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Tracey Spack  
Director Plastics Regulatory Affairs Division  
Environment and Climate Change Canada  
351 Saint-Joseph Boulevard Gatineau, Quebec K1A 0H3  
plastiques-plastics@ec.gc.ca,

**RE: Response to consultation paper on a proposed federal plastics registry for producers of plastic products**

Dear Ms. Spack:

On behalf of Ontario's more than 3,000 environment and cleantech firms, the Ontario Environment Industry Association (ONEIA) is writing to provide our comments on Environment and Climate Change Canada's (ECCC) "Consultation Paper: A Proposed Federal Plastics Registry for Producers of Plastic Products".

**About ONEIA**

Ontario is home to Canada's largest group of environment and cleantech companies. The most recent statistics from the federal government show that Ontario's environment sector employs more than 226,000 people across a range of sub-sectors. This includes firms working in such diverse areas as materials collection and transfer, resource recovery, composting and recycling solutions, alternative energy systems, environmental consulting, brownfield remediation, and water treatment – to name just a few. These companies contribute more than \$25-billion to the provincial economy, with approximately \$5.8-billion of this amount coming from export earnings.

ONEIA members are committed to engaging with governments as they develop policies and regulations that are consistent with our principles of sound science, a sound environment, and a sound economy. To that end, we convened a working group of ONEIA members to review the consultation paper and supporting materials and develop this submission.

**ECCC Plastics Consultation**

ONEIA has reviewed the consultation paper and we understand that ECCC is committed to supporting provincial and territorial extended producer responsibility (EPR) efforts by establishing a federal plastic registry and requiring producers to report on plastics in the Canadian economy.

**Question 2 – Are the product categories described in this document characterized accurately? Should any sub-categories be separated out and included as product categories in their own right or should any categories be combined?**

ONEIA understands that ECCC has broken out the product categories into packaging, construction, automotive, electronics and electrical equipment, textiles, major appliances, and agricultural films.

Within packaging, ECCC has included single use plastics and beverage containers in sub-categories. ONEIA believes that ECCC should separate out beverage containers and single use plastics into their own distinct product category as these materials are managed differently.

Single use hygiene products (diapers, sanitary napkins, tampons, etc.) should be a tertiary-category to provide a higher degree of granularity.

ONEIA also recommends that ECCC consider separating electronics and electrical equipment into different product categories as the approach to managing each is considerably different.

While this consultation is focused on plastic, ONEIA also suggests that ECCC look at each of the product categories holistically. Focusing on construction plastics only is difficult because these types of plastics need to be considered as part of construction and demolition (C&D) recycling as a whole. C&D recycling is an area that needs considerable improvement to ensure the re-use of items from various streams including concrete, plastics, wood, etc. Therefore, focusing on plastics alone in the construction industry isn't practical.

**Question 3 – Are there any other product categories that could be included within the scope of a federal plastics registry?**

ONEIA recommends that ECCC provide a separate product category related to compostable plastics. This is an area that is lightly regulated and one that has seen considerable customer confusion about how these materials are managed. Compostable claims are frequently made for plastic products that are not involved in the food supply chain, and often such claims are not accurate and they are a way for products and producers to avoid EPR requirements.

**Question 4 – What other sources of information should be considered by the registry to improve understanding of Canada's plastics economy?**

ONEIA recommends that ECCC consider the downstream implications of the various plastics to ensure that they can be recovered and recycled appropriately.

**Question 5 – Should ECCC adopt a producer hierarchy approach as presented in Figure 2? If so, should the hierarchy presented be modified in any way? Why?**

ONEIA agrees with ECCC's producer hierarchy with a focus on brand owners, first importers, distributors and retailers. However, ONEIA suggests that ECCC look to develop a "cradle to grave" or "cradle to cradle" approach whereby the brand owners are accountable for plastics until they have been turned into another product or raw input, or have been processed through an appropriate energy from waste recovery system.

**Question 7 – Should ECCC create thresholds for small businesses? If so, what should those thresholds be and which activities should small businesses be exempted from doing?**

ONEIA agrees that ECCC should create thresholds for small business. However, the thresholds would need to differ depending on which product category is being considered.

**Question 8 – How should a federal plastics registry account for the fact that producers may engage multiple producer responsibility organizations for different provinces and territories?**

ONEIA believes that ECCC should set a minimum threshold for all provinces and territories to ensure that all parties involved across the country have a common baseline to work from. Individual provinces or territories could elect to be more stringent if they wish.

**Question 9 – Are there other considerations that ECCC should be aware of as it explores possible cost recovery options?**

ONEIA recommends that ECCC consider the impact of brand owners transitioning to compostable products that may not lead to food waste diversion and ensure that these groups are not able to use this approach to avoid cost recovery for their products under an EPR program.

**Question 10 – Should ECCC allow producers to fulfill any cost recovery obligations through producer responsibility organizations? If so, how should ECCC ensure that each producer is contributing to cost recovery accounting to its obligations (for example related to any different fee structure linked to product design, product origins and supply changes, or product category contributions to plastic waste or pollution)?**

ONEIA believes that ECCC should allow producers to fulfill their cost recovery obligations through producer responsibility organizations.

**Question 11 – Is there a free rider issue for on-line marketplaces in Canada? If so, what is the extent of the problem and how should it be mitigated through a federal plastics registry?**

ONEIA believes that ECCC should continue to assess these marketplaces to ensure that leakage of products that should be covered by a federal plastics registry doesn't occur.

**Question 12 – Is there a free rider issue for couriers in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?**

ONEIA believes that ECCC should continue to assess the free rider issue for couriers to ensure that leakage of products that should be covered by a federal plastics registry doesn't occur.

**Question 13 – Are there any special considerations that ECCC should take into account to maximize the openness and transparency of data while protecting confidential business information (CBI)?**

ONEIA understands the challenges of keeping information confidential and would recommend that ECCC critically assess what is deemed CBI and what should be considered publicly available information.

**Question 14 – Which mechanisms could be used to facilitate collaboration between federal, provincial and territorial governments? Are there any mechanism in particular that could also help reduce the administrative burden on producers?**

ONEIA recommends that ECCC create a baseline EPR that the provinces and territories must comply with which would allow for a common platform for producers to manage to.

**Question 15 – What should ECCC be aware of in implementing a federal plastics registry system according to the plan outlined in this paper (i.e. feasibility, cost)?**

ONEIA understands the need for an implementation program and agrees that the program should start in 2024. ONEIA also believes that ECCC should set clear dates for the implementation of the subsequent phases, otherwise stakeholders will not achieve their federal targets.

**Question 16 – How quickly after Phase 1 data is required to be reported could producers provide the information outlined above for Phases 2-4?**

ONEIA understands that it will take some time to gather and report data. However, we recommend that producers be given 18 months to gather the information for Phase 2-4 as it aligns with the deadline for producers to comply with their Phase 1 reporting obligations.

ONEIA appreciates the opportunity to provide our comments and suggestions and is ready to work with ECCC and other areas of the government to advance the federal plastics registry for producers of plastic products. We welcome the opportunity to discuss our position and recommendations further. Please contact our office at [info@oneia.ca](mailto:info@oneia.ca) or at (416) 531-7884 should you have any questions.

Yours truly,

A handwritten signature in black ink that reads "Michelle Noble". The signature is written in a cursive, flowing style.

Michelle Noble,  
Executive Director, ONEIA