (5), provided neutral comments (3).
- **Organizations and public respondents** (36): almost all expressed support (35), provided neutral comments (1).

Supportive comments

- Both local governments and an industry-seller noted that mattresses contain recyclable materials that would be ideal to reuse and divert from landfills.
 - As one local government noted, *“Adding mattresses and box spring foundations to the regulation as an EPR program expands opportunity and creates incentives to capture those used materials for deconstruction and material reuse.”*
- Many local governments, and one organization, discussed the cost of recycling mattresses and foundations for local government, both in terms of the recycling itself, and collection of mattresses following illegal dumping.
 - One regional district cited that in 2019, 60,000 mattresses and foundations were collected at facilities and transported to recyclers at a cost of \$2.18 million.
 - One municipality noted receiving over 3,500 abandoned mattress calls and collecting about 5,000 abandoned mattresses from lanes and other public spaces each year.

- A few local governments suggested regulating items based on their function as it is easier for the public to understand.
 - As one local government noted, *“The regulation should encompass all forms of mattresses, including waterbeds, mattress toppers, sleeper couches, pet beds, and other cushioned pads, cots and bases intended to provide a surface for sleep. Regulating items based on function provides ease of understanding to the public and helps ensure there are no gaps whereby seemingly similar products are not covered.”*
- Several local governments also spoke of the difficulty of managing mattresses at their waste management facilities due to their size and bulk, and hoped this regulation would alleviate the pressure mattresses and box springs were putting on their facilities.
- A recycler expressed their intention to expand their facility allowing them to store and manage more mattresses, followed by installing more machinery to double their processing capacity.

General comments and/or concerns

- A few respondents (including industry-sellers, an industry-service provider, and public respondents) expressed the need to consider online mattress retailers within the regulation to ensure retailers without a physical presence in B.C. are compliant and that B.C. retailers are not left to pay for the end-of-life management costs of products sold by non-compliant businesses.
- Many respondents from across the spectrum (industry, government, public) stated the need to ensure the regulation does not harm local facilities that already recycle mattresses and provide social benefit within communities.
- Several respondents (from recycling facilities and industry) noted the difficulty of recycling mattresses with electric components, as well as plastics from blow-up mattresses or waterbeds.
- Respondents (from local government and organizations) raised specific considerations for rural and remote communities, such as ensuring they have adequate access to collection facilities, and facilities are regularly serviced to prevent product build up.
- Several respondents from local governments discussed health and safety considerations of handling contaminated mattresses and foundations.
- One industry-seller and an industry-seller association requested that reuse and repair be recognized as coequal options during development of an EPR program, along with recycling, to ensure the social and environmental benefits of donating and reusing mattresses are not minimized or lost as a result of regulating.
- Respondents (from local government and an industry-service provider) noted that storing mattresses requires substantial storage space, particularly if mattresses must be kept dry, and should be considered during EPR program development.
- Several respondents (from local government, as well as members of the public) mentioned considering free curb-side pick-up for mattresses and foundations, as well as retailer take-back options when new mattresses are purchased, due to the persistence of illegal dumping of mattresses, and the significant cost this incurs for local governments.
- An industry-seller and association urged that adding mattresses should not disrupt existing voluntary producer-led mattress recovery programs, allowing retailers that already offer consumers a take-back option to continue to do so.
- There was a range of comments related to fees for mattress and box spring recycling:
 - Several respondents (from local government, organizations and public respondents) requested the removal of disposal fees altogether, or provide a few calendar days a year where transfer stations allow free disposal of mattresses.

- Two local governments suggested fees be relative to the size of the mattress or box spring, as well as the materials that make up the items (i.e. coils can be costly to remove and recycle)
- One industry-seller association noted the eco-fees will be significant, and highlighted the concern about ‘free-rider’ entities that avoid compliance leaving higher fees for those in compliance. *“The result is unfair in two respects: some entities are able to sell their products and packaging without the eco-fee, and, the entities who are participating are left to pay for the end-of-life costs of the products sold by the non-compliant businesses.”*
- A few community organizations supported adding a recycling fee at the time of purchase.

Question 2: Are there exemptions to this new product category that you believe should be considered? [55 responses]

Comments on what product types should be exempt

Nineteen (19) respondents made suggestions on exemptions of products types, including: local governments (7), industry-sellers (2), industry-service providers (3), and organizations and public respondents (7). Suggestions included:

- Several respondents from a local government, recycling facilities (2), and organizations and public respondents (4) requested exemptions for plastic mattresses and waterbeds, as these have components that may not be able to be recycled.
 - One recycler noted that inflatable and waterbed mattresses, *“contain vinyl and other materials that are not typically found in regular beds and would not be recyclable at a mattress recycling facility.”*
- Several responses from local governments (4), industry-service provider (1), and organizations (2) expressed the need to exempt contaminated mattresses and foundations due to health and safety concerns.
- One industry-seller association expressed the need to exempt hospital beds as they include electronic equipment that are difficult to recycle and environmental handling fees on hospital beds would increase procurement costs for hospitals.
- One local government and industry-seller association recommended a phased approach, for example including only mattresses and foundations in phase 1, then at later phases adding other types of mattresses. The industry-seller association *“advocates gradualism to minimize both market disruption and consumer impact. Creation of a mattress recycling program will itself be a significant undertaking. Adding those other items would create very significant complications.”*

Comments opposed to product type exemptions

The majority of responses (35) expressed that they believe no exemptions should be considered at this time, including: local governments (13), First Nations (2), industry-service providers (3), and organizations and public respondents (17). Rationale provided for no exemptions included:

- Having exemptions for product types is the greatest issue for collection facilities, and has created confusion in other EPR programs.
- Several local governments expressed that a comprehensive inclusion is easier to administer and regulate.

2. Existing Schedule 2 – Residual Product Categories

Question 3: Do you have comments or suggestions on the intention to regulate more product types? [71 responses]

Overall, the majority of respondents were supportive of updating the existing residual product category; however, most industry-sellers were not supportive of updating this category:

- **Local governments** (29): all expressed support for inclusion of more products in the residual product category.
- **First Nations** (1): expressed support for regulating more product types.
- **Industry-sellers** (8): expressed concern or disagreement with expanding this category (4), provided neutral comments (3), supported expansion (1).
- **Industry-service providers** (6): expressed support (3), provided neutral comments (3).
- **Organizations and public respondents** (27): most expressed support (23), while some provided neutral comments (4).

Supportive comments

Among those who were supportive (57) of the ministry considering EPR expansion for this category, many (23) stated the rationale behind their beliefs, including:

- Reduce financial and administrative burden on local governments (9): local governments (8), organization (1).
- Encourage proper disposal to prevent potentially dangerous products entering the solid waste stream, and reduce negative environmental impacts (8): local governments (7), organization (1).
- Benefit consumers by increasing disposal options and lessening confusion (4): local governments (3), public respondent (1).
- Provide more options for rural areas without takeback programs (1): local government.
- Regulating these products would provide means to minimize health and safety risk for recycling facility staff, landfill operators and the public (13): local government (11), industry-service provider (1), public respondent (1).

Non-supportive comments and/or concerns

Feedback from respondents who disagreed with expanding this category included:

- Three responses, all industry-sellers, indicated the following:
 - Several products listed in the Intentions Paper have very limited volumes available for collection.
 - Several products listed in the Intentions Paper have different formulations in industrial or agricultural use compared to household products, and that industrial and agricultural products are better managed through existing private collection programs.
- Four industry-sellers suggested the existing voluntary collection system for veterinary pet medications is sufficient and they do not see the need to regulate a product category already being managed voluntarily by industry. Three of these industry-sellers made the same comment regarding medical sharps and the existing industry-led voluntary collection program.
- An industry-service provider suggested the ministry should consult with industry associations, their partners, and the appropriate stewardship organizations to properly define new or existing product categories to “ensure that any new or existing product categories are properly defined

and exclude products and packaging that Cleanfarms currently manages. This will ensure that farmers can continue to manage items like empty pesticide and fertilizer containers, and unwanted pesticides and old livestock/equine medications collections through Cleanfarms and minimize confusion for industry.”

General comments

- Three responses, all industry-sellers, suggested that the ministry consider five key criteria for the EPR expansion of this category, including:
 - Hazardous or negatively impact the environment unless managed
 - Available in sufficient quantities that need management
 - Managed/manageable through cost-effective solutions
 - In need of management (e.g., there are not already solutions in place)
 - Generally consistent with what is considered household hazardous waste in other provinces: harmonization
- Another industry-seller suggested the following:
 - *“In the interests of achieving clarity for producers on which products and their packaging should be added to Schedule 2 and Schedule 5, we suggest that the Ministry convene a group of appropriate stakeholders (including [respondent]) to develop a plan on products that should be designated and their appropriate Schedule under the Recycling Regulation. Once that work is completed, we suggest that the Ministry also develop a guideline or ‘Explanatory Notes’ document similar to the one published with the 2020 Amendments to the Recycling Regulation, that sets out example lists of designated items.”*
 - Further to this, the respondent stated that based on this document, *“EPR programs can then undertake information campaigns to assist consumers in appropriately disposing of these materials and their empty containers.”*
- One industry-seller highlighted that *“costs to municipalities should not be the key driver for inclusion. Recycling policy and regulations should be designed and implemented in an effective and efficient manner, in line with sound environmental principles that are truly protective of the environment. Inclusion of materials should be based on a demonstrated risk to the environment. Criteria for what constitutes an obligated material should be established and clearly communicated to stewards and the public. These criteria should be established using science-based decisions aimed at managing environmental risk.”*
- One local government noted the environmental impact of improperly disposing unregulated residual products can be extremely damaging.
- Five respondents highlighted that local drop-off and/or take-back options should be considered for both urban and remote locations, including local governments (2), industry-service providers (2), and an organization (1).
- One industry-seller commented that *“In general, EPR is good policy approach to address consumer products under the residuals product category, that are frequently used but not for commercial/industrial products or products that are infrequently used or only used by a small segment of consumers.”*

Question 4: What product types should be prioritized for regulation? [51 responses]

Comments on what product types should be prioritized

Respondents identified the following items to be prioritized:

- Compressed gas in canisters – fuel and helium (29): local governments (15), industry-service providers (3), organizations and public respondents (11). Several respondents suggested specific products under this category including:
 - Propane and butane canisters; especially 1-pound single-use propane canisters
 - Spray foam tanks, aerosol cans and torch canisters
- Fire extinguishers (14): local governments (9), organizations and public respondents (5)
- More paint, sealers and adhesives (17): local governments (11), industry-service providers (2), organizations and public respondents (4)
- Automotive additives and touch-up paint (6): local governments (4), organizations and public respondents (2)
- Pool and spa chemicals (12): local governments (8), industry-service provider (1), organizations and public respondents (3)
- Water testing products (1): First Nation
- More pest control and rodenticides (12): local governments (8), industry-service provider (1), organizations and public respondents (3)
- Fertilizer and weed control (10): local governments (9), public respondent (1)
- Veterinary medicine for pets (3): all local governments
- Bear spray and flares (10): local governments (5), organizations and public respondents (5)
- Medical syringes (8): local governments (6), organizations and public respondents (2)
- Cleaning products (4): local government (2), industry-service providers (2)
- Mercury containing products (3): all local governments
- Diesel fuel, diesel exhaust fluid (DEF), kerosene (5): local governments (4), public respondent (1)

General comments

- A number of responses (16) noted that priority should be driven by waste volume, environmental impact, and/or safety hazard level. Products that are difficult to recycle through conventional recycling programs and, if disposed of improperly, have the highest risk of harm to human health and the environment should be prioritized for regulation. Some respondents also suggested that the ministry should consult with key stakeholders to identify products generated in the largest waste volumes to better inform the prioritization.
- Four responses, local governments (2), industry-service provider (1), public respondent (1), believed that all products listed in the Intentions Paper under Schedule 2 - Residual Product Category should be prioritized.
- One local government stated that *“The program should also include items currently rejected due to missing labels, damaged containers, no tight-fitting lids, not in their original containers, etc.”*

Question 5: Do you have comments or suggestions on how to clearly define/classify product categories in the regulation that are user friendly? [44 responses]

Most comments and suggestions to this question focused on two areas: product category definition and classification, and consumer-oriented communication and labelling.

Product category definition and classification

Among those responses that expressed views towards product category definition and classification:

- Fourteen responses, local governments (3), industry-seller (5), organizations and public respondents (6), suggested using clear and simple language and labelling that can be understood by consumers; avoiding technical terms.
- Six responses, local governments (4), organizations (2), suggested that product categorization should be based on product type and its application. Conversely, one industry-service provider stated that *“accepted items should NOT be defined by the intention of use; anything that has its acceptance defined by reasoning beyond labels, is headed for confusion.”*
- Five responses, local governments (3), organizations and public respondents (2), suggested that product categories should be inclusive with limited exemptions.
- Four responses, all industry-sellers, highlighted that product definitions should be harmonized with existing programs in other jurisdictions.
- Four responses, local governments (3), public respondent (1), suggested using existing warning symbols already required on product labels (e.g., flammable, corrosive, toxic and explosive)
 - *“Warning symbols provide an easy, pre-existing method of identification.”*
- Three responses, local governments (1), organizations (2), suggested collaboration with consumers, retailers and collection facility staff, and utilizing focus group to identify best approaches.
- Two responses, a local government and an industry-seller, indicated that the inclusion or exclusion of products in each category should not be based on chemical properties.
- Two responses, both industry-sellers, suggested the use of a tool, such as the British Columbia HHW (household hazardous waste) Flammables Decision Tree, to help to define these products.
- One industry-service provider stated:
 - *“Improper labelling and complex ingredient mix for hazardous products often cause problems for the collection.”*
 - There is a need for the implementation of a *“highly visible classification label and resolution to unaffordable insurance cost for depots due to the collection of hazardous waste before expanding the current program.”*
- One industry-seller suggested that residual products packaging should continue to be managed through the Paper and Packaging Product (PPP) program, stating: *“There is no scientific or economic reason to make changes to this effective solution for empty, end of life packaging. Requiring consumers to source-separate some empty packaging from other empty packaging would create consumer confusion and inconvenience. Already-empty HHW packaging is not hazardous and should not be stigmatized as such, and not subject to a costly, third program in parallel to the HHW and PPP programs.”*

Consumer-oriented communication and labelling

Comments and suggestions that highlighted consumer-oriented communication and labelling included:

- Five responses, local government (1), organizations and public respondents (4), suggested labels that identify the impact of improper disposal and provide instructions on how to recycle.
- Two responses, industry-seller (1), public respondent (1), suggested displaying informative posters, signs, cards, and stickers at retail locations.
- One response from a local government suggested labelling products with multiple identifiers, such as both text identification and warning symbols.
- Three responses, local government (1), organizations and public respondents (2), suggested standardizing provincial labelling and ensuring consistency with federal labelling.
- Four responses, industry-seller (1), organizations and public respondents (3), suggested developing a mobile application to help consumers identify what product can be recycled and where to recycle them.
- Two responses, a local government and an industry-seller, suggested launching education and communication programs to help consumers manage products that require proper disposal.

Question 6: Are there product types you believe should be exempt from the regulation, beyond products such as cleaners that are intended for use down the drain? [54 responses]

Comments on what product types should be exempt

Several respondents made suggestions on exemptions of products types from the regulation, including: local government (4), industry-sellers (8), industry-service providers (4), organizations and public respondents (6). Suggestions included:

- Fertilizer products (5), all industry-sellers, providing the following reasons:
 - They pose minimal risk to human, animal, and the environment.
 - They normally don't have an expiry date and should be reused rather than recycled.
 - They are not regulated in any other province in Canada, except for Ontario. Ontario is anticipating to remove fertilizer products from their new regulations.
- Additional pesticides and rodenticides (3), all industry-sellers.
 - One industry-seller indicated that designating "*more pest control and rodenticides*" as stated in the Intentions Paper is not needed because the current definition of pesticides within the Residual Products Program is appropriately inclusive and harmonized with other provincial jurisdictions.
- Veterinary medications for pets with existing voluntary initiative to manage the collection and safe disposal of these products (4), all industry-sellers.
- Two industry-sellers are opposed to including any products listed in the Intentions Paper in the regulation, noting:
 - There are existing successful programs in place for the management of certain listed product categories.
 - The inclusion of more products creates a competing market with private waste management businesses and system.
 - Some products are already regulated under other regulatory bodies.
- An industry-service provider suggested exempting material that is not regularly produced or is very industry specific.

Comments opposed to product type exemptions

Several respondents stated there should be no exemptions, including First Nations (2), local governments (14), industry-service providers (2), and organizations and public respondents (14).

- Several respondents, local governments (3), industry-service provider (1), and organizations and public respondents (4), suggested that products such as cleaners that are “down the drain” should not be exempt from the regulation, as opposed to what was stated in the Intentions Paper. These respondents highlighted that “down the drain” products have detrimental human health and environmental impacts and the exemption encourages contamination of waterways.

3. Existing Schedule 3 – Electronic and Electrical Product Category

Question 7: Do you have comments or suggestions on the intention to regulate more electronic and electrical products, including batteries? [74 responses]

Overall, the majority of respondents were supportive of regulating more electronic and electrical products, including batteries, according to the following breakdown:

- **Local governments** (27): support (22) for inclusion of more electronic and electrical products, including batteries, neutral (5).
- **First Nations** (2): all expressed support.
- **Industry-sellers** (10): support (4), neutral (4), concern or disagreement specifically about electric vehicle batteries (2).
- **Industry-service providers** (10): support for certain categories (6), neutral (2), concern or disagreement with one or more categories (3).
- **Organizations and public respondents** (25): support (21), neutral comments and considerations (4).

Several respondents expressed broad support for EPR for this category (37), but did not provide specific comments on specific product types. The following section outlines reasons for support, dissent and additional comments by category listed in the Intentions Paper:

Electronics and other batteries

Supportive comments

- Several local governments explicitly expressed support for accepting all electronics and batteries (15), and three more expressed general support for expanding Schedule 3 categories.
- One industry-service provider stated that *“generally electronic collection programs (without batteries) can be easily added to the collection mix of a depot,”* but warned about issues with accepting batteries (see non-supportive).
- A local government noted this as an opportunity to improve safe collection, storage and dismantling of batteries and increase diversion of these products from landfills where they pose a significant fire risk.
- Another local government highlighted the opportunity to incentivize producers to make batteries easier to disassemble for recycling and reuse and creates a more level playing field.
- One industry-seller supports the inclusion of printer cartridges in order to *“level the playing field with ‘Clone’ or ‘New Build Compatible’ cartridges,”* which are typically not taken back and are more difficult to recycle.
- Numerous local governments, organizations and public respondents requested that all electronics be accepted – anything with a cord or battery (10), and a few also suggested the scope of products accepted should be broad and simple to enhance participation and provide flexibility to capture future products (3). Specific recommendations included:
 - Suggestion to use two broad categories: one for anything with batteries and one for all other electronics.
 - Clear and broad categories may improve education, and reduce unsafe disposal in the blue box program and at landfills.

Non-supportive comments and/or concerns

- One industry-service provider noted concern that requirements to accept batteries at current depots are problematic and stated four key reasons:
 - that insurance coverage is difficult to get if accepting batteries,
 - that current fees do not cover the costs of handling these materials,
 - that current facilities may not be able to accommodate large items, and
 - that these may trigger additional WorksafeBC concerns.
- An industry-service provider opposed to regulating ink and toner cartridges highlighted there are limited downstream processing options for these products, noting they are being shipped to a California waste-to-energy facility. The respondent suggested the following alternative policy approach:
 - *“Allow landfilling of Ink and Toner Cartridges. The carbon footprint of transporting and incinerating the material in California is most certainly higher than the environmental cost of landfilling the material in BC.”*
- An industry-service provider noted that battery-containing devices cannot be handled with current processing technologies and that hand dismantling is required, making it unfeasible based on the fees collected.

General comments

- One industry-seller noted that *“e-cigarettes, vaping products and motorized yard decorations can be successfully managed under one of the nine existing plans for electronics.”*
- One industry-service provider recommended the following considerations when establishing EPR for more electronics:
 - clearly establish the primary function of products to help identify obligated producers, determine whether products should be repurposed or recycled at end-of-life, stipulate clear consistent reporting requirements, and provide clear guidance for adding new products to existing EPR program plans.
- One local government expressed support for expanding the category to accept all electronics and batteries, but also expressed concern about the way the current system is operated. They *“would propose creating an umbrella program for all electronics - to bring these programs together rather than continue to operate them separately.”*
- One local government recommended *“EPR for any gas-powered counterparts to the electrical or electronic equipment covered in the Recycling Regulation, since these products can also be recovered in circular models, and doing so would increase convenience and reduce confusion for consumers.”*

Electric and hybrid vehicle batteries

Supportive comments

- Of respondents that specifically addressed electric or hybrid vehicle batteries (17), supportive comments were provided by local governments (12), industry-sellers (2), industry-service providers (2), and a public respondent (1).
- One industry-seller expressed general support for *“well-crafted”* EPR programs, stating that *“any framework that regulates the management of battery waste must provide flexibility to suit the needs of a broad range of battery types, sizes, weights, applications and users.”* The seller also made five recommendations:
 - *“Establishing a landfill ban for industrial batteries.*
 - *Collecting EV batteries through the safest and most practical channels.*
 - *Taking the residual value of industrial batteries into consideration.*

- *Mandating industrial battery producers to take back the EV and residential batteries they produce on request when the market does not otherwise respond.*
- *Should not prescribe collection rates for industrial batteries.”*
- Another industry-seller stated *“there is a need for an Extended Producer Responsibility Program for ZEV lithium-ion batteries,”* but also requested more consultation (see general comments below).
- One industry-service provider stated *“I have direct experience with handling / processing / commercializing these vehicles at end of life, and based on this I am a strong advocate for EPR in this application.”* This respondent noted the metal recycling business is the appropriate destination for EV and hybrid batteries, and that EPR would ensure this entrepreneurial sector would respond to the economic incentive provided through EPR.
- Local governments noted that they anticipate a significant increase in electric vehicle batteries, in line with local climate action strategies being adopted. *“There is already an existing need for end of life management of electric vehicle batteries and this need will only increase as more BC residents transition to electric vehicles in place of their traditional fossil fuel powered vehicles.”*

Non-supportive comments and/or concerns

- Of respondents that specifically addressed electric or hybrid vehicles, non-supportive comments included two industry-sellers and one industry-service provider.
- One association representing industry-service providers expressed that the aftermarket electric vehicle industry is not sufficiently mature for EPR regulation. Key challenges include identification of battery chemistry, need for safety protocols for safe dismantling and storage, insufficient capacity in current system and inability to track electric vehicles moving out of province.
- An industry-seller stated *“British Columbia should not regulate electrified vehicle batteries until a full assessment, involving all key stakeholders, is conducted to identify management practices in place in the province and to determine the current demand for EV battery recycling.”* And that *“from the perspective of manufacturers, all efforts are being made to capture spent batteries at their end of life for either refurbishment, recycling, or research purposes. While we acknowledge that no province-wide system is in place to manage this material, the Ministry offers no evidence that the current demand for EV recycling is not being met.”*
- Another industry-seller noted that early use of the regulation may risk disrupting the development of a nascent circular economy for electric vehicle batteries, may add costs to electric vehicles and hamper their uptake, add administrative burden to original equipment manufacturers (OEMs), and more.

General comments

- One recycler made several recommendations to consider when including electric vehicles and other alternative-fuel vehicles at end-of-life (e.g. facility certification, training, sufficient financial incentive, public awareness campaign) and requested additional consultation on the matter. This respondent emphasized the importance of accepting all alternative-fueled vehicles (e.g. hybrid and liquified natural gas (LNG)-fueled vehicles), not just electric vehicle batteries.
- One industry-seller who is supportive noted that the regulation needs to be carefully timed in consultation with industry to ensure sufficient end-of-life batteries to enable industry to invest, while not being too slow and potentially losing to other jurisdictions.
- One industry-seller who is supportive recommended *“If British Columbia elects not to create a new regulation for industrial batteries, an alternative, but suboptimal approach would be for BC*

to exclude all industrial batteries from the Recycling Regulation and manage EV batteries through the Vehicle dismantling and recycling Industry Environment Planning Regulation.”

- Although e-bicycle batteries are included in existing EPR regulation, three local governments highlighted that these should be added.

Solar panels

Supportive comments

- Of respondents that addressed solar panels, all were supportive (12). This includes eight local governments, two industry-service providers, and one public respondent.
- One industry-service provider noted that solar panels are an excellent candidate for EPR and highlighted several options for end-of-life collection, including expanding the current depots, to using local government landfill sites for collection, to modelling after Alberta’s approach.
- Another industry-service provider expressed that EPR would provide clarity on who is responsible for funding the recycling.
- One local government noted that standardizing and centralizing solar panel recycling makes sense as they often contain valuable components.

Non-supportive comments and/or concerns

- No respondents expressed opposition to the proposal to regulate solar panels.

General comments

In addition to the responses about product types, other key themes that emerged across the responses included the following:

- The regulation should seek ways to support a circular economy that increases reparability and right to repair, while reducing planned obsolescence. This was cited generally by several respondents and specifically by industry members in relation to electric vehicle batteries, and in particular that the regulation should consider the residual value of these batteries.
- Adding products to EPR supports expansion of a B.C.-based recycling system.
- Anticipated increase in use of electronics in all categories, with particular emphasis on electric vehicles and solar panels, will require a program to manage this waste stream safely and effectively.

Question 8: What product types should be prioritized for regulation? [52 responses]

Comments on what product types should be prioritized

Respondents identified the following items be prioritized for regulation:

- Electric vehicle batteries (21): local governments (12), industry-service provider (1), organizations and public respondents (8)
- Solar panels (13): local governments (6), industry-service providers (3), organizations and public respondents (4)
- All batteries, with several noting lithium-ion batteries in particular (12): local governments (5), industry-service provider (2), organizations and public respondents (5)
- E-cigarettes and vaping products (5): all local governments
- Printer ink cartridges and paper shredders (4): local governments (2), industry-seller (1), public respondent (1)

- Several other product types were suggested by individual respondents, such as, but not limited to: large drones, yard decorations, motorized furniture, extension cords, wind turbines and energy storage equipment, and materials of the electrification of the power grid and transportation.

General comments

- Rather than listing specific products to prioritize, a number of responses (11) noted that priority should be driven by factors rather than specific products, including:
 - Environmental impact, containing heavy metal
 - Safety hazard level, higher risk of landfill fires
 - Waste volume
 - Those often subject to illegal dumping
- One local government suggested that the ministry should reach out to the e-waste transporters and processors to identify non-program items in the collection stream.

Question 9: Are there product types you believe should be exempt from the regulation and may be better managed through alternative policy approaches? [40 responses]

Comments on what product types should be exempt

Fourteen respondents made suggestions on exemptions of products types from the regulation, including: local government (1), industry-sellers (6), industry-service providers (2), and organizations and public respondents (5). Suggestions included:

- Electric vehicle batteries (4): industry-sellers (3), industry-service providers (1)
- Electric vehicle charging equipment, general: industry-seller (1)
- Level 3 electric vehicle charging equipment (1): an industry-seller respondent, however, the respondent supports the inclusion of level 1 and 2 charging equipment
- Large imaging equipment, such as Magnetic resonance imaging (MRI), X-Ray and Ultrasound devices / medical devices (2): industry-seller association (1), local government (1)
- Large-scale electronics purchased through lease or monthly fee (e.g. photocopiers) (1): local government
- Ink and toner cartridges (1): industry-service provider
- Fixed installation building components (2): organizations and public respondents

Comments opposed to product type exemptions

The majority of responses (25) believed that no product types should be exempt from the regulation or being managed through alternative policy approaches, including: local governments (9), First Nations (2), industry-service providers (3), and organizations and public respondents (11). Some local governments provided rationale behind their beliefs, including:

- Exempting products types from the regulations could cause consumer illegal dumping.
- Having exemptions for product types is the greatest issue for their local government facilities.
- None should be exempt, but some could be considered as second tier products in the regulation, including vape pens, e-cigarettes and gadgets like singing balloons and electronic lawn ornaments.

4. Existing Schedule 5 – Packaging and Paper Product Category

Question 10: Do you have comments or suggestions on EPR or alternative policy approaches that address the need for greater diversion from landfills and to better manage ICI materials? [89 responses]

There was a diversity of responses to this question, ranging from full support for EPR regulation, to partial support, to disagreement with using EPR but offering alternative policy approaches. The following outlines the general sentiments of respondents:

- **Local Governments** (28): most expressed support for EPR regulation (21), though there were differences in both the level of support and the reasons provided, while some provided neutral comments (7). Neutral comments towards EPR regulation generally cautioned that the ministry be flexible and explore solutions that do not disrupt existing market-based systems.
- **First Nations** (2): respondents provided comments about improving management of this material but did not specify support or opposition for EPR or alternative policy approaches (2).
- **Industry-sellers** (21): most respondents expressed opposition to EPR regulation for this sector (13), while some expressed support (3), and some were neutral or provided alternative policy approaches for consideration (5).
- **Industry-service providers** (9): expressed support (4), expressed neutral comments (2), and expressed opposition (3).
- **Organizations and public respondents** (29): most expressed support (19), while several provided neutral comments and considerations (10). None expressed opposition to EPR regulation for this sector, though some supportive comments were general in nature.

Supportive comments – EPR and/or better waste management

Supportive comments of EPR that related to specific topics are provided in groupings (rural and remote communities, sub-sectors) after these general points. Many respondents (30) gave general reasons, including the following:

- Many local governments acknowledged the complexity of this category, but expressed support for EPR because *“Though very complex, this category is the broadest in scope and impact if implemented. It is past the time for the ICI sector to be added to the recycling regulations. Switching to Recycle BC’s residential collection has vastly increased recycling rates in many communities as allowable contamination rates were stringent. It has also had the co-benefit of resiliency (NA processing) as foreign markets shut down.”*
- Another local government stated *“We see a significant amount of PPP entering our landfills from the commercial sector and feel that expanding EPR for PPP into the commercial sector would be a good approach to diverting recyclable material from landfill.”* Several organizations and public respondents expressed similar concerns.
- Some local governments, organizations and public respondents noted that a large portion of this waste stream is similar to residential packaging and should be treated in the same manner.
- One industry-seller highlighted this as a high priority, believing this will play a major role in making progress towards a circular economy.

Supportive comments – EPR in rural and remote communities

Numerous respondents (22) discussed the need for EPR for ICI waste in smaller, rural, or remote communities. For example:

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- Several noted that any community outside of Metro Vancouver would benefit from EPR for the ICI sector, as recycling services are more limited. For example, *“It is understood that some ICI PPP materials, such as cardboard, have been successfully managed through the private sector in higher density population areas of the province, like the Lower Mainland. However, these collection models are not feasible in less populous areas of the province where lower material volumes and longer shipping distances significantly reduce the potential profitability of private recycling services.”*
- Some local governments from outside the lower mainland highlighted that landfill tipping fees are lower than recycling options, so haulers choose to landfill this waste.
- One local government and an industry-service provider noted that EPR would be beneficial because current transportation costs are too high to support recycling businesses in these regions.
- Two local governments and an organization highlighted that some local governments currently fund programs to collect and transport ICI PPP to increase diversion from landfill, but at much higher costs than landfilling, which increases the local tax burden.
- One local government *“believes managing all ICI PPP as Extended Producer Responsibility materials through the Recycling Regulation is the most reliable way to ensure all areas of the province receive equitable access to ICI PPP end-of-life management.”*
- One public respondent noted that businesses want to recycle in these communities, but have no place to bring their recycling.

Supportive comments – Regarding ICI sub-sectors

Some respondents specifically referred to the applicability of EPR to sub-sectors as follows:

- Small businesses: Several respondents (15) from local governments, industry-service providers, and organizations highlighted that currently small businesses have limited to no option for recycling their waste, and stated that adding this sector to EPR could improve this. One industry-seller is opposed to broad application of EPR to the ICI sector, but acknowledged it may be appropriate for some small businesses:
 - *“We recognize that some ICI “sectors” are analogous to the residential retail economy. For example, some small businesses buy their office supplies exactly as a household does and are effectively indistinguishable from residential consumers. In this narrow set of cases, EPR may be appropriate.”*
- Office buildings: Some respondents noted that waste from office buildings would be well suited to EPR.
- Food services: One local government in favour of EPR regulation noted that materials from *“large volume food operations (food services sector, hotels, cinemas and sports stadiums) should be collected and processed separately due to the higher contamination rates experienced at those types of locations.”*

Non-supportive comments and/or concerns on EPR

Many respondents, including industry-sellers (14) and industry-service providers (2), expressed concern about applying EPR to the ICI sector. Reasons included:

- Industry respondents described the existing system as efficient, cost-effective, and supplying local jobs. Concerns were that EPR would increase complexity, disrupt supply chains, and shift from local jobs to larger firms.

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- Several noted their strong opposition and provided alternative suggestions (see section below). For example, one industry-seller association stated: *“To be clear up front, our industry is strongly opposed to the obligation of commercial packaging and paper products under the Recycling Regulation. Our view is that there is a much better and less disruptive alternative available.”*
- One industry-service provider expressed concern that *“EPR for this sector will eliminate local jobs, and consolidate the industry into large companies managed out of province.”*
- One industry-seller noted *“These levels of increases are unrealistic and unsustainable and will ultimately impact consumer affordability, selection and availability of goods in the B.C. market.”*
- Another industry-seller noted that it could disrupt innovation in the sector: *“If extended producer responsibility regime were to include ICI, their efficiencies, competitiveness, and their self created green economies would be lost. We highly discourage the inclusion of ICI sector under the Recycling Regulation.”*
- Concern that EPR would lead to more contamination – that the current market-based approach ensures clean and marketable ICI waste streams.
- Several noted concern that generators, not producers, should be responsible for the waste in this sector, stating that it is much more complex than the residential sector, and that producers have no influence on how the waste is managed.
- One industry-seller association noted this move would be punitive for industry leaders that are already managing and reducing their waste – raising their costs to pay for those lagging in their waste management efforts.
- Two respondents speaking about agricultural waste noted the CleanFarms voluntary initiative is effective and should be consulted before considering including this part of the sector.

Comments regarding data, tracking and reporting

Many respondents (12) highlighted the need for better data, tracking and/or reporting of the collection and ultimate destination of recycled materials in the ICI sector. Seven of these respondents were opposed to EPR for this category and suggested the ministry focus in this area as an alternative policy approach, including industry-sellers (6) and industry-service provider (1). Four were neutral to EPR regulation, including industry-sellers (2) and organizations and public respondents (2). One local government made suggestions in this area and was supportive of applying EPR to this category. Comments included:

- There needs to be a better understanding of where waste is going before applying EPR, with one industry-seller association stating they understand that there is currently a 75% diversion rate for paper products among members and that EPR would not provide much benefit, only costs.
- An industry-seller stated their support for ministry to improve understanding of how these products are managed, but suggested that more research is needed to understand the system, and that industry plans to do a research project on this subject in 2021.
- An industry-service provider noted *“We acknowledge the value of and need for more transparent tracking and measuring of materials collected and diverted through the ICI service provider sector, and would support efforts to establish such requirements.”*
- An industry-seller noted support for an alternative policy approach that introduces ICI environmental performance standards, with mandatory reporting for collectors and processors.
- An industry-service provider indicated that the current ICI system works well, but is missing tracking and reporting. Regulation and policy should focus on this.
- One local government stated that better understanding the destination of this waste is important to increase transparency for businesses wanting to understand how their waste is managed.

Comments on alternative policy approaches

Several (9) respondents provided a mix of alternative policy approaches for consideration, including those opposing EPR for this category (6), those providing neutral comments (2), and those supporting (1).

- One industry-seller stated *“Our view is that there is a much better and less disruptive alternative available: requiring that businesses ensure end-of-life materials are appropriately managed – be the result reuse, recovery or recycling, and whether those materials are products or packaging.”* And continued by stating *“The alternative government should use is to obligate industrial, commercial and institutional entities to manage their waste appropriately and undertake compliance or enforcement action against those who do not do so.”* Other industry-sellers concurred with this point.
- An industry-service provider *“recommends that the provincial government adopt a model similar to existing regulations governing contaminated soils and hazardous waste for the BC IC&I sector. This outcomes-based approach would be focused on diverting and beneficially repurposing as much material before disposal. Under this approach there are no prescribed source separation technologies, but rather, given the volume and diverse composition of materials that are generated by the IC&I sector, there could be a wide range of diversion and recycling technologies employed.”* Two industry-sellers made similar statements, noting this approach would have the benefit of not burdening regional districts or taxpayers.
- An industry-seller recommended the ministry increase enforcement, fines, and penalties to ensure compliance with existing framework.
- One local government suggested an alternative would be to establish processing requirements, for example, requiring waste to go through a material recovery process before disposal.

General comments

- Several expressed that stakeholder consultation with various industry groups is needed to develop innovative solutions that incorporate circular economy principles, with several noting that generators should be the focus of consultation.
- One local government suggested expanding EPR to this sector, but extending the current allowance for producers to opt out as long as they provide their own recycling for end-of-life management.
- One local government suggested moving forward with expanding EPR to ICI, but excluding cardboard, since this seems to be most contentious and is delaying moving forward with other important categories.
- Currently, the Recycling Regulation dictates that producers are responsible for determining how to collect and manage their products; however, several respondents, including two local governments, an organization, and an industry-service provider suggested that the existing industry-led EPR program for residential PPP should also manage ICI PPP materials.
- One local government stated *“It should also be noted that all approved stewardship plans should also include verifiable strategies for the packaging materials used in the recycling process. For example, shrink wrap, pallets and bulk packaging containers need to be recycled or reused as well.”*
- One local government highlighted challenges with multi-family buildings and stated *“A province-wide program that is consistent and efficacious across all sectors will be easier for the public to participate effectively in and will likely result in higher recovery and lower contamination rates.”*

- An industry-seller noted that fees on single-use items would steer consumers and retailers towards reusables. Several organizations and public respondents also expressed support for the concept as it would incent more innovation in package design.

Question 11: Are there sources of ICI waste that should be the primary focus for better management, such as food services, office buildings, or sports stadiums? [45 responses]

Comments on what sources of ICI waste should be prioritized

Forty-five responses identified specific sources of ICI waste that should be the primary focus for better management. Priority sources for the identified included:

- Food services (28): local governments (13), industry-service providers (2), organizations and public respondents (13)
- Sport stadiums (14): local governments (9), organizations and public respondents (5)
- Office buildings (19): local governments (11), industry-seller (1), organizations and public respondents (7)
- Medical facilities, such as hospitals and clinics (12): local governments (6), industry-service provider (1), organizations and public respondents (5)
- Educational institutions, such as schools, universities (12): local governments (8), industry-service provider (1), organizations and public respondents (3)
- Various other suggested priority sources were highlighted by one to five respondents, including:
 - Retailers, including grocery stores
 - Shopping centres
 - Public buildings, such as libraries, community and recreational centres, and museums
 - Ferries
 - Hotels
 - Ski resorts
 - Campgrounds, work camps, and mines
 - Airport and cruise terminals

General comments

Four local government and one public respondent stated that sources generating the most volume of ICI waste should be the primary focus for better management.

5. Marine Debris in B.C. – End-of-Life Management of Lost Fishing Gear

Question 12: Do you have comments or suggestions on policy approaches to better manage fishing gear? [71 responses]

Overall, the majority of responses were supportive of policy approaches to better manage fishing and aquaculture gear according to the following breakdown:

- **Local and federal governments** (24): most expressed support (19) for better end-of-life gear management, while some remained neutral (5) with no unsupportive responses.
- **First Nations** (1): expressed support.
- **Industry-sellers** (5): supportive (4), and unsupportive (1).
- **Industry-service providers** (5): all responses expressed support.
- **Organizations and public respondents** (36): majority of comments were positive (32), while some provide neutral comments (4).

The following section outlines key themes that emerged across the responses to this question.

Supportive comments on EPR and/or alternative policy approaches

Many respondents expressed support for an EPR and/or alternative policy approaches to manage gear (24): local government (6), industry-sellers (4), industry-service providers (2), organizations and public respondents (12). Comments included:

- Seven organizations and public respondents, one local government, one industry-service provider, and three industry-sellers believe that all producers need to participate in an EPR program to ensure financial sustainability, including producers from other jurisdictions selling products into B.C.
- Two local government respondents suggested a hybrid model.
 - *"In a paper published in December 2019,1 the National Zero Waste Council recommends EPR for marine fishing debris delivered in conjunction with senior governments, with immediate priority placed on abandoned fishing nets as a high-ranking problematic ocean plastic. However, the paper acknowledges that while EPR is usually funded entirely by product brand owners, the high cost, low turnover, and small number of fishing net manufacturers will likely require a hybrid model to allow for rapid implementation, possibly with partial funding from the federal government, and strict enforcement of minimum recovery rates. We recommend the Government of BC explore this option with Environment and Climate Change Canada as they consider methods for addressing plastic marine debris through their national plastics plan."*
- Two industry-sellers, one local government, four respondents involved in an organization, and one public respondent felt that development of a program needs to be in consultation with stakeholders.

Non-supportive comments and/or concerns on EPR

Industry-sellers expressed concern about using an EPR approach to manage existing marine and fishing products, with an industry-seller association stating: *"In our view, extended producer responsibility does not form part of a solution for the existing debris because doing so would result in eco-fees on commercial and consumer marine and fishing products that would drive those sales out of our jurisdiction and underground."* The response goes on to state that EPR *"may be an appropriate policy*

option to help prevent new marine debris. However, there is a complete lack of data available about what is happening to that waste at present – which complicates any analysis of a potential obligation of these products.”

Comments on labelling systems and tracking devices

Several respondents (13) suggested using a labelling/registration system and tracking devices (potentially GPS) as a means of locating lost gear and connecting it back to its owner: local governments (5) and public respondents (8).

Comments on increasing disposal and recycling capacity

Several respondents (13) suggested expanding recycling options to deal with gear: local governments (5), industry-service provider (1), organizations or public respondents (7). Comments included:

- A local government suggested that fishing stores be collection sites. Another local government suggest that drop-off locations are free, and a public respondent suggested that recycling locations are close to marinas.
- A public respondent shared that the recycling facilities could employ coastal and/or First Nations communities.
- Four respondents shared details on implementation. One organization suggested that eco-fees would support the expansion of recycling for marine debris, and an organization and an industry-service provider suggested recycling capacity would be supported by EPR regulation.
- A local government suggested *“the government should support and promote partnerships between local organizations that collect used fishing gear and businesses that can recycle the waste.”*

Comments on fishing licensing requirements

Some respondents (5) provided suggestions about licensing requirements to help fund and improve end-of-life management of lost gear: local governments (2), and organizations and public respondents (3).

For example:

- One local government and one organization suggested an increase to fishing licensing fees to fund marine cleanup efforts. One organization did not specify the type of licensing however wanted the funds to support a clean-up fund.
- One local government specified that commercial fishing should require a fee: *“the funds should be directed to clean-up efforts within the region that the activity is taking place, especially when it is a fixed operation like shellfish aquaculture or fish farming.”*
- One local government, suggested *“At the point of issuing fishing licenses require submission of a solid waste management plan that accounts for the life-cycle management of the fishing gear used.”*
- One local government and one public respondent suggested awareness campaigns or videos as part of the licensing program.

Comments on government-funded programs

Some respondents (3) discussed funding programs: one local government, one organization, and one public respondent. Comments included:

- One local government recommended incentives for removal of ghost gear (e.g., financial incentives to scuba divers to collect waste.)

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- One public respondent suggested that funding for cleanup organizations be provided from the provincial government.
- One local government suggested the continuation of the Clean Coast, Clean Waters Initiative Fund after pandemic.
- One local government suggested a deposit disposal fee that is returned to the buyer at time of proper disposal.

Comments on the type of gear

Respondents recommended that the following should be included in a gear recycling program:

- Nets, lines, hooks, buoys, lead weights, hemp fibers, foam floats, foam filled tires, rope, floats/buoys, barrels, fishing line, oyster trays, crab pots, polystyrene encased billets, abandoned vessels, ghost gear, PVC pipes, all netting for fishing and aquaculture, recreational fishing tackle, dock materials.

General comments

Some additional suggestions and comments include:

- Some respondents (5), local government (1), and organizations and public respondent (4), suggested banning marine Styrofoam plastics (polystyrene foam) – including both encapsulated and non-encapsulated foams.
- Ensure policy does not burden local communities with brunt of costs.
- Several respondents noted the opportunity to employ indigenous communities: *“We also encourage the government to direct a portion of the CCCW toward capacity building amongst coastal indigenous communities to carry out cleanups.”*

6. Implementation

Question 13: To help inform the development of the multi-year strategy, do you have comments or suggestions on what product categories outlined in this Intentions Paper should be prioritized for regulation? [60 responses]

Fifty-nine responses discussed the product categories outlined in the Intentions Paper that should be prioritized for regulation to help inform the development of a multi-year strategy. Suggested priorities appeared in every topic area. In some cases, respondents specifically noted first and second order priorities, however, these are all combined into the following priority areas:

- Residual product category (27): local governments (18), industry-service providers (3), organizations and public respondents (6)
- Mattress category (27): local governments (16), industry-seller (1), industry-service providers (3), organizations and public respondents (7)
- Packaging and paper product category, from ICI sources (23): local governments (13), industry (3), organizations and public respondents (7)
- Electronic and electrical product category, including batteries (16): local governments (7), industry-seller (1), industry-service providers (2), organizations and public respondents (6)
- Marine debris (14): local governments (6), industry-service providers (2), organizations and public respondents (6)

General comments

- Product category prioritization should be based on waste volume, environmental impact, management cost, and/or safety hazard level.
- A mattress category could be easier to proceed with as other categories would require a longer time to set up an EPR program.
- The ministry should engage stakeholders in identifying and prioritizing product categories.

7. Cross-Cutting Themes and Other Product Types Outside of this Consultation

Several respondents provided comments that were deemed beyond the scope of the information provided in the Intentions Paper, however, this input is summarized below as it raises other potential product categories or considerations brought forward for review by the ministry.

A few themes that were beyond the scope of the questions posed in the Intentions Paper appeared across several different responses, including:

Concerns about regulating and enforcing e-commerce sales

- Industry-sellers, industry-service providers, and organizations and public respondents raised concerns about how EPR can encompass online sales. For example, in reference to mattresses, one industry-service provider stated: *“We are interested because there are several online sellers of mattresses and because the ever-increasing volumes of online sales by non-resident e-commerce sellers is a perennial, and as yet, unsolved, issue for EPR programs in British Columbia, across Canada and around the world. If the Ministry wishes to ensure that mattresses are properly recycled, then it will likely want to legally obligate e-commerce sellers of those mattresses to the greatest extent possible.”* Further to this, the respondent: *“suggests that the Ministry may want to consider expanding its scope of obligated parties to include e-commerce marketplace facilitators and marketplace sellers that are resident in BC. While this does not fully address the issue of non-resident e-commerce sellers, it could capture a significant amount of non-stewarded e-commerce packaging currently (and unfairly) being managed by [respondent] members.”*
- An industry-seller association provided some suggestions on managing sales from outside BC: *“[Respondent] has previously argued that Government needs to address the substantial ‘free-rider’ issue by obligating those entities and enforcing that obligation. One direction could be to obligate on-line marketplaces as producers.”* And: *“Alternatively, Government could obligate shipping companies as producers to ensure compliance. It would be very unfair to obligate mattresses and foundations if those obligations are not equally spread across all entities selling the products.”*

Accessibility

- Ensuring convenient access to recycling services in rural areas appeared in many topic areas, including mattresses, residuals, ICI packaging and paper products, and marine gear.
- In more urban areas, convenient access to depots without the need for a vehicle was highlighted by local governments.

Making recycling easier for consumers

- Another theme that appeared in several questions is the need for clear, consistent messaging about what can be recycled. One local government *“encourages the Province to require that stewardship programs better manage depots and other return collection facilities accepting their products to ensure a consistent standard for accessibility, signage and cleanliness is achieved. This will help maximize participation in the various EPR programs.”* While one industry association stated *“you shouldn’t require a PhD to know which products are included in BC’s recycling programs.”*

Regulatory framework considerations

- Improved data and more dialogue with industry stakeholders were common themes from several industry respondents in a few categories.
- Changes to the EPR framework that address existing loopholes were suggested across several categories.
- An industry association strongly urged the province to rewrite the regulation in a more consistent, easy-to-follow manner.
- The need for further clarity around definitions (e.g. producer), and more consistent and easy-to-follow regulations were also recommended.

Full cost recovery

- It was noted in several questions that some product categories have insufficient cost recovery at this time, and that the system should work toward full producer responsibility and full cost recovery.

Circular economy

- Several respondents noted that the ministry should look for ways to foster reuse before recycling, and ensure all regulations support the ultimate goal of a circular economy. One local government states they encourage the ministry *“to pursue new programs and policies that help move producers up the pollution prevention hierarchy towards a circular economy where resources are never tossed, but are reused, repaired and reintroduced in new products. This could include right-to-repair incentives and/or regulatory requirements, formalizing practices for extended producer responsibility programs around reporting on reuse and repair activities; and increased recycled content in products. These new programs and policies could complement the Recycling Regulation and move the province towards a circular economy.”*

Other product categories not identified in the Intentions Paper

- Many respondents from local government (12), to industry (1), to organizations and public respondents (4), mentioned the desire to expand the regulation to include large upholstered furniture such as couches and armchairs.
 - One local government stated, *“Consider adding other bulky items (such as upholstered furniture like chairs, couches etc.) that have similar construction and are already recovered in some communities through existing mattress recycling businesses.”*
- Seven local governments and one individual highlighted the need to add car seats to the regulation.
- One local government *“recommends consideration of a number of other products not currently included in the Recycling Regulation and not specified in this Policy Intentions Paper, including: the remaining product categories identified in the Canadian Council of Ministers of the Environment Canada-Wide Action Plan on Extended Producer Responsibility, as well as a number of household items such as single use wipes, canning jars, coat hangers, pots and pans (metal), and toys (plastic).”*
- Several others noted the products listed in the Canadian Council of Ministers of the Environment Canada-Wide Action Plan on Extended Producer Responsibility and also specifically listed the need to include:
 - Hard plastic toys, high chairs, strollers, and other toddler equipment.
 - Garden furniture made from PVC and plastics.
 - Carpet, furniture, textiles, building materials.

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- Gypsum and asphalt shingles.
- Construction and demolition waste.
- Cigarette butts.
- Textiles that are 100% non-biodegradable, for example, aromatic-polyamides (e.g. Kevlar, Nomex) used in firefighting uniforms.
- Some respondents noted adding recreational boats, marine vessels, docks, recreational vehicles, fifth wheels and trailers.
- One industry-service provider noted the importance of addressing construction waste, including: EPS foam, PVC or ABS pipes, tarps, plastic banding, rigid Styrofoam, carpet, wood pallets, etc.

D. Closing

The ministry would like to thank all respondents for their feedback. All comments will be considered before developing an outreach strategy, amending the regulation, or pursuing other policy approaches.