Norwich Plastics™
New Life in Plastics
400 Dolph Street North Cambridge, Ontario N3H 2A7 Telephone: (519) 653-0954 Facsimile: (519) 653-0986
ISO 9001:2015 Registered

February 23, 2022

The Honourable Steven Guilbeault, P.C., M.P.
Minister, Environment and Climate Change
200 boul., Sacré-Coeur
Gatineau, Québec, K1A 0H3
ec.plastiques-plastics.ec@canada.ca

Tracey Spack
Director, Plastics Regulatory Affairs Division
Environment and Climate Change Canada
351 Saint-Joseph Blvd.
Gatineau, Québec, K1A 0H3

Dear Honourable Minister Guilbeault,

RE: Notice of Objection and Request for Board of Review in relation to the Single-Use Plastics Prohibition Regulations, *Canada Gazette*, Part I, Volume 155, Number 52, 2021-12-25

Norwich Plastics is one of North America's leading Plastics recycling companies specializing in post industrial and post consumer Vinyl and thermoplastic reclaim and recycling. We are passionate about protecting and preserving our environment, and committed to the reclaim, recycling and reprocessing of plastics. We have been incorporated operating plastics recycling operations in Canada since 1987 and the US since 1995.

Norwich Plastics is also a member of the Canadian Federation of Independent Business, the Vinyl Institute of Canada and members of the Chemistry Industry Association of Canada's (CIAC) Plastics Division, which represents Canada's leaders in plastics sustainability – a $35 billion sector that directly employs over 100,000 Canadians.

Norwich Plastics
- formally objects to the Proposed Single-Use Plastics Prohibition Regulations
- requests the establishment of a Board of Review to review the recommendation

Possible headings: Scope Creep without Consultation

- The October 2020 consultation proposed six single-use plastic items be prohibited based on the following criteria: environmentally problematic, recovery problematic, and alternatives exist.
- Those six items were: checkout bags, cutlery, stir stick, straws, ring carriers and foodservice ware.
- No additional consultation prior to including Polyvinyl chloride (PVC) as a problematic plastic
- PVC:
    - No reason or logic was given as to why PVC or Polyvinyl Chloride (Vinyl) was identified as a problematic plastic
    - Vinyl is no more of a contaminant to mixed plastics as any other polymer

- Vinyl can be identified at recovery by way of gravity, Near Infrared, X-Ray Fluorescence, float/sink technology and other technologies
- Vinyl is not environmentally problematic as it is easily recyclable and Norwich Plastics and several of our competitors in Canada and the US have been recycling hundreds of millions of pounds of PVC per year for decades

- Adding items to the prohibitions, without further scientific analysis, engagement or consultation is a breach of the regulatory process.

Possible headings: Innovative Technologies and Processes not Assessed in Determining Whether Materials are Recovery Problematic

The Federal Government's criteria used to assess items for prohibition can be briefly summarized as: is it environmentally problematic, is it value-recovery problematic, and alternatives are available.

- Critical technology not considered when assessing if a plastic was recovery problematic.
  - Carbon Black Plastics
    - Are a valuable source of reclaimable polymeric materials.
    - Technology available on the market today to sort black plastic includes NIR, float/sink, XRF and flame test identification
    - QR codes (instead of triangle recycling logos) can be molded/etched or printed onto black plastics for easy/automated identification methods.
    - Given there is an industry solution in place for value-recovery, a prohibition on 'carbon black' foodservice ware does not meet the Government's criteria for prohibition.
    - .
  - Plastic Checkout Bags
    - RIAS fails to fully account for the benefits of secondary uses while using a single California study as an analogue to Canadian re-use rates
    - Canadian studies[1] that show that plastic checkout bags are not single use and have high re-use and recycle rates.
      - Canadian studies show that 77 per cent of plastic checkout bags are re-used
      - Of the remaining 23 per cent, 15 per cent are recycled and only 8 per cent are not re-used or recycled
      - The net result is that plastic checkout bags have a 92 per cent reuse and recycling rate

[1] Faits saillants des résultats de l'analyse du cycle de vie environnementale et économique des sacs d'emplettes (gouv.qc.ca). See also City of Toronto 2010/2011 Waste Audit.

- Provincial Extended Producer Responsibility programs have recycling targets that will lead to improved recycling rates

- 2020 study by Materials Recovery for the Future[2] concluded successful pilot projects demonstrating that flexible plastic packaging can be collected, sorted and baled at a material recovery facility (MRF) through curbside recycling programs
- Many cities in Canada use a bag-in-bag approach to collecting plastic check out bags and "soft plastics", including ring carriers.

- PVC:
  - No reason or logic was given as to why PVC or Polyvinyl Chloride (Vinyl) was identified as a problematic plastic
  - Vinyl is no more of a contaminant to mixed plastics as any other polymer
  - Vinyl can be identified at recovery by way of gravity, Near Infrared, X-Ray Fluorescence, float/sink technology and other technologies
  - Vinyl is not environmentally problematic as it is easily recyclable and Norwich Plastics and several of our competitors in Canada and the US have been recycling hundreds of millions of pounds of PVC per year for decades
  - There are countless established markets to trade PVC scrap such as recycle.net cirplus.com and other online platforms
  - PVC producers cannot get enough PVC scrap to use thus are building their own collection and logistics solutions to get PVC materials back for recycling due to PVC being unfairly excluded from municipal programs
  - The Vinyl Institute of Canada and ECCC (and Norwich Plastics) are doing the PVC-123 medical vinyl reclaim program with out any issues or concerns from participating hospitals (implemented at St. Joseph's Hospital Toronto for almost a decade) – if PVC can be reclaimed from this environment and recycled – it can be reclaimed from anywhere.

- Requesting a Board of Review to take into account the contribution of each of the technologies above be considered when determining if a plastic manufactured item is recovery problematic.

Extended Producer Responsibility Programs not considered

- The implementation of other regulations were ignored or misrepresented.
- RIAS demonstrates a fundamental lack of understanding of EPR programs.

[2] www.materialsrecoveryforthefuture.com/research-results/2020-research-results

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- By removing certain single-use plastic items from EPR programs producers are required to find substitutes that in many cases do not have the value recovery proposition plastics do
- Removing value from the recycling system is not a positive for the province or the producer, counter to the position stated in the RIAS.
- EPR programs require that producers meet recycling targets thereby ensuring that value-recovery is derived from plastics.
- Under EPR the concept of a single-use item will disappear
- Believe a Board of Review would conclude that under EPR plastic manufactured items currently deemed recovery problematic would no longer be evaluated as such.

Impacts of Substitutes not Considered

- The RIAS focuses heavily on single-use plastic litter and its impact on the environment as rationale for the proposed prohibitions.
- Littering is a human behavior issue not a specific product or substance issue.
- Bans will not prevent litter, the RIAS states that it is assumed the single-use plastic alternatives will be littered at the same rate as their single-use plastic counterparts.
- Impact of the new/increased source of pollution not accounted for and downplayed saying since the alternatives are likely to be made of wood, paper and moulded fibre, they are not expected to result in long term harm.
- Additives in substitutes may have impacts over time as a result of cumulative exposure, which should be explored by risk assessors who are the experts in that area.
- Regulations are expected to increase waste generated from substitutes by around 3.2 million tonnes over the 10 year period between 2032 to 2032.
- Ultimately, the result of the proposed prohibitions will be a greater mass of waste and litter in the environment with unknown, or unstudied, long-term impacts.

Environmental Assumptions Lack Scientific Rigour

- RIAS treatment of Life Cycle Assessment (LCA) literature not aligned to standard practice; LCA sources are not cited; and LCAs are not compared through any appropriate, standard methodology such as ISO14040/44.
- Strategic Environmental Assessment (SEA), analysis relies on other evidence sources, including the Science Assessment of Plastic Pollution.
- RIAS relies on October 2020 Science Assessment, which the government itself identified as incomplete, as a statement of the impacts associated with plastic in the environment.
- EPR programs are fully implemented in Canada these items will have higher collection rates and the economies of scale will also be present to allow for the investment in technology with will provide value recovery.

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- Does not consider the increased transportation emissions as a result of increased weight of material being transported to management facilities.
- Littering impact of substitutes also not considered
- No evidence is provided in the RIAS that the use of substitutes will reduce littering and pollution in the environment.
- Assessment acknowledges that alternatives to plastic will lead to higher pollution, thus the government is proposing substitutes that will not actually achieve environmental goals.
- It is critical the analysis of substitutes includes the emissions associated with sourcing, manufacturing, transporting and their end of life.

Conclusion

As a plastics recycler and family business owner who has given his life to recycling plastics – I commend the ECCC for its bold approach to tackling plastic waste in our environment. The bans on these specific items will not deter litter, nor will it improve our broken municipal and commercial waste collection systems.

The assumptions made by the ECCC by the statements deeming polyvinyl chloride a problematic plastic flies in the face of the PVC-123 program that was done with ECCC to help reclaim PVC from hospitals – we are growing that program with the Vinyl Institute of Canada and easily recycling tens of millions of pounds of vinyl (post consumer and post industrial) and are shocked to see that Vinyl is being called problematic.

If anything the Vinyl industry is years ahead of other polymers when it comes to sustainability and post consumer PVC reclaim and recycling initiatives and actual programs.
I thank you Honourable Minster Guilbeault for your many years supporting our planet and ecology (and thank you for entering the political arena), and thank the entire ECCC team for its worldwide leadership in sustainability and protection of our planet and people.

If there is anything we at Norwich Plastics can do, or if there is anything further I can do personally to help Canada achieve its goals in protecting and preserving our planet, please feel free to reach out to me,

Sincerely,
Tribu Persaud
Director of Business Development
Norwich Plastics