



SEP 15 2022

Mr. Francis Scarpaleggia  
Chair  
Standing Committee on Environment  
and Sustainable Development  
House of Commons  
Ottawa ON K1A 0A6

Dear Colleague:

I would like to express my appreciation for the work of the Standing Committee on Environment and Sustainable Development in developing the important report entitled *The Impacts of a Ban on Certain Single-Use Plastic Items on Industry, Human Health and the Environment in Canada*, which was tabled in the House of Commons on April 4, 2022.

During the course of the Standing Committee's study of the Government of Canada's intention to ban certain single-use plastic items by regulating plastic manufactured items under the *Canadian Environmental Protection Act, 1999* (CEPA), it heard from witnesses who testified about the economic and social value of plastics in Canada, as well as on the widespread issue of plastic waste and pollution. The Government's goal of achieving zero plastic waste by 2030 is ambitious and requires action on many fronts in order to address both of these considerations. The report and its recommendations provide clear and helpful direction on how the federal government can employ a variety of approaches to shift toward a more resource efficient and circular economy for plastics.

A number of the Government of Canada's ongoing initiatives and actions are consistent with the report's recommendations. Environment and Climate Change Canada is developing regulations to influence the upstream design and downstream processing of plastics to improve recycling rates and reduce plastic pollution across the country. At the same time, the Government is investing in innovation, engaging with relevant partners to support the system changes required for a more circular economy, and ensuring that the federal government's actions accommodate the needs of all Canadians.

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This letter responds to the 10 recommendations under the following six themes: (1) collaboration with provinces and territories, (2) regulatory processes and policies, (3) additional regulatory approaches for plastics, (4) harmonization of recycling standards across Canada, (5) support for reuse and recycling via infrastructure and innovation, and (6) science of plastic pollution.

### **Collaboration with provinces and territories (recommendations 7 and 8)**

The Government of Canada is working collaboratively with provinces and territories through the Canadian Council of Ministers of the Environment (CCME) on reducing plastic waste and pollution and promoting a circular economy for plastics. Together, we have launched the Canada-wide Strategy for Zero Plastic Waste and the Canada-wide Action Plan on Zero Plastic Waste (Phase 1 and Phase 2) to drive concrete actions across the country. These documents focus on collaborative government action to help businesses reduce waste, improve the recovery of plastics, and help consumers do their part, in addition to preventing marine plastic pollution, advancing science to monitor the impacts of plastic pollution, consumer awareness, clean-up and global action. They also identify specific solutions for all levels of government to pursue for improving plastic product design, increasing responsible use and recycling of single-use products, and establishing consistent extended producer responsibility (EPR) policies.

The CCME has been promoting the adoption of EPR policies across Canada for many years. In 2009, the CCME approved the Canada-wide Action Plan for Extended Producer Responsibility (CAP-EPR). In 2015, a progress report on CAP-EPR was published by EPR Canada, providing a summary of advancements in EPR policy and programs in the country. The CCME is building on this work by facilitating consistent EPR programs for plastics through guidance on common material categories and product definitions, promoting the development and use of performance standards for reuse and recycling programs, sharing options to encourage innovation and reduce costs, and encouraging standard monitoring and verification approaches. This guidance is expected to be published in the coming months, and the Government of Canada is committed to supporting its implementation.

One of the CCME's core principles is to regularly review the results and effectiveness of its work to ensure that it continues to meet the environment ministers' needs and priorities. This principle is reflected in the annual discussions where national environmental priorities are reviewed by all 14 environment ministers from across Canada. The ministers typically release a communiqué following their annual conference that reports on their discussions

and highlights work completed by the CCME over the year. This information is also available on the CCME website. In addition, a broader review of progress made under the Canada-wide Strategy for Zero Plastic Waste and both phases of its action plan is scheduled for 2026. As one jurisdiction among equals at this council, the federal government will advocate for the development of more regular public reports highlighting the CCME's ongoing work.

### **Regulatory processes and policies (recommendations 1 and 3)**

In terms of providing certainty to groups affected by the economic costs and environmental impacts of potential regulations, the Cabinet Directive on Regulation sets out the Government of Canada's requirements for the development of federal regulations. Stakeholders and the public are engaged throughout the regulatory development process, and the impacts on potentially affected stakeholders inform the regulatory design. These processes and principles were applied rigorously during the development of the *Single-Use Plastics Prohibition Regulations* and the accompanying Regulatory Impact Analysis Statement, which presented a comprehensive analysis of the economic costs and the environmental impacts of the Regulations.

The Cabinet Directive on Regulation is guided by principles that aim to ensure that regulations protect and advance the public interest and support good government, as well as support a fair and competitive economy with a regulatory process that is evidence-based, modern, open and transparent. The level of consultation with stakeholders for the Regulations attests to this commitment.

I agree with the Standing Committee's recommendation that the needs of persons with disabilities be accommodated as part of the Government of Canada's actions to address the environmental impacts of single-use plastics. The federal government's regulatory process requires that a gender-based analysis plus (GBA+) be conducted for any regulatory proposal. A GBA+ provides a detailed assessment of the social and economic impacts of the regulatory proposal on diverse groups of Canadians, including persons with disabilities. A GBA+ was conducted during the development of the Regulations, and the results can be found in the Regulatory Impact Analysis Statement accompanying them. As the Standing Committee's report suggests, the GBA+ found that while the Regulations would affect all Canadians, specific demographic groups (including persons with disabilities) had the potential to be disproportionately impacted. Building on these insights, the Regulations include

various provisions designed to ensure the accessibility of single-use plastic flexible straws for Canadians who need them, while protecting the environment from plastic pollution.

Going forward, the Government of Canada will continue to apply its management framework for single-use plastics, which requires early consideration of whether the item plays an essential role for health or accessibility purposes. Furthermore, the federal government will continue to conduct a GBA+ early in the regulatory or policy development process. Environment and Climate Change Canada, along with Health Canada, are committed to creating the conditions to accommodate the needs of persons with disabilities in any policy or regulation they adopt regarding single-use plastics.

#### **Additional regulatory approaches for plastics (recommendations 9 and 10)**

The Standing Committee made recommendations about working with partners to accelerate the development of minimum recycled content requirements, as well as establishing national labelling rules to help Canadians determine how to manage their plastic waste. I am pleased to report that both of these initiatives are well under way.

In the October 2020 discussion paper on a proposed integrated management approach to plastic products, the Government of Canada signaled its intent to establish recycled content regulations for plastic products. In early 2022, the Government consulted on the proposed development of recycled content for certain plastic manufactured items regulations under CEPA. This consultation period followed the February 2022 publication of a technical issues paper that presented considerations and sought feedback from interested parties on options for key elements of these proposed regulations. Environment and Climate Change Canada is considering the feedback while developing draft regulations.

The federal government welcomes and supports the efforts of partners working to improve recycling rates in Canada, and will continue to work with the Canada Plastics Pact and other organizations across the plastics value chain. The Government of Canada is supporting research and voluntary standardization efforts related to recycled content. In 2021, Environment and Climate Change Canada and the Standards Council of Canada funded the publication of a comparative assessment of existing and in-development North American and international standards and certification protocols for verifying recycled content in plastic products. The Department and the Standards Council of Canada are currently funding the Bureau de normalisation du Québec in its work to develop a

National Standard of Canada and certification protocol for the measurement and verification of recycled content in plastic products. When complete, this work will provide additional tools to help implement minimum recycled content requirements across the country.

I agree with the importance of ensuring Canadians are provided with the information they need to contribute to the circular economy for plastics. That is why the Government of Canada has also committed to introducing labelling rules that prohibit the use of the chasing-arrows symbol unless 80 percent of Canada's recycling facilities accept, and have reliable end markets for, these products. Clear recyclability labelling requirements will incentivise design for recyclability, and lead to more consistent product design and downstream processing of plastic waste by helping Canadians to better sort their recycling. This will in turn improve recycling outcomes. Through its ongoing stakeholder engagement, the Government of Canada has consistently heard from municipalities and the waste management industry that only those plastics that can be composted effectively in industrial organic treatment facilities should be labelled as compostable. Furthermore, municipalities and recyclers have asked that compostable plastics be clearly identified as such to prevent them from ending up in landfill or contaminating recycling streams. As a result, the federal government is considering compostability and biodegradability labelling requirements to be developed alongside recyclability labelling rules.

Work on national labelling rules will seek to align with upcoming CCME guidance on the use of labels and terms, which will be used to inform Canadians on the purchasing, recycling or disposing of plastic products, including compostable plastics. The labelling guidance is a deliverable under Phase 2 of the CCME's Canada-Wide Action Plan on Zero Plastic Waste. The guidance will encourage jurisdictions to promote and support organizations to develop best practices in order to strengthen awareness of plastic waste and pollution issues, and move to solutions.

#### **Harmonization of recycling standards across Canada (recommendation 6)**

As recommended by the Standing Committee, the Government of Canada is committed to working with provinces and territories, industry and communities to help harmonize recycling across the country. Provinces and territories oversee many aspects of waste management. They are all implementing or expanding EPR regimes of various scope that transfer responsibility for collection and recycling of plastic waste to the companies that produce the products in the first place. Provincial and territorial EPR regulations typically contain the rules for which products must be collected and recycled. The Government of

Canada is working through the CCME and bilaterally with each province and territory to support the increased harmonization of these programs, and to contribute to improving and increasing the end-of-life management of plastic products in Canada.

The federal government is helping to drive harmonization and better recycling outcomes through a range of measures, including regulations under CEPA. The planned recycled content regulations will strengthen demand for recycled plastics and improve recycling outcomes. New rules for recyclability labelling are also expected to improve recycling by providing consistent labelling for Canadians. Furthermore, the Government of Canada will support provincial and territorial producer responsibility efforts by establishing a federal public registry and requiring producers to report annually on plastics in the Canadian economy.

The Government of Canada continues to collaborate extensively with stakeholders to advance recycling in Canada. The Government has supported a number of third-party initiatives aimed at advancing the harmonization of recycling standards across the country. For example, in 2019, Environment and Climate Change Canada provided funding to the Circular Plastics Taskforce, an industry-led group. The Taskforce conducted a project to better understand the mixed plastics stream in Quebec, and provided solutions to reduce plastic waste and promote circularity that could be applied across Canada. In addition, since 2021, the federal government has been an Implementation Partner to the Canada Plastics Pact, a group of leading industry, civil society and public sector organizations working toward a circular economy for plastics. Partnerships such as this will accelerate the harmonization of recycling approaches across the country. The Government agrees that seeking additional partnership opportunities would be beneficial.

Harmonized standards and certifications can enable players to collaborate using consistent terminology, rules, metrics and management systems. In March 2022, Statistics Canada published the *Physical Flow Account for Plastic Material, 2012 to 2018*, which provides a quantitative baseline of plastics flowing in Canada for these years, as well as a standardized approach for characterizing the country's plastic value chain in terms of geography, economic sectors, resins, and life cycle stages. Furthermore, the Standards Council of Canada works to promote the importance of standardization and enhanced co-ordination across provinces and territories on behalf of the federal government. The Government of Canada has also supported the work of the Canadian Standards Association, which, among other things, is promoting the development of a clear definition of recycling for plastics.

**Support for reuse and recycling via infrastructure and innovation  
(recommendations 4 and 5)**

The Standing Committee recommended that the Government of Canada provide support for reuse and recycling infrastructure. I agree that it is important to prioritize support for actions high on the waste hierarchy, including reuse and recycling. The Government recognizes the important role reuse will play in reducing plastic waste. To support work in this area, the federal government has commissioned Scout Environmental to assess the state of reuse-refill models and programs in Canada, identify barriers and opportunities for increasing reuse, and develop tools to enable reuse such as the Reuse-Refill Canada information hub and guidelines for operating bulk-reuse and refillery systems. The Government of Canada will continue to engage stakeholders on increasing the uptake of reuse solutions. Future work in this area could include a reuse roundtable or symposium.

Existing or planned policies and regulations will provide drivers for recycling infrastructure. Requiring minimum recycled content in certain plastic manufactured items would create market pressures for increased collection, sorting and recycling of plastic waste. It would also create incentives for investments in supportive infrastructure and in innovation, such as in improved product design for recycling. Clear recyclability labelling will contribute to more consistent product design and downstream processing of plastic waste.

The Government of Canada recognizes that First Nations face unique challenges in managing waste on reserves. In an effort to address these challenges, in 2016, Indigenous Services Canada launched the First Nations Waste Management Initiative to support sustainable waste management systems in communities, including diverting waste from reserves to municipal facilities through recycling and composting programs. The Initiative supports First Nations communities, Indigenous organizations, and tribal councils through the expansion of existing waste facilities, construction of new landfills, provision of necessary collection and sorting equipment, capacity building, and support for establishing partnerships with third party waste service providers. The overall objective of the Initiative is to build waste management systems in First Nations communities to address all waste streams, including the diversion or mitigation of plastics in the community. The First Nations Waste Management Initiative was renewed in 2021. It includes funding for the operation and maintenance of waste facilities and programming on reserve. Since 2016, the federal government has committed more than \$1.1 billion to support waste management in First Nations communities.

Innovation is essential to advancing a more circular economy for plastics in Canada, keeping them in the economy and out of the environment. Launched in 2018, the Canadian Plastics Innovation Challenges, delivered through the Innovative Solutions Canada program, have awarded grants to small- and medium-sized enterprises. This funding has helped innovators and entrepreneurs develop new technologies that tackle plastic waste. The Government of Canada has invested nearly \$19 million in 15 different plastics challenges to support Canadian small- and medium-sized enterprises in developing their proposed innovations, which have also helped to gain equity in the private sector. In fact, five of these challenges leveraged over \$4 million in additional funding. The challenges have addressed food packaging, construction waste, e-waste, ghost fishing gear, sustainable fishing gear, improved compostability of bioplastics, next generation bio-based foam insulation, textiles, end-of-life vehicles, the filtration and monitoring of microplastics, and most recently recycling and compostability of personal protective equipment.

### **Science of plastic pollution (recommendation 2)**

Up-to-date knowledge on the science of plastic pollution is essential to guide future regulations and policies. In 2020, the Government of Canada published the *Science Assessment of Plastic Pollution*, which found that, in accordance with the precautionary principle, action was needed to reduce macroplastics and microplastics that end up in the environment. While the science around macroplastics was clear that they cause physical harm to individual animals and have the potential to negatively affect the habitat of animals, at the time this report was written, there was insufficient data available to allow for a robust evaluation of the potential human health and ecological hazards of microplastics. The sources, exposures and impacts of microplastic pollution is a rapidly expanding area of scientific study, and since 2020 there has been a steady stream of new information. Environment and Climate Change Canada and Health Canada are, therefore, initiating an additional scientific review of recent literature on the effects of microplastics on the environment and human health. As was done for the *Science Assessment of Plastic Pollution*, the federal government will review and summarize the latest science available on microplastics and draw on external expertise by having the report undergo external review from experts in the field of microplastics.

In conclusion, the Government of Canada welcomes the recommendations of the Standing Committee. These recommendations will be considered and applied as the Government moves forward with its vision of zero plastic waste, where plastic stays in the economy and out of landfills and the environment.



I would like to express my sincere appreciation to all the members of the Standing Committee on Environment and Sustainable Development, as well as the witnesses who provided testimony to help them deliver this important report.

Please accept my best regards.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven Guilbeault", with a long horizontal flourish extending to the right.

The Honourable Steven Guilbeault, P.C., M.P. (il/lui/he/him)

c.c.: Mr. Alexandre Longpré, Clerk of the Committee, Standing Committee on Environment and Sustainable Development, House of Commons