

Packaging and Paper Product Extended Producer Responsibility Plan

Amendments

Revised March 2023



405-221 West Esplanade
North Vancouver, BC
RecycleBC.ca

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Reference: 345241

June 28, 2019

Tamara Burns
SVP Western Operations
Canadian Stewardship Services Alliance
(on behalf of Recycle BC)
171 Esplanade West, Suite 230
North Vancouver, BC V7M 3J9

Dear Tamara Burns:

Thank you for submitting proposed amendments to the Packaging and Paper Product Extended Producer Responsibility Plan (the plan) in fulfillment of the requirements of section 6 of the [Recycling Regulation](#) (the Regulation) made under the *Environmental Management Act*. I appreciate the industry's continued commitment to achieving compliance in this regard.

Under the Regulation, the director has the ability to both amend an approved extended producer responsibility (EPR) plan on his own initiative, and to approve amendments to an approved plan that have been proposed by a producer. I have completed my review of, and approve, the amendments proposed by Recycle BC in the plan submitted on June 21, 2019.

Recycle BC was provided with my preliminary decision letter dated May 22, 2019 and had the opportunity to propose further amendments or provide additional information for consideration. Recycle BC addressed several of the identified deficiencies either in the revised plan itself or through information provided; however, certain components remain outstanding. Therefore, in addition to the amendments proposed by Recycle BC, and approved by me in this letter, I am further amending the plan, pursuant to section 5(5) of the Regulation concerning the following areas:

1. Producers paying the costs

The plan does not indicate how or when the results of the process will be reflected in a future plan amendment once the cost study and consultation process is complete. Pursuant to section 5 of the Regulation, "the plan [itself] must adequately provide for the producer paying the costs..." A more detailed commitment in this regard is required. I am therefore requiring the following amendment to address this deficiency:

- By August 31, 2020, Recycle BC will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(i) of the Regulation. These amendments will summarize and justify the cost study and methodologies consulted upon, the process involved, how stakeholder comments were solicited and addressed, the resulting basis of compensation being proposed and how any adjustments to compensation/producers paying costs will be applied.

2. Reasonable and free consumer access to collection

Pursuant to subsection 5(1)(c)(iii) of the Regulation, the plan must adequately provide for reasonable and free consumer access to collection facilities or collection services.

a) Curbside equivalency definition and adjacency criteria

The amended plan commits to, in 2019, determining an equivalency definition regarding curbside collection eligibility criteria for local governments. As indicated in my May 22, 2019 letter, the plan does not indicate how or when the plan will be revised in a future plan amendment to reflect this definition. The amended plan also commits to, in 2021, assessing the feasibility of servicing smaller, densely populated communities located adjacent to communities with curbside service; however, the plan does not indicate how or when the plan will be revised in a future plan amendment to reflect such adjacency. I am therefore requiring the following amendments to address these deficiencies:

- By August 31, 2020, Recycle BC will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(iii) of the Regulation. These amendments will justify the methodology, the process involved, how stakeholder comments were solicited and addressed, and include equivalency definition parameters, including timelines for offers to communities meeting the equivalency definition.
- By August 31, 2021, Recycle BC will propose further amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(iii) of the Regulation. These amendments will justify the methodology, the process involved, how stakeholder comments were solicited and addressed, and include adjacency criteria, including timelines for offers to communities meeting that criteria.

b) Streetscape

The plan does not indicate how or when the results of the advisory group consultation process will be reflected in a future plan amendment including specific service commitments once the consultation is completed. Pursuant to section 5 of the Regulation, the plan must adequately provide for the collection of the product "...from municipal property that is not industrial, commercial or institutional property." A more detailed commitment in this regard is required. I am therefore requiring the following amendment to address this deficiency:

- By August 31, 2020, Recycle BC will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(d)(ii) of the Regulation. These amendments will summarize the advisory group consultation methodologies, the process involved, how stakeholder comments were solicited and addressed, and the resulting service and funding commitments, and program deliverables.

c) Multi-family awareness and service

While the plan does address a comprehensive means to increase consumer awareness in this sector, and demonstrates a 4% increase from 2017-2018 in multi-family households served, as indicated in my May 22, 2019 letter, the plan does not include a graduated multi-family servicing target for multi-family expansion. A more detailed commitment in this regard is required. I am therefore requiring the following amendment to address this deficiency:

- By August 31, 2020, Recycle BC will propose amendments to the plan that include a service target for multi-family expansion.

The above additional amendments form part of Recycle BC's plan and take effect on June 28, 2019.

These additional amendments are required to ensure the plan adequately provides for the elements set out in Subsections 5(1)(c)(i), (iii), and 5(1)(d)(ii) of the Regulation. Specifically, I must be satisfied that:

- the producer will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(i) of the Regulation following completion of the cost study;
- the producer will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(iii) of the Regulation, including equivalency definition and adjacency criteria;
- the producer will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(d)(ii) of the Regulation, including streetscape service and funding commitments, and program deliverables; and
- the producer will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(iii) of the Regulation, including a service target for multi-family expansion.

Pursuant to section 6 of the Regulation and based on the plan's original approval date of April 15, 2013, Recycle BC's next plan review must be completed by April 15, 2023. However, a director under the *Environmental Management Act* may amend the approved plan pursuant to section 5(5) of the Regulation or rescind approval of the approved plan pursuant to section 6.1 of the Regulation, should Recycle BC fail to meet the commitments set out in the approved plan. Please also note that failure to comply with an approved plan may result in the imposition of an administrative monetary penalty of up to \$40,000 or a fine of up to \$200,000.

Future plans and amendments

As has been conveyed to other stewardship agencies, the ministry expects continuous improvement across all future plans and amendments including the following areas of concern:

1. Plan commitments – for example, use specific and measurable language;
2. Consumer access – for example, develop comprehensive province-wide accessibility – particularly in rural areas, or improve upon the current Stewardship Agencies of B.C. accessibility standard;
3. Consumer awareness - for example, include performance requirements tailored for different consumer groups and all product types managed by the program;
4. Financial transparency – for example, provide greater levels of disclosure in financial statements to better serve interests of producers, the ministry, and other stakeholders; and
5. Pollution prevention hierarchy – for example, highlight program areas of influence.

I acknowledge that some plans better address these various concerns than others, and that collaboration between some producers/appointed agencies and the ministry is also underway. Additionally, the ministry intends to develop further guidance on select areas of concern.

Related to the above concerns, but beyond my approval in this letter, I note the following opportunities for continuous improvement specific to Recycle BC:

1. Given the recently stated recovery rate of 78.1 % in Recycle BC's 2018 Annual Report, and the currently projected recovery rates of 75% in 2019, 77% in 2020 and 2021, and 78% through 2022, there may well be an opportunity to set more realistic recovery rates within the term of this plan as it continues to evolve; and
2. With all levels of government focusing on reducing plastics and single-use items, as well as the various tools such as Extended Producer Responsibility, bans, levies, recycled content and/or procurement standards, etc. being considered, it will be in Recycle BC's interests to continue to proactively advance practical means to support this direction.

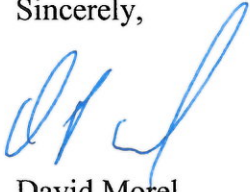
Third Party Assurance for Non-Financial Information in Annual Reports

Third party assurance for non-financial information in Annual Reports is required through Section 8(2)(h) of the Regulation. The assurance report should be completed in accordance with the document entitled, "Third Party Assurance Requirements for Non-Financial Information in Annual Reports" dated October 2018 and revised from time to time, which is enclosed.

Finally, the ministry expects this approval letter to be forwarded to Recycle BC's board of directors as well as its member producers, since each producer is responsible for ensuring its agent fulfills the plan, and compliance proceedings may be taken against a producer if the agent fails to implement the plan.

If you have any questions regarding the implementation of your plan, or suggested opportunities for improvement, please contact your ministry file lead.

Sincerely,



David Morel
Assistant Deputy Minister
Environmental Protection Division

cc: Kris Ord, Executive Director, Environmental Standards Branch
Bob McDonald, Director, Extended Producer Responsibility Section
Hanna Vovk, Ministry file lead, Extended Producer Responsibility Section



John D. Coyne
Recycle BC Board Chair

July 14, 2020

Laurel Nash
Assistant Deputy Minister
Ministry of Environment and Climate Change Strategy
525 Superior St.
Victoria, BC
V8V 1T7

Subject: Recycle BC Program Plan requirements

Dear Ms. Nash,

As Chair of the Board of Recycle BC, I am writing to provide highlights of our program performance and details of the considerable impact that the COVID-19 pandemic is having on the businesses that fund Recycle BC. In that context I am also writing to request relief in relation to certain of the Ministry of Environment and Climate Change Strategy's (Ministry) recent requirements included in our Program Plan commitments.

Since our program's inception in 2014, businesses have provided more than half a billion dollars to create what we are confident is the most successful full producer responsibility program for residential packaging and paper products in the world. Unlike other stewardship programs, many of which are funded by a combination of environmental fees and/or deposits paid by consumers, Recycle BC's program is entirely funded by businesses who put packaging and paper products into the marketplace. These businesses have funded all of their obligations in relation to the provincial regulation, all while accommodating increasing Ministry expectations, significantly rising costs, and constrained markets for materials resulting in dramatic shifts in the supply and demand of recyclable material.

Thanks to Recycle BC, more than 98% of British Columbians have access to a recycling system with the largest basket of accepted materials of anywhere in Canada. We boast a recovery rate equivalent to more than 78% of the materials our businesses place into the market and, last year, 90% of the materials we collected were managed by recycling. We are also proud of the work Recycle BC has done to include First Nations communities in our program. Recycle BC has dedicated itself to working with First Nations communities to ensure they can participate in our program when they are ready to do so. We are a founding member of the First Nations Recycling Initiative and, as of 2019, 43 First Nations across BC participated in Recycle BC's program, representing approximately one third of the First Nations populations living on First Nations or treaty settlement land within BC.



The ambition of the program has resulted in the creation of a local circular economy for plastic. 98% of the plastic we collect here in British Columbia is further processed in the Province and, this year, the implementation of our new post-collection network means we will be able to keep the majority of our fibre (paper and cardboard) in the Pacific North West as well. These are significant achievements at a time when many jurisdictions across North America and around the world are limiting the types of materials they collect, and stockpiling or landfilling materials because they cannot find markets.

As you know, this performance has come at great cost. Carrying out the Ministry's additional requirements means Recycle BC will experience a doubling of costs by next year compared to what they were just 5 years ago. Moreover, with the Ministry's additional requirements for our program, Recycle BC is on pace to be 1.5 times the per capita cost of the reported net cost for Ontario's municipalities. Last year, the businesses that fund Recycle BC absorbed an increase to their fees of 26% - the second straight year of significant cost increases. This occurred despite the Board of Recycle BC choosing to draw down on our operating reserves two years in a row to soften and smooth the impact of ever-increasing costs. As responsible managers of the Program, we cannot continue to utilize this option - yet we face another year of significantly rising costs.

It is against this backdrop that we refer to the Ministry's new requirements in Recycle BC's submitted Program Plan of June 2019, which requirements effectively mandate activities that result in further cost escalations guaranteeing continuing significant increases in the years to come. The Ministry's requirements followed extensive consultations by Recycle BC on our Program Plan, after which we incorporated demands from the Ministry, expanding the scope of the plan and our costs. These significant costs are incurred in order to fulfill obligations set by the Ministry. However, those obligations result in only very marginal increases to our program performance and resident experience with recycling services.

Our concerns are exacerbated by the serious financial effects of the global pandemic.

As you know, the COVID-19 pandemic has completely reshaped the world economy and British Columbia businesses are not immune. Recycle BC is funded by more than 1,100 businesses that operate in British Columbia. These businesses are BC's primary employers. Many have suffered greatly as a result of the pandemic. Some have already announced the need to close. Some have initiated bankruptcy protection proceedings. Some are closing their storefronts and moving to online platforms. None are left untouched by the tremendous impact of the pandemic.

In late April, the Vancouver Board of Trade (VBT) issued a news release forecasting: "For businesses temporarily closed, the future is similarly dire, with only half (53%) expecting to reopen once the restrictions are eased on workplace operations..." (VBT, April 21, 2020). What is abundantly clear is that, as the pandemic continues to ravage the health of our friends and families, it is devastating the health of the businesses that ensure jobs for British Columbians, and there will be fewer businesses to pay for the operation of the Recycle BC program and ever-increasing costs.



The Province of BC is executing its BC Restart Plan, hoping to ensure health and safety while getting people back to work. The road ahead is a long one and for our businesses which employ British Columbians the next increase in costs related to our program will come after a prolonged period where many of our businesses closed to support the Province's social distancing measures, and an even longer period where our businesses tried to adapt to a new reality of fewer customers, higher costs associated with enhanced health and safety measures and a recession sapping the spending power of consumers.

Consequently, I am writing to request relief from the Program Plan amendments contained in Assistant Deputy Minister and Statutory Decision Maker David Morel's letter dated June 28, 2019. These include amendments under the following headings:

1. "Producers paying the cost"
2. "Reasonable and free consumer access to collection"
 - a. Curbside equivalency definition and adjacency criteria
 - b. Streetscape
 - c. Multi-family awareness and service"

Each of the amendments comes with both significant initial and ongoing annual costs. We have calculated the total initial cost of these amendments to be approximately \$14M. I will try to briefly itemize our concerns with each below.

1. *"Producers paying the cost"*

In 2018, Recycle BC performed and consulted on a cost study, prior to submitting its Program Plan to the Ministry, in accordance with the Ministry's 2018 guidance document (*Producers Paying the Cost of Managing Obligated Materials and Dispute Resolution*). Despite this, the Ministry mandated Recycle BC perform an additional cost study, over and above those already mandated. The result is the Ministry effectively ordered two cost studies in a two-year period, a frequency which is not contained in either the regulation or the Ministry's guidance document. Recycle BC relies upon a cadence for cost studies to effectively budget for the costs associated with the studies themselves and the potential cost increases resulting from the information gathered during the cost study process, which costs are used to to set the financial incentive rate for collection services. This process provides some measure of predictability to all participants that costs will remain stable for a set period of time.

While we accept the responsibility to pay the full costs, the Ministry's decision to deviate from the frequency of cost studies set forth in its guidance document has placed additional, unanticipated financial pressure on our program. As a result, we are asking that the Ministry follow the regulation and guidance document and relieve Recycle BC of the responsibility of this additional cost study.



2. “Reasonable and free consumer access to collection”

a. Curbside equivalency definition and adjacency criteria

Since 2014, Recycle BC has significantly increased BC residents’ access to its recycling services. We have introduced curbside collection service to areas that previously had none, and added more than 100 depots to our program. Yet the Ministry seeks incremental expansion to accessibility, which comes at a much higher cost due to its remote nature and low volume of material. The result is a very high cost for a very low marginal rate of return. This has contributed to our escalating cost structure.

This year Recycle BC conducted the necessary work to bring forward a curbside equivalency definition in accordance with the Ministry’s requirements. Currently, only communities with populations in excess of 5,000 people may choose to adopt curbside collection. The curbside equivalency definition sets standards allowing for unincorporated communities within the same geographic region that can collectively meet the 5,000 person threshold to switch from depot collection to curbside collection. We have submitted a report to the Ministry for review with our recommended approach. Nonetheless, we recognize that this amendment represents a significant additional cost burden at a time when businesses simply cannot afford more.

b. Streetscape

In Recycle BC’s original Program Plan, we agreed to take on streetscape “subject to successful proof of concept”. The Ministry approved this Program Plan in 2014, thus approving this stipulation. We are asking the Ministry to honour this agreement and take into the consideration the work Recycle BC has done to explore the potential of streetscape as a viable means of collecting material.

Recycle BC has partnered with local governments three times to study the efficacy of streetscape collection. Further, at the urging of the Ministry, Recycle BC conducted a series of roundtable discussions with 31 local governments across the province last year to study their streetscape collection methods and results, in an effort to comply with the Ministry’s amendment.

Unfortunately, despite extensive roundtable discussions and repeated requests from Recycle BC to the local governments for information such as program collection and processing costs, collection tonnage and end-of-life disposition, local governments provided very limited data. As a result, Recycle BC has not received sufficient information upon which to base a financial incentive for streetscape.

This lack of necessary data makes the preparation of a proposal to include streetscape under full responsibility a matter of guesswork. The result of such an effort would be that the program will



be exposed to allegations of greenwashing, negatively affecting the reputation of the program and diminishing the confidence that all BC residents have shown to date.

In our view, the Ministry should support evidence-based approaches to recycling and comply fully with the Clean BC plan. Right now much of the packaging and paper product collected through streetscape programs by local governments is extremely contaminated and the results of the feedback we received showed that in some municipalities as much as 100% of the materials collected through streetscape are sent to landfill. Indeed, most materials are transferred to landfill and, on average, local governments recycle only a very small amount. This represents an unacceptably high greenhouse gas emission-intensive process, as a very small volume of materials is transported to multiple locations only to end up in landfills. This is certainly not aligned to the *Clean BC* strategy.

Based upon all of this information, it is clear that streetscape currently has no proven net-positive environmental outcome. As a result, Recycle BC cannot proceed with this amendment.

c. Multi-family awareness and service

The Statutory Decision Maker acknowledges in his letter dated June 28, 2019 that Recycle BC's submitted Program Plan "does address a comprehensive means to increase consumer awareness in this sector, and demonstrates a 4% increase from 2017-2018 in multi-family households served." However, this amendment imposes new obligations upon the program that did not exist previously, specifically, the imposition of channel-specific targets. Like all of the aforementioned amendments, this one adds significant costs to Recycle BC's operations with very little impact on recovery and environmental performance.

Conclusion

I have shared a lot of information with you in this letter and I want to thank you for taking the time to review and consider the above comments.

The Ministry, through its regulation, has positioned BC to be a leader for years to come. And yet this leadership is not without its consequences. While sustainability is at the core of everything Recycle BC does, the reputation of our program is now under threat due to ever-escalating costs with limited changes to program performance. The impact of these cost pressures are magnified by the COVID-19 pandemic.

The Province of BC designated recycling an essential service during the COVID-19 pandemic, and Recycle BC has been singularly focused on ensuring the collection and responsible processing of materials throughout this crisis to the greatest extent possible. Further, in the midst of this



pandemic, we launched a new complicated post-collection network that will ensure more of the materials we collect will be processed here at home.

Recycle BC has proven itself to be the standard bearer for full producer responsibility. Thanks to this program, British Columbians can recycle more residential packaging and paper products than anywhere in Canada and they can feel confident that it will be recycled.

As the Province continues with its BC Restart program, I am asking you today to provide relief to our program by postponing all of the amendments we have discussed above so as to ensure we can continue to provide this essential service to the residents of BC for years to come. We would also welcome the opportunity to enter into conversations with your staff on the long-term viability of some of these amendments in order to ensure the continuing success of the program.

As you consider this request, please let me know if you have questions or comments and, if you would like to discuss any aspect of the above details, please do not hesitate to contact me.

Thank you in advance for your consideration.

Yours sincerely,

John D. Coyne

CC:

Kris Ord, Executive Director, Ministry of Environment and Climate Change Strategy

Bob McDonald, Director, Ministry of Environment and Climate Change Strategy

Teresa Conner, Unit Head, Ministry of Environment and Climate Change Strategy

Tamara Burns, Senior Vice President, Recycle BC

David Lefebvre, Director, Public Affairs, Recycle BC



Reference: 359371

August 27, 2020

John D. Coyne
Board Chair, Recycle BC
405-221 West Esplanade
North Vancouver, BC V7M 3J3

Dear John Coyne:

Thank you for your letter on July 14, 2020, regarding the request for relief on the director's amendments to Recycle BC's (RBC) Packaging and Paper Product Extended Producer Responsibility (EPR) Plan (the "plan").

As per your letter, you are seeking relief on the director's amendments that are due August 31, 2020 and August 31, 2021. These amendments were to address concerns related to producers paying the costs (cost study) and reasonable and free consumer access to collection (curbside equivalency definition and adjacency criteria, streetscape and multi-family awareness and service). The plan was approved with director's amendments on June 28, 2019 (#345241) to address concerns that some aspects of the plan were not meeting the regulatory requirements under the Recycling Regulation (regulation).

Through further engagement with RBC staff, the request for relief has been refined to have the postponement of director's amendments for curbside equivalency definition and adjacency criteria, streetscape and multi-family awareness and service by one year from the original due dates; however, the producers paying the costs director's amendment will be required to be submitted by September 15, 2020, due to the timing of this letter, with phased implementation timelines.

Under the regulation, the director has the ability both to amend an approved EPR plan on their own initiative, and to approve amendments to an approved plan that have been proposed by a producer.

We understand the hardship on many of RBC's member producers, from the COVID-19 pandemic and that it has resulted in significant impacts to the RBC program. The extension of the submission dates for the amendments are being given due to the current economic climate, brought on by COVID-19 and the direct impacts it is having to the RBC program and membership e.g. producers responsible for funding program directly, not through eco fees charged to consumers.

.../2

I have completed my review and make further amendments to the submission dates in the approved plan, as described below:

- Producer paying the costs due August 31, 2020 is replaced with September 15, 2020;
- Curbside equivalency definition due August 31, 2020 is replaced with August 31, 2021;
- Streetscape due August 31, 2020 is replaced with August 31, 2021;
- Multi-family awareness and service due August 31, 2020 is replaced with August 31, 2021; and
- Adjacency criteria due August 31, 2021 is replaced with August 31, 2022.

As RBC is aware, there are multiple phases of the approval process for plans and amendments. At this time, this approval is for extension on submission dates for the amendments due to the director only. It is also recognized that due to the coinciding of COVID-19 and the amendment due dates, stakeholder consultation on deferral of the amendments was not possible.

While the timeframes for submissions of some amendments are extended, the ministry expects RBC to continue working towards their completion. The ministry requires RBC to provide the ministry with a regular progress report on the development of amendments and anticipated implementation timing of those amendments. The ministry encourages RBC to submit amendments before due dates, where feasible, and the progress report will assist in identifying when early submission is feasible. Please be advised that I will continue to closely monitor the situation and may reconsider these extensions should circumstances warrant further amendments.

Finally, the ministry expects this approval letter to be forwarded to RBC's board of directors as well as its member producers, since each producer is responsible for ensuring its agent fulfills the plan, and compliance proceedings may be taken against a producer if the agent fails to implement the plan

Right to appeal

If you disagree with this decision, Division 2 of Part 8 of the *Environmental Management Act* provides for appeal of my decision to the Environmental Appeal Board (EAB). In accordance with the *Act* and with the Environmental Appeal Board Procedures regulation, the EAB must receive notice of the appeal no later than 30 days after the date you receive this decision

I look forward to working with you to ensure the success of your program. If you have any questions about this letter, please contact me at 250-953-4004 or ExtendedProducerResponsibility@gov.bc.ca. If you have any questions regarding the implementation of your plan, or suggested opportunities for improvement, please contact your ministry file lead.

Thank you again for writing and making us aware of the concerns that RBC has during these extraordinary times.

Sincerely,



.../3

Laurel Nash
Assistant Deputy Minister
Environmental Protection Division

Cc: Kris Ord, Executive Director, Environmental Standards Branch
Bob McDonald, Director, Extended Producer Responsibility Section
Teresa Conner, Unit Head, Extended Producer Responsibility Section
Leeanne Fraser, Ministry file lead, Extended Producer Responsibility Section



Recycle BC

Producers Paying the Costs

Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

September 15, 2020

July 14, 2021

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Introduction

During development of Recycle BC's second five-year Program Plan, the B.C. Ministry of Environment and Climate Change Strategy (the Ministry) required Recycle BC to conduct an additional cost study in 2020 (over and above the 2018 cost study) and to have cost studies overseen by the Recycle BC Advisory Committee. These two new requirements were written into Recycle BC's program plan when submitted in June 2019 for approval.

In the director's plan approval letter of June 28, 2019, the Ministry imposed amendments to the plan which were to be met in accordance with the deadlines requested by the director. Regarding *Producers paying the costs*, he required that Recycle BC propose amendments to the plan that demonstrated this by August 31, 2020.

Recycle BC received a second director's letter on August 31, 2020 making further amendments to the submission dates in the approved plan. The director's amendment related to producers paying the costs was now required to be submitted by September 15, 2020 with phased implementation timelines.

Recycle BC completed the activities required for this amendment and submitted an amendment pertaining to Sections 4.3.1, 4.3.2 and Appendix B of the plan to the Ministry for its approval on September 15, 2020.

Subsequently, in June 2021, the Ministry requested Recycle BC update its amendment timelines.

Amendment Details

The amendment adds, revises or replaces language within Recycle BC's published program plan in the three applicable sections: Sections 4.3.1, 4.3.2 and Appendix B, as noted in the amendment itself.

The amendment provides the reader with documentation that Recycle BC performed the 2020 financial incentive review, including a cost study, as per the methodology in its program plan. Recycle BC consulted on the financial incentive payment methodology, including the cost study, solicited feedback which was addressed, and provided the basis for compensation to collectors. Specific contract change details with dates based on the phased implementation timelines is also contained in the amendment to show how adjustments will be applied.

The amendment, once approved by the Ministry, will be published in a companion document to the program plan. This companion document will hold all future amendments to the June 2019 plan in one place for ease of reference. All links contained in the amendment will be active upon publishing.

2.1 Amendment Contents

The amendment contains the following:

- References directing readers to key related documents,
- An explicit reference to explain the 2020 cost study was an additional requirement,
- Documentation that Recycle BC completed all activities for a financial incentive review as outlined in its program plan, specifically:
 - 2020 Collection Cost Study

- Financial Incentive and Payment Methodology
 - Financial Incentives Review, July 2020
 - Published Q & A
 - Financial Incentives Review Consultation Report
- Specific contract change details with dates based on the phased implementation timelines,
- Revised timing for future financial incentive reviews including cost studies, and
- Updated summary of performance measures in the applicable section.

2.2 Next Steps

The amendment for producers paying the costs was approved by Recycle BC's Board of Directors at its September 11, 2020 meeting. Within 30 days after approval of this amendment by the Ministry, Recycle BC will publish this amendment on its website, advise its stakeholders, and communicate directly via email to its collectors.

Amendment

The following amendment pertains to Sections 4.3.1, 4.3.2 and Appendix B of Recycle BC's Packaging and Paper Product Extended Producer Responsibility Plan dated June 2019.

Amendment:

Recycle BC's Packaging and Paper Product Extended Producer Responsibility Plan, Revised June 2019 now includes the following additional language in the sections as noted:

4.3.1 Process for establishing financial incentives for collection

For the 2019 program plan, Recycle BC was required as per the director's letter¹ to conduct an additional cost study in 2020, consult and adjust collector compensation based on the results of the financial incentive review process. This requirement was outside of Recycle BC's typical process for establishing financial incentives for a contract term for collection services.

4.3.2 Methodology to prepare revised financial incentives

At the time of this amendment, Recycle BC has completed its process for reviewing its financial incentive payments, including the 2020 additional cost study, as outlined in this section. The documentation of the completed cost study and consultation process is available on the Recycle BC consultation webpage² as follows:

- Collection Cost Studies
 - 2020 Collection Cost Study
- Financial Incentive and Payment Methodology
 - Financial Incentives Review, July 2020 (webinar presentation and recording)
 - Q & A (document)
 - Financial Incentives Review Consultation Report

¹ link to director's letters

² [Recycle BC consultation webpage](#)

This amendment revises the activities following the publication of the consultation report as follows:

Following Ministry approval of the Producers Paying the Costs Amendment, Recycle BC will:

- Prepare adjustments to financial incentive rates, as a result of the financial incentive review for depot collectors, for inclusion in steward fees,
- Amend existing collection contracts to reflect new fees payable to depot collectors for an effective date four full months following Ministry approval,
- Upon implementation of the new rates, update sample collection contracts with new financial incentive rates and publish on Recycle BC's website³,
- Prepare adjustments to financial incentive rates, as a result of the financial incentive review for curbside and multi-family collectors, for inclusion in steward fees,
- Amend existing collection contracts to reflect new fees payable to curbside and multi-family collectors for July 1, 2022 effective date or an effective date four full months after depot implementation if depot implementation occurs after March 1, 2022.

This amendment replaces this section:

The current contract term for collectors expires December 31, 2023, and in 2022 Recycle BC will once again follow the methodology outlined in this Program Plan to prepare revised financial incentives.

With the following section:

The current contract term for collectors expires December 31, 2023 and Recycle BC may extend the Statements of Work for up to two further periods of one year each. At the close of the contract term, or in 2025 latest, Recycle BC will once again follow the methodology outlined in this Program Plan to prepare revised financial incentives.

Within 30 days after approval of this amendment by the B.C. Ministry of Environment and Climate Change Strategy, Recycle BC will publish this amendment on its website⁴ and communicate the amendment to its collectors directly via email.

Appendix B – Summary of Performance Measures


The first chart section, Recovery Targets, is revised through this amendment by replacing the top row's language with the following:

- 2020 – Conduct a curb, multi-family and depot cost study, overseen by the Advisory Committee, as part of a financial incentive review process.
- 2021 – While continuing to maintain performance target and reporting as outlined in Appendix B, Recycle BC will implement depot collection terms the earlier of July 1, 2021, or four full months following Ministry approval of the Producers Paying the Costs Amendment.
- 2022 – While continuing to maintain performance target and reporting as outlined in Appendix B, Recycle BC will implement curbside and multi-family collection terms effective July 1, 2022, or four full months after depot implementation for preparation time between payment updates if depot implementation occurs after March 1, 2022.

³ <https://recyclebc.ca/collectors/prospective-collectors/>

⁴ link to amendment document



Received
Tue 8/31/2021 12:56 PM 

CLIFF #381721
eApproval 11123

August 27, 2021

Tamara Burns
Executive Director Western Canada
Recycle BC
171 Esplanade West, suite 230
North Vancouver, BC V7M 3J9

Dear Tamara Burns,

Thank you for submitting the July 17th, 2020 Packaging and Paper Product Cost Study and the August 31, 2020 Financial Incentive Review Consultation Report in fulfillment of the requirements of Section 5(1)(b), (c)(i) and (vi) of the Recycling Regulation (the regulation) made under the *Environmental Management Act*.

The ministry's Extended Producer Responsibility section engaged financial experts in the Corporate Services for the Natural Resource Sector Branch to assist with the review of the cost study and to create a checklist to be used when assessing the completeness of such studies. I thank you for your patience while we have worked to develop this process to ensure rigour in our review that is a fair and equitable way to evaluate all program steward submissions.

The Producers Paying the Cost of Managing Obligated Materials and Dispute Resolution guidance document was used as the basis for assessing the completeness of the cost study. I have completed my review of the cost study and consultation summary related to stakeholder compensation and I am satisfied they meet the requirements of the regulation. It is noted that your dispute resolution procedures were already approved during the review of your 2019 Packaging and Paper Product Extended Producer Responsibility Plan.

Specifically, I have been satisfied of the following:

- The producer has undertaken satisfactory consultation with stakeholders and has provided opportunity for stakeholder input in the implementation and operation of the extended producer responsibility program;
- The cost study adequately provides for the producer collecting and paying the costs of collecting

and managing products within the product category covered by the plan; and

- The described procedure for dispute resolution between a producer and person providing services related to the collection and management of the product during implementation of the plan or operation of the extended producer responsibility program is adequate as per your approved 2019 Plan.

Thank you for your efforts on this plan amendment and I appreciate the industry's continued commitment to achieving compliance in this regard.

Sincerely,



Laurel Nash
Assistant Deputy Minister
Environmental Protection Division

cc: Sonya Sundberg, Executive Director, Environmental Standards Branch
Bob McDonald, Director, Extended Producer Responsibility Section
Tim O'Rourke, Ministry file lead, Extended Producer Responsibility Section



Curbside Equivalency Definition

Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

August 31, 2021

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SECTION 1: Introduction

1.1 Project Objective

Recycle BC's 2019 government-approved Program Plan required the development of a curbside equivalency definition for unincorporated areas, thereby expanding its eligibility criteria for unincorporated BC communities seeking to become a curbside collector for Recycle BC. Recycle BC committed to consulting on the curbside equivalency definition with affected stakeholders and to revise its Program Plan to include the new eligibility criteria for new curbside collection. The objective of this project was to develop the equivalency criteria.

1.2 Project Background

During development of Recycle BC's latest five-year Program Plan, which began in 2017, the Ministry of Environment and Climate Change Strategy (MOECCS) requested Recycle BC provide clear criteria for new curbside collection programs and consult on that definition. Recycle BC completed this work and provided the following definition in its revised Program Plan:

4.3.5 New Curbside Programs

Local governments, in communities that did not have PPP curbside collection programs as of May 2014 when the program was first launched, are eligible to join the Recycle BC program as contracted collectors if they implement a PPP curbside collection program, provided each of the following criteria is met:

- A curbside garbage collection program was in place for a minimum of two years in advance of the new curbside program for the same households;
- The community represents an incorporated municipality; and
- The community has a minimum population of 5,000 residents.

The MOECCS subsequently requested that Recycle BC expand that definition to include an equivalency definition for unincorporated areas, and Recycle BC added the process to do so into the Program Plan submitted to the MOECCS in section 4.3.5 (page 11):

- If the community is unincorporated, Recycle BC will in 2019 determine an equivalency definition for 5,000 residents who live in a densely populated locality where the only differentiation is the type of government (i.e., localities that are not municipalities).
- Recycle BC will then consult in Q4 2019 on this definition and revise the eligibility criteria by the close of 2019 for local governments with unincorporated communities that meet the other two criteria to join the Recycle BC program by provision of a formal offer Q1 2020 as applicable.
- Once the unincorporated criteria have been determined, Recycle BC will post a companion document to the Program Plan on the Recycle BC website.

In the Director's letter approving Recycle BC's Plan, the MOECCS added further details about what the Ministry requires from Recycle BC:

- “By August 31, 2020, Recycle BC will propose amendments to the plan that demonstrate how the plan itself meets subsection 5(1)(c)(iii) of the Regulation [‘reasonable and free consumer access to collection facilities or collection services’]. These amendments will justify the methodology, the process involved, how stakeholder comments were solicited and addressed, and include equivalency definition parameters, including timelines for offers to communities meeting the equivalency definition.”

Recycle BC has completed the activities required as per the Program Plan and the Director’s Letter. This report will serve as a companion document to the Program Plan, outlining the amendment for curbside equivalency

1.3 Equivalency Definition

The revised eligibility criteria for new curbside service within the Recycle BC program, as an outcome of the methodology, analysis and consultation, is defined as:

Regional Districts are eligible to join the Recycle BC program as contracted collectors if they implement a PPP curbside collection program in one or more unincorporated areas, provided each of the following criterion are met:

- The proposed service area has a minimum population of 5,000 residents;
- The proposed service area has a minimum household density¹ of 0.42 households/hectare;
- There is a maximum distance of 20 km between proposed Service Area Sections²; and
- A curbside garbage collection program³ is in place for a minimum of two years in that service area.

SECTION 2: Equivalency Project

To develop eligibility criteria for new curbside service for unincorporated areas that are equivalent to communities that represent an incorporated municipality, Recycle BC used the most recent available Census data, local government data as submitted, as well as Recycle BC’s own data, to provide the most accurate view available for calculations and analysis. This first stage of the project is described below in 2.1 Methodology.

Following this stage, the relevant assembled data was used to calculate density by households per hectares for equivalency. The calculations and analysis are described in 2.2 Analysis and Results. Recycle BC selected the weighted average of the two least dense municipal types within incorporated municipalities across BC as the proposed density threshold for unincorporated areas. Additionally, Recycle BC determined through analysis that a maximum distance of 20 km between proposed Service Area Sections was reasonable to maintain equivalency.

¹ Defined as total occupied dwellings divided by total hectares in proposed service area excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced.

² Calculated by the distance of navigable roads from respective edges of service areas sections, with a maximum number of three gaps greater than 10 km up to a maximum 20 km in distance between service area sections. Island and ferry accessed communities are considered a single service area and must meet all criteria independently.

³ Curbside garbage program must be managed by the local government proposing service.

The equivalency project then moved to the third stage, which is outlined below in 2.3 Consultation and Feedback. This section outlines how stakeholder comments were solicited and addressed. Finally, the project concluded with the proposed equivalency definition parameters. Upon approval by the MOECCS of the proposed amendment, Recycle BC will within 30 days offer a Services Agreement to each Regional District with unincorporated service areas that meet the Program Plan definition for this collection service.

2.1 Methodology

1. Data Assembly

- Recycle BC used Statistics Canada’s 2016 Census to assemble the relevant data to compare Census Subdivisions (incorporated municipalities) to designated Unincorporated Places in the province (i.e., regions of land not governed by a local municipal corporation).
- Census data files used included:
 - Census Division (CD) – Regional Districts
 - Census Subdivision (CSD) – Incorporated Municipalities
 - Population Centre (POPCTR)
 - Designated Place (DPL) – Unincorporated Place
 - Private dwelling occupied by usual residents (Total Occupied Dwelling).
- Recycle BC data used included:
 - Household counts
 - Collection tonnage
 - Capture rates.
- Supplied Regional District data used included:
 - Garbage area service maps
 - Regional information on population and household counts.
- Using the most recent available Census data, as well as Recycle BC’s own data, enabled the most accurate view available for calculations and analysis. In unincorporated communities where five Regional Districts provided local data, the submitted data augmented sparse Census data for areas of less than 1,000 population and was used to refine the Population Centre and Designated Place information.

2. Assumptions

- The following assumptions guided the data review:
 - Criteria apply only to unincorporated areas and only to newly proposed service areas, not to expansion of service areas of existing Recycle BC collectors;
 - Island and ferry accessed communities are considered a single service area and must meet all criteria independently; and
 - Maximum distance calculation is the distance of navigable road from respective edges of proposed Service Areas Sections. It excludes ferry service (island communities considered a single service area).

3. Mapping

- Recycle BC defined and mapped Service Area Sections (the pockets of residential areas that are proposed for service; these sections can be standalone or be grouped together to meet the criteria thresholds) from Non-Service Areas (these spaces include parks,

nature reserves, agricultural land, pastures, waterways, non-residential land and residential areas not proposed for service) to achieve density measurements and consider any distance gaps between Service Area Sections.

4. Data Usage

- The relevant assembled data was used to calculate density by households per hectares for equivalency where the only differentiation is the type of government;
- City, Town, Village, District Municipality, and Island Municipality data categories were calculated for density to develop equivalency for unincorporated areas.

2.2 Analysis & Results

2. Equivalency (Median Density)

- Five Census Category types were considered for this analysis: City, Town, Village, District Municipality, and Island Municipality;
- The density components used were:
 - Households = total occupied dwellings;
 - Hectares = total hectares in proposed service area excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced; and
 - Median = the middle value in a definition.
- Households/Hectare was selected as the equivalency comparator for consistency in approach (i.e., curbside collection incentive payment levels are by density band) and for evaluation against municipal collection services (i.e., service standards and performance equivalency);
- Median was selected versus mean or weighted average as the equivalency comparator. It was determined through analysis that mean or weighted average was affected to a greater extent by the density of the largest cities and towns than by using median average;
 - The use of median (the middle value) made it more reasonable a measure to compare Regional District area density for curbside service with a minimum population of 5,000 residents to incorporated municipalities with a minimum population of 5,000 residents.

3. Calculation

- Median Average calculation was used to select the representative figure under each Category Type:
 - Formula: Median = $\{(n + 1) \div 2\}^{\text{th}}$ value.
- The Median formula was used to determine the representative number for each incorporated municipality category (City, Town, Village, District Municipality, and Island Municipality). The list was filtered for each of the municipal categories, then sorted by ascending order from smallest to largest before the formula was applied. If the total count ('n') was an even number, the average was taken from the middle two values.

4. Mapping (Maximum Distance)

- From the mapping methodology (2.1.3 above), the function of the analysis was to determine reasonable collection distance for service based on typical weekday collection, within typical hours. This included transportation to a receiving facility per load, for recycling collection vehicles in an unincorporated area. Information from

municipal routes (i.e., household count, density and capture rate) provided input for a typical collection profile;

- Because Service Area Sections can be grouped together to meet the criteria thresholds, distance gaps are a component of what collection distance can be covered in a day;
- Recycle BC analyzed distance gaps between Service Areas to determine a reasonable criterion for density equivalency;
- The distance components used were:
 - Distance of navigable road from respective edges of proposed Service Area Sections in kilometers and the number of associated gaps; and
 - Ferry service types (inland ferries as well as coastal ferries).
- Allowing for a reasonable distance between proposed Service Area Sections made it more achievable for a regional district to meet the minimum density criteria consulted on by Recycle BC.

5. Results

- The table below shows the median density by type of municipality calculated using Statistics Canada data.

Municipality Type	All BC: Households/Hectare
City	2.54
Town	2.90
Village	0.55
District Municipality	0.45
Island Municipality	0.30
District/Island Municipality Combined	0.42

- Recycle BC selected the weighted average of the two least dense municipal types as the proposed density threshold (.42) for unincorporated areas;
- Additionally, Recycle BC determined through analysis that a maximum distance of 20 km between proposed Service Area Sections was reasonable to maintain equivalency;
 - Within this criterion, Recycle BC will allow a maximum number of three gaps greater than 10 km up to a maximum 20 km in distance between Service Area Sections for added flexibility in composing new curbside collection areas while maintaining equivalency for 5,000 residents who live in a densely populated locality where the only differentiation is the type of government; and
 - Island and ferry accessed communities are considered a single service area and must meet all criteria independently.

2.3 Consultation & Feedback

1. Local Government Outreach

- Recycle BC reached out by email to all 27 Regional Districts on August 27, 2019. Responses were encouraged by September 16, 2019. In the email, Recycle BC provided an overview of the Program Plan commitments for determining the curbside eligibility criteria and requested Regional Districts share any relevant information on proposed areas of interest to be considered for curbside service, including population metrics, household data, and maps; and
 - From this outreach, five Regional Districts proposed unincorporated areas for consideration.
2. Consultation Webinar
- Recycle BC held its Curbside Equivalency Criteria Consultation for all Regional Districts on November 13, 2019 in webinar format;
 - The PowerPoint presentation was sent to registered attendees in advance;
 - 14 people attended the webinar out of 17 registrants (10 from Regional Districts, 2 from municipalities and 2 from the MOECCS); and
 - Recycle BC presented in PowerPoint format the project overview, current new curbside criteria, the proposed expansion to unincorporated areas through an equivalency definition, methodology development and results, definitions, and the proposed criteria. Next steps and a question period closed the consultation webinar.
3. Feedback
- 10 questions were raised and answered during the webinar, most asking for clarification of methodology, such as how the density and proximity criteria were determined. The Q&A is documented in Appendix A;
 - Deadline for written questions and feedback was November 29, 2019; and
 - Written feedback was received from 4 Regional Districts. This is documented in Appendix B.
4. Outcome
- The feedback received was reviewed in detail by Recycle BC and considered against the purpose of creating equivalency for unincorporated areas to the incorporated municipal criteria;
 - Feedback for clarity on the proposed definitions and criteria was addressed by providing answers directly to each respondent;
 - Feedback that looked to deviate from the established criteria in the Program Plan rather than provide equivalency, such as different garbage requirements or adjacency criteria, was outside of the parameters of this project.
 - Overall, the feedback received helped to fine-tune the proposed criteria for equivalency but did not change the primary components of equivalency.

2.4 Equivalency Definition

The revised eligibility criteria for new curbside service within the Recycle BC program as an outcome of the methodology, analysis and consultation is defined as:

Regional Districts are eligible to join the Recycle BC program as contracted collectors if they implement a PPP curbside collection program in one or more unincorporated areas, provided each of the following criteria are met:

- The proposed service area has a minimum population of 5,000 residents;
- The proposed service area has a minimum household density⁴ of 0.42 households/hectare;
- There is a maximum distance of 20 km between proposed Service Area Sections⁵; and
- A curbside garbage collection program⁶ was in place for a minimum of two years in that service area.

This revised eligibility criteria applies only to unincorporated areas and only to newly proposed service areas, not to expansion of service areas of existing Recycle BC collectors. By August 31, 2022, Recycle BC will propose further amendments to the program for adjacency criteria.

Should an unincorporated area wish to explore future collection options, Recycle BC's Program Plan, Section 4.3.6 Transition to Provision of Curbside Service by Recycle BC, provides the criteria under which local governments with existing collection agreements with Recycle BC may, at their discretion, request that Recycle BC directly operate PPP curbside services in their communities.

SECTION 3: Amendment

3.1 Regulation Subsection 5(1)(c)(iii)

Recycle BC's Program Plan adequately provides for reasonable and free consumer access to collection facilities. Recycle BC provides accessibility through curbside, multi-family, depot and First Nations Recycling Initiative collection of residential waste packaging and paper. 99.2% of households have access to Recycle BC's program in the province.

This amendment adds to Recycle BC's clear criteria for new curbside collection programs by defining equivalency criteria for an unincorporated area for communities to add new curbside collection of packaging and paper within the Recycle BC program.

In developing the amendment language for Section 4.3.5 New Curbside Programs in its Program Plan, Recycle BC has demonstrated through this report the work undertaken on methodology, process, stakeholder engagement, and equivalency definition parameters to meet the Director's Letter requirement.

3.2 Amendment Language

Recycle BC proposes for approval the following amendment language for Section 4.3.5 New Curbside Programs in its Stewardship Plan:

⁴ Defined as total occupied dwellings divided by total hectares in proposed service area excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced.

⁵ Calculated by the distance of navigable roads from respective edges of service areas sections, with a maximum number of three gaps greater than 10 km up to a maximum 20 km in distance between service area sections. Island and ferry accessed communities are considered a single service area and must meet all criteria independently.

⁶ Curbside garbage program must be managed by the local government proposing service.

Regional Districts are eligible to join the Recycle BC program as contracted collectors if they implement a PPP curbside collection program in one or more unincorporated areas, provided each of the following criteria are met:

- *The proposed service area has a minimum population of 5,000 residents;*
- *The proposed service area has a minimum household density of 0.42 households/hectare;*
- *There is a maximum distance of 20 km between proposed Service Area Sections; and*
- *A curbside garbage collection program is in place for a minimum of two years in that service area.*

For clarity, the following definitions are provided:

- **Minimum household density:** *Defined as total occupied dwellings divided by total hectares in proposed service area, excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced;*
- **Maximum distance:** *Calculated by the distance of navigable roads from respective edges of service area sections, with a maximum number of three gaps greater than 10 km up to a maximum 20 km in distance between service area sections. Island and ferry accessed communities are considered a single service area and must meet all criteria independently; and*
- **Curbside garbage:** *Program must be managed by the local government proposing service.*

This revised eligibility criteria applies only to unincorporated areas and only to newly proposed service areas, not to expansion of service areas of existing Recycle BC collectors. By August 31, 2022, Recycle BC will propose further amendments to the program for adjacency criteria.

SECTION 4: Next Steps

4.1 MOECCS Approval

The curbside equivalency definition for unincorporated areas was approved by Recycle BC's Board of Directors at its December 2019 meeting. Recycle BC prepared its report to the MOECCS as per the Director's Letter and, with this report, submits the amendment language for approval.

Once the MOECCS has approved the proposed amendment as outlined (3.2 Amendment Language above), Recycle BC will post this amendment to a companion document to its Program Plan on the Recycle BC website.

4.2 Offer to Join Recycle BC Program

Upon approval by the MOECCS of the proposed amendment, Recycle BC will within 30 days offer a Services Agreement to each Regional District with unincorporated service areas that has requested access to the program and that meet the Program Plan definition for this collection service.

Appendix A – Consultation Webinar Q&A

Recycle BC held its Curbside Equivalency Criteria Consultation on November 13, 2019. The following table contains the Q&A from that session:

	Question	Response
1	How will you consider ferries when evaluating the proposed 20 km limitation between proposed service area sections?	The 20 km maximum distance includes only navigable roads, not ferry service. Island and ferry accessed communities are considered a single service area and must meet all criteria independently.
2	When evaluating the efficiency of a collection route, the number of homes or stops per hour, or per route is the way that I have heard the industry discuss performance. If the bins/cans are put to the curb, the area of the lot that it serves should not be relevant, only the density of stops on a linear route. Households per hectare works for urban areas with similar sized lots, but is not fairly representing rural collection. Would you consider a household per km route instead of 0.42 households per hectare?	The household density of a service area is considered an accurate reflection of the density of stops on that service area, as a collection vehicle would need to navigate between roads and neighborhoods to access service stops.
3	What is the purpose of holding RD proposed service areas to having a two year 100% tax funded program in place before being considered by Recycle BC?	A curbside garbage collection program must be in place for a minimum of two years in advance of the new curbside program for the same households. Recycle BC does not consider it reasonable for the producers of PPP to be responsible for the cost of collecting PPP at curbside if the local government in question has not deemed the area sufficiently densely populated or otherwise eligible for garbage service.
4	For communities that meet the criteria, will household density still be used for determining the rate Recycle BC pays to collecting contractors?	Under Recycle BC's standard Local Government Curbside Statement of Work, Recycle BC curbside collectors are paid on a per-household basis based on three different household/hectare density calculations, with a higher per-household rate paid to collectors with lower density service areas. Those rates are not impacted by the criteria outlined in this consultation.
5	Can you go into more detail about calculating hectares within the service area? If you had 3 pockets of density, would it just be the sum of the area for each of the parcels that are being serviced within those pockets? Would you exclude from the area	In the calculation of the number of hectares in a proposed service area, non-populated areas such as parks and crown land as well as residential and commercial areas not proposed to be serviced would be excluded.

	all of the 'dead space' that the truck might drive through to get between 'pockets', even if it was residential?	
6	Is the intention to combine services with the adjacent municipality or to establish a stand-alone new agreement for the surrounding unincorporated area?	The criteria outlined for this consultation are for unincorporated areas only, and are not intended to be combined with incorporated areas (municipalities). An unincorporated service area needs to meet all service area independently.
7	For municipalities that meet the criteria, can you expand on or explain the process to apply for RBC curbside collection and what does that collection look like? It is completed by the municipality and subsidized by RBC. What is the collection type, co-mingled or separated streams?	For municipalities that meet the criteria currently included in the Program Plan, the municipality will receive a formal offer to join the program as a contracted collector and receive a per-household incentive from Recycle BC to provide collection services. The collector would have the opportunity to sign the standard Local Government Curbside Statement of Work, under which the municipality can choose between single or multi-stream collection service and can choose whether to provide the collection service using municipal staff or a contractor.
8	Did you consult haulers of rural areas in determining your criteria?	Recycle BC considered its experience in providing rural collection service in various direct service areas but did not reach out to haulers in rural areas on this proposed criteria directly. Regional Districts were directly consulted, as it is the local governments that would provide collection services under the Recycle BC program (either directly or using a contractor).
9	From your experience, what is the expected performance for recyclables (kg/hh) of a rural roadside collection service?	While rural areas typically have a lower capture rate of PPP in curbside collection services (kg collected per household), we do not have specific targets or thresholds associated with the criteria for inclusion in the Recycle BC program.
10	Are we measuring area of population pockets and adding together? Including the 10 to 15 km spaces between population pockets or not makes a pretty big impact on 'total Ha'	In the calculation of the number of hectares in a proposed service area, non-populated areas such as parks and crown land as well as residential and commercial areas not proposed to be serviced would be excluded.

Appendix B – Written Feedback

Recycle BC held its Curbside Equivalency Criteria Consultation on November 13, 2019. Written feedback was received from four Regional Districts. Feedback for clarity on the proposed definitions and criteria was addressed by providing answers directly to each respondent. The feedback is provided below (edited to remove identifier):

1. Regional District

- Please see <chart> below for Service Area size details, by community.
- All of these communities are within a 20km radius of the City. With approximately 3,000 households, and rounding up the service area to 2,500 ha to account for potential growth, this gives 1.2 households / hectare. Please let me know if this is adequate, and if you require any additional information.
- We have two First Nation communities that provide their own curbside collection service within our service area. I did not include these communities in the shape files I sent you, but I think it's important to consider them, as they may want to transfer over their collection to the Regional District to manage in order to participate in the Recycle BC program. Our GIS expert is going to help me quantify the area of these two communities in hectares.

2. Regional District

- The RD supports the criteria allowing the “on-boarding” of unincorporated communities as well as the recommended minimum population density threshold of 0.42 households per hectare.
- The RD does have concerns regarding the criteria suggested by Recycle BC that:
 - A curbside garbage collection program be in place for a minimum of two years in advance of the new curbside program for the same households.
- It was indicated during the webinar that Recycle BC would only consider on-boarding curbside recycling where the local government had provided curbside garbage collection for a minimum of two years. In many urbanized rural communities, curbside garbage collection is handled through private sector contracts with residents. The RD recently conducted engagement sessions in urbanized rural communities. The RD asked community residents about their willingness for the RD to engage in curbside garbage and recycling collection. One of the themes that emerged from the consultation was that there was general acceptance of existing private curbside collection opportunities for garbage and there would be interest regarding opportunities for the local government to advance a curbside recycling initiative.
- It appears that in this case, the program would not be accepted by Recycle BC as the garbage collection program that exists was not an initiative of the local government. Funding curbside collection of recyclables through an agreement with Recycle BC would significantly offset the costs and remove associated barriers for successful local government program implementation.

3. Regional District

- When Recycle BC is evaluating if an area has had a curbside garbage collection program established for a minimum of 2 years, must this service have been provided by the Regional District, or could this be curbside service that was paid for by the residents directly (subscription)?

4. Regional District

- Household Density and Service Area Population
 - The minimum household density of 0.42 households per hectare and minimum population of 5,000 residents to qualify for curbside service are reasonable targets to meet. Given the geography of the RD much of the population in rural areas is concentrated alongside transportation corridors. Measuring the household density on per hectare basis in these areas could be misleading and an alternative proposal to measure household density per kilometer of potential curbside route distance could serve as a more accurate and useful qualifier. An alternative yet equal metric should be developed in these terms.
- Inclusion of Ferry Service in Curbside Routes
 - Several communities in the RD are accessible only by ferry. Unlike most island communities on the coast these areas are serviced by ferries that run 'on demand'. These crossings are considered part of the highway system and typically take only five to ten minutes. Should the communities be considered for curbside service we ask that the communities served by ferry also be considered as part of the same service area.
- Inclusion of Small Incorporated Communities in Eligible Service Areas
 - There are several small, dense incorporated communities in the RD that cannot qualify on their own for curbside service with RBC. Adding them to potential service areas encompassing the surrounding unincorporated rural areas would increase the efficiency of collection routes and should be considered for municipalities that otherwise cannot meet the criteria for curbside service.
- Existing Curbside Garbage Collection
 - The requirement that service areas have curbside garbage collection for two years prior to qualifying for recycling service through RBC is an unfair condition in many areas. Unlike a recycling service there is no financial incentive provided for garbage collection and all costs ultimately fall to taxpayers. Greater efficiencies can be found in providing and establishing garbage and recycling service in an area at the same time. A new service area should not be penalized if it meets the other requirements for curbside recycling collection due to it not previously bearing the cost of expensive curbside garbage service. At the very least an alternative metric should be developed for service areas that have a high level of subscriptions to private garbage collection services as this demonstrates demand and feasibility for further curbside collection.
- Alternative Funding for Curbside Programs
 - It was revealed in the webinar on November 13, 2019 that qualified curbside program collectors will receive compensation equal to the rates outlined in the current Curbside Collection Statement of Work. This amounts to a maximum contribution of approximately \$40 per household served per year for single stream collection. This will not cover the full costs of collection in almost all unincorporated areas that will qualify for service under the proposed guidelines. Since the qualifying collectors will still bear a significant portion of the service costs RBC should permit local governments to develop their own equivalent collection programs in non-qualifying areas and receive equal compensation from RBC. These programs would collect the same materials as RBC and transport recyclables to the nearest consolidation facility for further processing by RBC's designated contractors. In this

way a much larger area and population of the province can be provided with an equal standard of recycling services.



Multi-Family Service

Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

August 2021

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SECTION 1: Introduction

1.1 Director's Letter re: Multi-Family

In the Director's letter approving Recycle BC's Plan (June 28, 2019), the Statutory Decision Maker acknowledged that Recycle BC's submitted Program Plan "does address a comprehensive means to increase consumer awareness in this sector and demonstrates a 4% increase from 2017-2018 in multi-family households served"; however, the Director added a new requirement for Recycle BC:

- "...the plan does not include a graduated multi-family servicing target for multi-family expansion. A more detailed commitment in this regard is required."

Recycle BC is required to submit a proposed amendment to its Program Plan on this commitment by August 31, 2021, to the Ministry of Environment and Climate Change Strategy (MOECCS).

This report will serve as a companion document on multi-family service to support the corresponding amended language to be added to the Program Plan (see section 3 of this report below).

1.2 Multi-Family Service Background

Recycle BC's approved 2013 Program Plan set out how it would deliver services:

- "Under the Recycling Regulation, MMBC will assume responsibility for driving residential PPP collection and recycling activity in BC, effectively supplanting the role that local governments have historically played. Accordingly, at the outset, it is assumed that MMBC will largely assume responsibility for the existing BC PPP collection and recycling system and will set conditions for future improvements in effectiveness and efficiency of PPP recovery in BC."
(<https://recyclebc.ca/wp-content/uploads/2017/03/MMBC-PPP-Stewardship-Plan-Apr8-2013.pdf> page 6)

Appendix C of the approved 2013 Program Plan provided specific deliverables against this commitment. The details for multi-family service are provided below:

- "Maintain, at a minimum, single-family and multi-family household service levels, where these households currently receive PPP collection, across Regional Districts as outlined in Appendix B."
 - "Re multi-family households: Appendix C of the Current System report indicates that 405,666 of the 512,511 multi-family households are receiving collection service and 90,096 multi-family households have access only to depots,
- "Provide depot collection of PPP for the approximately 17,000 multi-family households currently without depot collection service."
 - "Appendix C of the report titled Current System for Managing Residential Packaging and Printed Paper (March 2012) indicates that 405,666 of the 512,511 multi-family households are receiving collection service and 90,096 multi-family households have access only to depots, leaving 16,749 multi-family households requiring depot service."

Recycle BC met and exceeded its first five-year program plan (2013 – 2018) performance measure obligation with 435,000 multi-family households receiving collection service from Recycle BC and 211 depot locations across the province providing accessibility to the remaining multi-family households in 2018. (<https://recyclebc.ca/wp-content/uploads/2019/06/Recycle-BC-2018-Annual-Report-1.pdf>)

For its second five-year program plan (2018 – 2023), Recycle BC committed to not only an annual maintenance target (Appendix B of the Program Plan) but, in Section 4.3.7 Multi-family Collection, further expansion growth in the areas of continuous service improvement, wait-list on-boarding and organic growth. (https://recyclebc.ca/wp-content/uploads/2019/07/RecycleBCStewardshipPlan_16July2019.pdf)

In its 2020 Annual Report, Recycle BC reported the following service levels against these commitments:

- Annual target for maintenance in program plan: 421,600 multi-family households. Reported 457,000 multi-family households served;
- Continuous service improvement: total service increase of 3.8% over 2019;
- Wait list: onboarded City of Delta for multi-family building collection; and
- Organic growth: 2.3%.

Recycle BC continues to meet and exceed its program plan commitments. Recycle BC is expanding multi-family service in its program; however, some challenges exist with setting a target as it is the prerogative of private waste management companies to decline Recycle BC's offer to provide multi-family service and to continue to operate a multi-family collection service outside of the Recycle BC program.

1.3 Recycle BC Proposal

In the Director's letter approving Recycle BC's Plan (June 28, 2019), the Statutory Decision Maker reviewed the area of reasonable and free consumer access to collection pursuant to subsection 5(1)(c)(iii) of the Regulation:

5(1) On receipt of an extended producer responsibility plan submitted under section 4 [submission of extended producer responsibility plan], the director may approve the plan if the director is satisfied that

...

(c) the plan adequately provides for

...

(iii) reasonable and free consumer access to collection facilities or collection services.

Recycle BC has met its obligation under this section of the Regulation attaining a 99% level of accessibility and providing continuous improvement in curbside, multi-family and depot channel growth. It is Recycle BC's view that the new requirement for a multi-family servicing target imposes new obligations upon the program that did not exist previously, specifically, the imposition of channel-specific targets.

A channel-specific target is prescriptive to how a stewardship program attains its recovery and accessibility targets vs. an outcomes-based approach by the regulator. Additionally, achieving a multi-family service target is beyond Recycle BC's control (as explained in Section 1.2) and does not

follow the best practice that targets should meet the SMART (specific, measurable, attainable, realistic/relevant, timely) criteria, specifically the criterion pertaining to attainability. Recycle BC cannot mandate multi-family dwellings, or the waste management industry, to participate in its program, it can only provide offers. Likewise, Recycle BC does not have influence over how waste is managed within a multi-family suite of garbage, organics and recycling services in a business-to-business relationship between private companies.

Because a target is not achievable or realistic/relevant, and there are difficulties in measurement (see section below), Recycle BC is proposing multi-family reporting metrics for the MOECCS to use to assess multi-family service expansion within the Recycle BC program in place of a target.

SECTION 2: Multi-Family Service Reporting Metrics

For multi-family service reporting, the data is complex. For example, service to some multi-family dwellings will be managed through curbside collection, as some multi-family dwellings do individual curbside setouts of materials, therefore understating the actual multi-family household service number (these are counted as single family households). As well, multi-family service household numbers regularly fluctuate, based on organic population shifts and on buildings switching between commercial waste management collection service providers as property managers select the waste management package that best serves their garbage, recycling, and organic collection needs. Recycle BC proposes to report on multi-family service by defining this collection channel and how its service will be calculated and recorded for reporting.

2.1 Definitions

- “Multi-Family Building” means a complex, where residents are expected to deliver In-Scope PPP to a central storage area accessible by all residents, from which collection occurs. (<https://recyclebc.ca/wp-content/uploads/2018/07/Recycle-BC-LG-MF-SOW-June-10-2018.pdf>)
- “Multi-family complex” defined as “Excluding single-family dwellings with suites and/or laneway houses and converted single-family dwellings, duplexes, triplexes and fourplexes. (Recycle BC 2013 Program Plan, link in section 1.2 above, footnote 24)

2.2 Background Context

Quantifying the number of multi-family households is difficult. The original source for Recycle BC’s multi-family household baseline was a combination of 2011 Census data and a 2011/12 local government survey.

The census definition of multi-family and Recycle BC’s definition are quite different:

- The census uses architecture to define dwelling type;
- Recycle BC’s definition and resulting data is based on method of collection.

This is so because, depending on how individual local governments categorize housing types, the data may have been inconsistently reported to Recycle BC. For example, a multi-family trailer park could fall into three local government categories: residential single family collection, residential multi-family collection, or commercial collection (collection type and park use). Recycle BC made its 2013 Program Plan commitment in Appendix C of the Program Plan, relying on a constructed baseline context.

Based on this background context, Recycle BC has developed a methodology to track and report multi-family service expansion.

2.3 Methodology

Recycle BC will undertake the following steps to develop an annual report to the MOECCS on multi-family service expansion:

1. Align census data to the 2013 Program Plan's reported multi-family households;
 - Map 2016 census data to 2011 census data to align to the 2011/12 survey (Current System for Managing Residential Packaging and Printed Paper in BC, March 2012, Appendix C) outcome as closely as possible. Document this mapping model in order to replicate again with 2021 census data for tracking multi-family household numbers and 5-year growth increments;
 - Status: completed.
 - Map 2021 census data using 2016 mapping model to determine Recycle BC performance from 2013 baseline to current (2021) census reporting year;
 - Status: requires Statistics Canada to release the 2021 long form census results, which it forecasts will be published early 2022.
2. Update multi-family collectors' household counts in their service areas in Recycle BC's data base as some collectors do not report changes on a regular (annual at minimum) basis;
 - Status: completed for 2020; and
 - Will be repeated in 2021 and annually thereafter at minimum.
3. Following the completion of steps 1 and 2, calculate multi-family performance annually against the following metrics:
 - Percentage of multi-family households serviced: Recycle BC served as a percentage of provincial total;
 - Program multi-family service growth rate: Recycle BC served compared to Census growth rate, using the 2016 mapping model; and
 - If sufficient long-form census capture: Recycle BC served by regional district compared to census multi-family by regional district using 2016 mapping model.
4. Calculate multi-family performance annually against other reporting metrics that are not dependent upon census data;
 - Number of multi-family households served vs. target for maintenance in program plan;
 - Number of multi-family households from onboarding waitlist or in communities that now meet curbside service criteria; and
 - New: Number of multi-family households added and number of multi-family households that exited program, in addition to overall household served number.
5. Consider other reporting metrics that may be interesting to provide for a particular year or period, such as:
 - Number of regional districts with multi-family service through the Recycle BC program (e.g., 7 regional districts provided multi-family PPP collection (2011/12 survey) and 17 regional districts now have multi-family collection with Recycle BC (2020)).
6. Develop report format for multi-family service expansion and provide report to MOECCS annually, as with onboarding update.

2.4 Performance Metrics

The multi-family performance metrics that Recycle BC proposes reporting annually for the MOECCS to use to assess multi-family service expansion within the Recycle BC program, in place of a target, are summarized below:

1. Number of multi-family households served vs. target for maintenance in program plan;
2. Number of multi-family households on-boarded from wait list or in communities that now meet curbside service criteria;
3. Number of multi-family households added and number of multi-family households that exited program, in addition to net household served number;
4. Percentage of multi-family households serviced: Recycle BC served as a percentage of provincial total;
5. Program multi-family service growth rate: Recycle BC served compared to census growth rate, using the 2016 mapping model;
6. If sufficient long-form census data capture: Recycle BC multi-family served by regional district compared to census multi-family by regional district using 2016 mapping model; and
7. Other reporting metrics that may be interesting to provide for a particular year or period as appropriate.

SECTION 3: Amendment

3.1 Regulation Subsection 5(1)(c)(iii)

Recycle BC's Program Plan adequately provides for reasonable and free consumer access to collection facilities. Recycle BC provides accessibility through curbside, multi-family, depot and First Nations Recycling Initiative collection of residential waste packaging and paper. Ninety-nine percent of households have access to Recycle BC's program in the province.

In developing Recycle BC's multi-family performance metrics, Recycle BC has demonstrated through this report the complex subject matter, its work undertaken on methodology to track multi-family service performance, and why a target is not within Recycle BC's control to achieve.

This amendment adds enhanced Recycle BC multi-family performance metrics for the MOECCS to use to assess multi-family service expansion within the Recycle BC program in place of a target.

3.2 Amendment Language

Recycle BC proposes for approval the following amendment language, to expand Section 4.3.7 Multi-family Collection of its current Stewardship Plan. Note: amendments are housed in the Program Plan Amendments document posted on Recycle BC's website:

To enable the Ministry of Environment and Climate Change Strategy's (MOECCS) assessment of continuous improvement of multi-family service within the Recycle BC program, Recycle BC will report annually to the MOECCS a suite of metrics for a detailed review of multi-family expansion by the regulator. This reporting commitment will be included in Program Plan Appendix B – Summary of Performance Measures. Recycle BC is committed to continuous improvement

measures, such as the consumer awareness activities for multi-family collection to aid program expansion described in Recycle BC's Stewardship Plan under item 4.7 Communications.

SECTION 4: Next Steps

4.1 MOECCS Approval

Once the MOECCS has approved the proposed amendment as outlined (3.2 Amendment Language above), Recycle BC will post this amendment to its Program Plan Amendments document on the Recycle BC website.

4.2 Multi-Family Service Report

Upon approval by the MOECCS of the proposed amendment, Recycle BC will develop the report format for multi-family service expansion and provide it to the MOECCS for review in draft format before finalizing as an annual report.



New Glass and Metal Targets

Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

August 31, 2021

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Introduction

Recycle BC's second program plan, dated June 2019, introduced material category recovery performance targets for Paper, Plastic, Metal and Glass. In addition to establishing targets for these four major categories, Recycle BC set recovery performance targets for rigid and flexible plastic subcategories. As a material category achieves and maintains its target recovery rate for two years, a new target will be set. Recycle BC, when preparing for its next 5-year program plan (2023 – 2028), will consult on performance targets and measures as per its commitment in Appendix B of the current program plan (https://recyclebc.ca/wp-content/uploads/2019/07/RecycleBCStewardshipPlan_16July2019.pdf).

Recycle BC reports on the performance of its packaging and paper (PPP) program in an annual report submitted to the BC Ministry of Environment and Climate Change Strategy (MOECCS) and posted on its website by July 1 each year (<https://recyclebc.ca/about-recyclebc/program-overview/annual-reports/>). Starting in 2019, tonnes and recovery rates for the following material categories are reported annually: paper, plastic, metal and glass, as well as plastic sub-categories of rigid plastic and flexible plastic.

Recycle BC achieved its glass and metal targets in 2018 and 2019 and therefore set new targets for these two materials for 2020. These new targets, and performance against them, were reported in Recycle BC's 2020 Annual Report.

The MOECCS requested Recycle BC submit an amendment pertaining to the two new targets, and to also provide the methodology used to set the new targets. This document contains the amendment and the additional information requested.

Target Details

Recycle BC is the first jurisdiction in North America to have material-specific reporting for packaging and paper product and to set targets for rigid and flexible plastic subcategories. These first material-specific recovery targets are consistent with the European Union's targets, including plastic targets of 50% by 2025 and 55% by 2030, set as part of the efforts to transition to a circular economy. Similarly, they are consistent with the targets set in the Plastics Charter, tabled by Canada at the 2018 G7, (i.e., recycle and reuse 55% of plastic packaging by 2030 and recover 100% of all plastics by 2040).

The target rate chart in Recycle BC's program plan is:

Material Category	2017 Recovery Rate	Target Recovery Rate	Year to Achieve Target
Paper	87%	90%	2020
Plastic	41%	50%	2025
Rigid Plastic	50%	55%	2022
		60%	2025
Flexible Plastic	20% ²⁶	22%	2022
		25%	2025
Metal	66%	67%	2020
Glass	72%	75%	2020

(footnote 26: Please note that in 2017 plastic laminates were not targeted for collection but nonetheless residents disposed of them in the Recycle BC system and those quantities are included here.)

The table below provides the material specific recovery rates, as reported in Annual Reports, and the respective targets for each material in the corresponding year.

Glass and Metal, highlighted in green, achieved their targets and therefore Recycle BC set new targets for 2020. The materials highlighted in pale orange will be monitored for their achievement in the upcoming years.

Material Category	2017	2018	2019	2018	2019
	Recovery Rate (Published)			Target Recovery Rate	
Paper	87%	86%	83%	88%	89%
Plastic	41%	42%	46%	42%	43%
Rigid Plastic	51%	54%	56%	51%	52%
Flexible Plastic	21%	19%	22%	20%	21%
Metal	67%	67%	73%	66%	67%
Glass	73%	78%	87%	73%	74%

2.1 Target Methodology

The material specific target rate method outlined below is principally in line with the calculation of the regulatory recovery rate (RR) whereby the RR is a percentage with the numerator representing the quantity of PPP collected and the denominator representing the quantity of PPP supplied.

The methodology for setting material-specific targets considers the last three calendar years preceding the year of the new target, for the respective supply and collection years as reported in each Annual Report, in order to assess the trend and trajectory of the material's performance.

The material specific target rates are calculated as follows:

Recovery Rate Target =

$$\frac{\text{Latest Material Specific Collection Quantity} \times (1 + \text{Material Specific Collection Growth}) \times (1 + \text{Program Growth})}{\text{Latest Material Specific Supplied quantity} \times (1 + \text{Material Specific Supplied Growth})}$$

The components of the calculation are defined as follows:

- Latest Material Specific Collection Quantity:
 - Material specific collection quantity as reported in the Annual Report preceding the year of the new target.
- Material Specific Collection Growth:

- The growth in the net collected quantities of the material in question over a period of the last three calendar years preceding the year of the new target.
- Latest Material Specific Supplied Quantity:
 - Material specific supplied quantity as reported in the Annual Report preceding the year of the new target.
- Material Specific Supplied Growth:
 - The growth in the supplied quantities of the material in question over a period of the last three calendar years preceding the year of the new target.
- Program Growth:
 - Estimated growth in the program collection over the last three years including the year of the new target.

The above methodology and specific calculations for glass and metal were performed for the new 2020 targets. This resulted in a new target of 98% for glass (previous target 74%) and a new target of 81% for metal (previous target 67%).

2.2 Additional Information

It should also be noted that when calculating the program and material category recovery rates, Recycle BC excludes any quantities of material collected on behalf of others to ensure there is no ‘double-counting’ of recovered tonnes by Recycle BC and other agencies on behalf of whom material is collected. For example, some deposit containers are disposed of by residents in the Recycle BC system. These quantities are sold to Encorp Pacific and are not included when Recycle BC calculates its program and material category performance. Further, newspapers are managed in the Recycle BC system and reported by News Media Canada in the Annual Report of its Stewardship Plan performance. These are two examples where Recycle BC is compensated to manage materials on behalf of others but does not credit its program performance with these materials.

Stakeholders can be confident in the metrics reported by Recycle BC because each year Recycle BC is subject to third party assurance for non-financial information in the annual report. Annually, Recycle BC provides its auditors with the *Product Stewardship Annual Report Submission Checklist and Guidance* document provided by the Ministry to ensure the objectives of the audit are satisfied. The findings of the third-party assurance audit are included in Recycle BC’s annual report.

It should be noted that the pandemic’s effect on recycling behaviour made 2020 an anomalous year to historical trend. 2021 is anticipated to be affected as well.

The 2020 Annual Report was approved by Recycle BC’s Board of Directors at its June 29, 2021, meeting.

Amendment

The following amendment pertains to Recycle BC’s new targets for glass and metal, and performance against them, as reported in Recycle BC’s 2020 Annual Report. The amendment, once approved by the Ministry, will be published in a companion document to the Program Plan within 30 days of approval. This companion document will hold all future amendments to the June 2019 plan in one place for ease of reference. All links contained in the amendment will be active upon publishing.

Amendment:

Achievement of Glass and Metal Recovery Targets

The government-approved 2019 Recycle BC Program Plan introduced material category recovery performance targets for paper, plastic, metal and glass. The targets were established to promote continuous improvement. Once a target has been achieved and maintained for two years, Recycle BC has committed to revising the target. New target rates for these materials are:

Material Category	2020 Recovery Rate*	Updated Target Recovery Rate	2019 Recovery Rate	Target Recovery Rate	Year To Achieve Target
Paper	90%		83%	90%	2020
Plastic	52%		46%	50%	2025
Rigid Plastic	64%		56%	55%	2022
				60%	2025
Flexible Plastic	24%		22%	22%	2022
				25%	2025
Metal	85%	81%	73%	67%	2022
Glass	97%	98%	87%	75%	2022

* The pandemic effect on recycling behaviour made 2020 an anomalous year to historical trend. 2021 is anticipated to be affected as well.



Streetscape

Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

August 31, 2021

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SECTION 1: Introduction

1.1 Director's Letter re: Streetscape

In the Director's letter approving Recycle BC's Plan (June 28, 2019), the Statutory Decision Maker stated that Recycle BC's plan "does not indicate how or when the results of the advisory group consultation process will be reflected in a future plan amendment including specific service commitments once the consultation is completed." Recycle BC was required to summarize:

- The advisory group consultation methodologies;
- The process involved;
- How stakeholder comments were solicited and addressed; and
- The resulting service and funding commitments, and program deliverables.

Recycle BC is required to submit a proposed amendment to its Program Plan on this requirement by August 31, 2021, to the Ministry of Environment and Climate Change Strategy (MOECCS).

This report will serve as a companion document on streetscape to support the corresponding amended language to be added to the Program Plan (see section 3 of this report below).

1.2 Streetscape Background

Recycle BC has been studying streetscape recycling since 2014, through pilot projects, studies, municipal roundtables and consultations, and reviews of programs in other jurisdictions. The original Program Plan, approved by the Ministry in 2013, and again in 2016, stipulated that Recycle BC would offer a financial incentive to local governments, "Subject to proof of concept through testing effective delivery of streetscape collection systems."

<https://recyclebc.ca/wp-content/uploads/2017/03/MMBC-PPP-Stewardship-Plan-Apr8-2013.pdf> p.22.

The question of proof of concept has been central to Recycle BC's compliance with the Recycling Regulation's stipulation of EPR for streetscape. Proof of concept, for Recycle BC, must include the necessary data for the creation of a commercial agreement, the proffering of a financial incentive, and the demonstration of positive environmental outcomes.

The program has twice consulted with local governments on streetscape program outlines and financial incentive offers. Both times local governments did not accept the offers. Both consultations surfaced a recurring challenge centred around a conflict between the local governments' purpose for providing streetscape and Recycle BC's obligation under the Province's Recycling Regulation. Essentially, Recycle BC is asking municipalities to participate in a streetscape program that is driven by the rigor of what a stewardship program needs, which is outside of a local government's civic requirements for on-street waste diversion and litter abatement.

Local governments primarily provide streetscape as a form of litter abatement, with reports as high as 100% of streetscape materials being managed by landfill disposal or energy recovery. Meanwhile, the Recycling Regulation explicitly requires of Recycle BC a rigorous approach to reporting and adherence to the Pollution Prevention Hierarchy. This fundamental challenge, centred on the divergent needs of the parties in question, significantly impacts the creation of an extended

producer responsibility system for streetscape that is practical, defensible, reasonable, and sustainable.

As Recycle BC develops its proposed amendment for streetscape, society continues to change and challenge streetscape:

- The pandemic has changed societal behaviour for shopping, dining, and travel, as well as stewards' financial situations, including bankruptcies, closing of storefronts and switching sales to online;
- Local governments are enacting bans for some items that are traditionally deposited in on-street recycling stations: single-use products such as plastic shopping bags, plastic cutlery and straws, foam food service packaging, and foam drink cups. Similar bans are pending from federal and provincial governments;
- Many quick service restaurants are changing take-out packaging to compostable paper and plastic as an alternative to foam and traditional plastic. The current Organic Matter Recycling Regulation (OMRR) does not recognize compostable plastic and paper thereby designating it a contaminant for the green bin. Compostable plastic materials are also contaminants in the recycling station, as is regular packaging soiled with food;
- Streetscape currently represents an unacceptably high source of greenhouse gas emissions for marginal environmental outcomes. To date, it is not aligned to the Province of British Columbia's *Clean BC* strategy; and
- There is heightened public awareness of the importance of being transparent and avoiding greenwashing, particularly for recycling programs, due to the public's significant concern for plastic pollution and the state of the environment, particularly oceans.

Recycle BC's robust and extensive research and engagement on streetscape, plus the current context of today's changing environment, form the basis of Recycle BC's proposed amendment.

1.3 Recycle BC Proposal

Recycle BC's amendment is set on three principles: trust, cost, and fairness. For each, there are clear areas of concern and potential opportunities for mitigation.

1. Trust:

- Concern: Streetscape collection is not aligned to the *Clean BC* strategy to date. It currently represents an unacceptably high greenhouse gas emission-intensive process as compared to the data which has generally demonstrated poor environmental outcomes for materials resulting from extremely high contamination. The public expectation of recycling stations vs. the actual end of life fate of most materials poses a significant risk to public trust and raises concerns associated with allegations of greenwashing.
- Mitigation: Develop a baseline standard for collection contamination as the threshold for entering the Recycle BC streetscape program and set a minimum recycling rate (collected vs. marketable quantities) for end-of-life material management to ensure a positive environmental outcome for the program.

2. Cost:

- Concern: The costs associated with the Recycle BC program, both funding the program and expanding Ministry expectations, have nearly doubled since program inception. The cost of

managing streetscape material is going to significantly impact producers already hard-hit by COVID-19, especially the restaurants, who comprise a significant portion of the Recycle BC materials found in streetscape (take-out containers and drink cups) and who have struggled greatly throughout the pandemic. With renewed concerns associated with a now-declared 4th pandemic wave and the return to school and fall flu season approaching, some businesses are on tenterhooks as they consider potential future impacts to their financial stability.

- Mitigation: Both the federal and provincial governments are expected to bring forth single use product bans. The federal government bans (expected by end of 2021) will target six plastic products: plastic check-out bags, stir sticks, 6-pack rings, cutlery, straws, and food service ware made from problematic plastics). Following the enactment of these bans, or any action by the province to formally ban single-use products province-wide, Recycle BC will audit on-street receptacles to determine material composition and the appropriate disposal containers – recycling (paper, containers), organics (dependent upon OMRR), and garbage. Recycle BC's audit will occur the later of April 2022 or 6 months following MOECCS approval of this amendment. Recycle BC will develop an audit methodology that is practical and affordable to use to set and validate Recycle BC's program entry parameters for collection contamination, to ensure brand owners are funding a program for their materials and not general waste.

3. Fairness:

- Concern: The high incidence of other stewardship programs' materials in streetscape receptacles is not currently addressed by the Recycling Regulation. A pilot study conducted in 2019 in BC found more than one third of the containers in the container receptacle were deposit materials and yet the Regulation is currently only being applied to packaging and paper. A survey of residents in Quebec found that the top items residents place in streetscape are water bottles, newspapers, milk and juice containers, none of which are Recycle BC materials (milk exits the program in February 2022).
- Mitigation: Recycle BC's service and funding commitments and program deliverables for streetscape will be for its program stewards' materials. As a result, local governments will remain responsible for costs associated with materials that fall under the responsibility of other stewardship programs.

Recycle BC conducted an in-depth review of the activities it has undertaken since program inception, both in concert with local governments and independently, in preparation for the submission of this amendment. Recycle BC, through the mitigation steps outlined above, is proposing a series of activities that are necessary to its new streetscape program offer, to ensure that the three principles of trust, cost, and fairness are respected.

A Recycle BC program for streetscape cannot be divorced from its overall obligations and interests. These interests include achieving class-leading environmental results for all of the materials it collects, ensuring a program that operates efficiently and without undue expense to producers, preserving the reputation of the Recycle BC program, maintaining the confidence of residents, managing the expectations of stakeholders, and ensuring the continuous improvement of the program, among many others.

SECTION 2: Streetscape Consultation Process and Outcomes

This section responds to the Director's letter requirement to summarize:

- The advisory group consultation methodologies;
- The process involved;
- How stakeholder comments were solicited and addressed; and
- The resulting service and funding commitments, and program deliverables.

The supporting documents to Recycle BC's work on streetscape are posted on its website. For ease of reference, they can be accessed as follows:

- General streetscape information: <https://recyclebc.ca/promotion-education-resources/on-street-recycling/>
- Streetscape Round Table report: https://recyclebc.ca/wp-content/uploads/2020/02/Streetscape-Roundtable-Final-Report_25Feb2020.pdf
- Consultation PPT presentation: https://recyclebc.ca/wp-content/uploads/2020/07/Streetscape-Recycling_Consultation-Presentation-07.22.2020.pdf
- Consultation report: https://recyclebc.ca/wp-content/uploads/2020/09/Consultation-Report_Streetscape-Recycling_September_2020.pdf.

2.1 Consultation Methodology

1. Information Assembly:
 - Streetscape recycling – definitions, eligibility criteria, program scope;
 - Round Table discussion series – description, list of eligible municipalities, structure of series;
 - Background information – Recycle BC pilot and consultation outcomes plus other streetscape recycling municipal audit results; and
 - External jurisdiction scan – North American and international current reality and best practices for streetscape recycling and related drivers and challenges.
2. Data Assembly (from local government survey):
 - Collected tonnes;
 - Municipal costs;
 - Contamination rate & historical municipal studies and audits;
 - Streetscape infrastructure details and collection frequency information;
 - Eligible local government current program status; and
 - Round table poll and breakout information.
3. Assumptions:
 - Current practices, including environmental outcomes gathered from participating municipalities, can inform Recycle BC's forthcoming recommendations and program requirements;
 - Key preferences and priorities expressed by municipalities related to their role in infrastructure, collection, processing, and end fate for managing packaging and paper products, can inform best practices, priorities, and challenges for optimizing capture and reducing contamination, in program design elements; and

- Program design must enable a commercial transaction and therefore requires measured and verifiable outcomes in return for payment.
- 4. Analysis and Meeting Material Preparation:
 - Recycle BC considerations to inform program requirements, such as standards, GHG emissions, efficiency and effectiveness, and environmental outcomes;
 - Proposed streetscape program design; and
 - Proposed financial incentive rates.

2.2 Consultation Process

In 2019, Recycle BC engaged a third-party organization, Alces Technologies Inc., to facilitate six round table sessions among local government representatives in BC. Twenty-seven of the 31 eligible municipalities participated in some form for the duration of the series from May to November 2019. At least 50% of invited municipalities attended a majority of the sessions held by webinar (3), and in-person (North Vancouver, Burnaby, and Kelowna). Representatives from the MOECCS also participated in the roundtable series, with a presentation by the Ministry during the second in-person session.

Municipalities within BC came together to:

- Discuss a suitable recycling or recovery model and inputs to inform the development of a financial incentive offer from Recycle BC for the collection of streetscape material;
- Assess current and historical findings from local governments with streetscape programs; and
- Seek consensus on best practices for execution.

Extensive information collection exercises with the municipal partners occurred during the series in the form of surveys, polls, and facilitated discussions, and additional research was conducted to inform the ongoing discussions. Municipal audits were harmonized and aggregated alongside Recycle BC audit data to show accuracy and capture rates as available.

Recycle BC's consultant undertook an external jurisdictional scan through North American interviews and international online research. The intent was to gauge and evaluate current practices in higher performing jurisdictions globally to determine materials collected and what is recycled versus disposed. Scanned jurisdictions spanned Canada, the United States, Europe, Asia, and Australia.

The latter part of the round table series involved Recycle BC presenting its preliminary streetscape program design considerations to inform future program requirements for participating municipalities.

Following the round table series, Recycle BC further consulted on program design and financial incentives. Recycle BC's process was as follows:

- Consultation Invitation
 - Sent to all 31 eligible municipalities; and
 - The MOECCS was invited to attend the consultation as an observer.
- Consultation Webinar

- Recycle BC's consultation webinar provided an overview of streetscape recycling, a recap of the 2019 round table series and a summary of Recycle BC's considerations in developing its proposal. This webinar outlined the new proposed program design and financial incentive. It concluded with a question-and-answer period; and
- During the webinar, Recycle BC noted that specific feedback by collectors is essential to the consultation process.
- Feedback Process
 - The webinar agenda provided time for participants to ask questions, which were answered during the webinar. The Question-and-Answer document was posted on Recycle BC's website alongside the webinar post; and
 - Following the consultation webinar there was a two-week consultation feedback period.
- Consultation Report
 - The feedback received was reviewed in detail by Recycle BC and considered against the proposed program design and financial incentive offer; and
 - The Streetscape Recycling Program Design and Financial Incentive Consultation Report, September 2020, summarizes Recycle BC's consultation process. It is posted on Recycle BC's website.

2.3 Stakeholder Feedback

Stakeholder comments were solicited through the consultation process, written feedback was received from four collectors and addressed in the consultation report as follows:

1. Organics - Two local governments provided feedback on their program design of including soiled and unsoiled paper in the green organics receptacle for end fate composting and want this element to be allowed as multi-stream collection.
 - Recycle BC consideration: It is not yet determined how to address an organics stream as the OMRR revisions, including to add paper as an acceptable material for organic collection, have not been implemented. Currently, under OMRR, paper is a contaminant. If OMRR is revised to include paper as acceptable for compost recycling, Recycle BC will revisit this element in its proposal as part of multi-stream collection.
2. Annual Audit – Three local governments requested more information on the audit process.
 - Recycle BC consideration: The audit will have a format - by sample size, materials and weights - for a common methodology and to compare/compile audit results. The size of the sample will in part be determined by how many stations/receptacles there are for collection. It will be a representative sample of streetscape collection containers on, at minimum, an annual basis, in order to calculate the amount and type of contamination in the collected material.
3. Processing - Two local governments queried why Recycle BC would not provide access to end processors.
 - Recycle BC's proposal is for separate management because high contamination levels in streetscape create unmarketable material that must not impact Recycle BC's current residential recycling program and its ability to market clean recyclables. We do not have the capacity to ease access to markets. Markets operate independently of our program,

competition is intense, and we must maintain our focus on ensuring we can successfully market the majority of the +200K tonnes that make up our core program.

4. End Fate - Two local governments questioned the detail required for end fate reporting.
 - Recycle BC consideration: As part of program compliance, it is important for Recycle BC to have transparency in reporting on the end fate for the material collected. For end fate, the processor will provide the local government with what they did with the collected material. Avoiding this requirement could result in legitimate charges of greenwashing.

2.4 Service and Funding Commitments, and Program Deliverables

Recycle BC presented its service and funding commitments at the conclusion of the 2020 streetscape consultation. Only four local governments responded to Recycle BC's proposed program offer, and none accepted the proposal.

To address the challenges surfaced during Recycle BC's 2020 consultation, Recycle BC will undertake several activities that are necessary to a new program offer:

- Develop a baseline standard for collection contamination as the threshold for entering the Recycle BC streetscape program and set a minimum recycling rate (collected vs. marketable) for end-of-life material management to ensure a positive environmental outcome for the program;
- Following the implementation of single-use product bans, audit on-street receptacles to determine material composition and the appropriate disposal containers – recycling (paper, containers), organics (dependent upon OMRR), and garbage. Recycle BC's audit will occur the later of April 2022 or 6 months following MOECCS approval of this amendment;
- Develop a separate audit methodology that is practical and affordable to use to set and validate Recycle BC's program entry parameters for collection contamination, to ensure brand owners are funding a program for their materials and not general waste; and
- Test the audit methodology in a streetscape community that has implemented single-use product bans and has demonstrated a reasonable contamination rate.
- Prepare the revised service and funding commitments to collectors and consult with collectors prior to implementing this program.

Recycle BC's revised service and funding commitments, and program deliverables for streetscape, will be for our program stewards' materials. For materials that fall under the responsibility of other stewardship programs, Recycle BC defers to the MOECCS for their direction to other programs.

Recycle BC will use all the above deliverables to construct our next service and funding offer for an effective streetscape program for packaging and paper products.

SECTION 3: Amendment

3.1 Regulation Subsection 5(1)(c)(iii)

Recycle BC's Program Plan adequately provides for reasonable and free consumer access to collection facilities. Recycle BC provides accessibility through curbside, multi-family, depot and First Nations Recycling Initiative collection of residential waste packaging and paper. Ninety-nine percent of households have access to Recycle BC's program in the province. The Recycling Regulation also requires Schedule 5 programs to adequately provide for the collection of their material from municipal property.

Recycle BC has demonstrated through this report the inherent challenges in on-street recycling collection of discarded paper and packaging, and the significant work undertaken to date on streetscape to address proof of concept. Proof of concept, for Recycle BC, must include the necessary data for the creation of a commercial agreement, the proffering of a financial incentive, and the demonstration of positive environmental outcomes.

This amendment adds to Recycle BC's Program Plan the steps necessary to create an extended producer responsibility system for streetscape that is practical, defensible, reasonable, and sustainable, while respecting the three principles of trust, cost, and fairness.

3.2 Amendment Language

Recycle BC proposes for approval the following amendment language, to expand Section 4.3.10 Streetscape Collection of its current Program Plan. Note: amendments are housed in the posted Program Plan Amendments document on Recycle BC's website.

Recycle BC completed its 2020 commitments for a 2020 consultation and program design offering. The supporting documents to Recycle BC's work on streetscape are posted on its website (<https://recyclebc.ca/promotion-education-resources/on-street-recycling/>).

The context for streetscape has continued to evolve. Streetscape collection as it is generally delivered today is not aligned to the Clean BC strategy. It currently represents an unacceptably high greenhouse gas emission-intensive process as compared to the data which has generally demonstrated poor environmental outcomes for materials resulting from extremely high contamination.

To address the challenges surfaced during Recycle BC's 2020 consultation, Recycle BC will undertake several activities that are necessary for a new program offer:

- *Following the implementation of single-use product bans (either federal or provincial), audit on-street receptacles to determine material composition and the appropriate disposal containers – recycling (paper, containers), organics (dependent upon updates to the Province's Organic Matter Recycling Regulation), and garbage;*
 - *Timing: to provide a reasonable and practical timeline, given the uncertainty of federal and provincial bans, Recycle BC's audit will occur the later of April 2022 or 6 months following MOECCS approval of this amendment. The audit will target streetscape recycling stations within the City of Vancouver as the City will*

have then banned 4 of 6 of the federal items (relies upon City approval and their planned launch date of January 1, 2022 for ban of single-use shopping bags). Should the federal ban go into effect prior to the City of Vancouver audit date, other potential streetscape communities could be included in the audit.

- *Develop a baseline standard for collection contamination as the threshold for entering the Recycle BC streetscape program and set a minimum recycling rate (collected vs. marketable material) for end-of-life material management to ensure a positive environmental outcome for the program. The program participation standard for local governments within the streetscape program will be adjusted upward over time from the initial baseline to incent environmental outcomes to continuously improve;*
 - *Timing: following the Q2 audit of streetscape, Recycle BC will develop its baseline standard and minimum recycling rate in Q3 2022 utilizing the audit results (or if amendment approval delays audit, in following quarter to audit).*
 - *Recycle BC will set a baseline standard that takes into consideration a pathway from reasonable entry metrics (baseline), through continuous improvement stages, to an optimal target level of contamination (goal), for the compensation offered.*
- *Develop an audit methodology that is practical and affordable to use to set and validate Recycle BC's program entry parameters for collection contamination, to ensure brand owners are funding a program for their materials and not other stewardship programs' materials or general waste;*
 - *Timing: following the Q2 audit of streetscape (see bullet above), Recycle BC will develop its audit methodology in Q3 2022 (or if amendment approval delays audit, in following quarter to audit).*
- *Test the audit methodology in a streetscape community that has implemented single-use product bans and has demonstrated a reasonable contamination rate;*
 - *Timing: Recycle BC will test its audit methodology during Q4 2022 (or if amendment approval delays sequence above, in following quarter to completion of above activities).*
- *Recycle BC will prepare its revised service and funding commitments to collectors, and consult with collectors prior to implementing this program;*
 - *Timing: Recycle BC will provide the streetscape program to collectors in Q2 2023 for collectors to request an offer to join the program.*

Recycle BC's revised service and funding commitments, and program deliverables for streetscape, will be for its program stewards' materials. For materials that fall under the responsibility of other stewardship programs, Recycle BC defers to the MOECCS for its direction to other programs.

As outlined above, Recycle BC's revised streetscape program, including revised financial incentive and service agreement, is dependent upon other activities beyond Recycle BC's control, to ensure that the three principles of trust, cost, and fairness are respected. Nonetheless, with this amendment Recycle BC has developed a path towards a streetscape program, mitigating external influences where possible and providing concrete timelines for action. Going forward, as the MOECCS implements amendments to OMRR, Recycle BC will consider the impact of these changes on its financial incentive and service agreement offering.

SECTION 4: Next Steps

4.1 MOECCS Approval

Once the MOECCS has approved the proposed amendment as outlined (3.2 Amendment Language above), Recycle BC will post this amendment to its Stewardship Plan Amendments document on the Recycle BC website.

4.2 Streetscape Program

Upon approval by the MOECCS of the proposed amendment, Recycle BC will begin the series of activities that are necessary to its new streetscape program offer, as outlined above, ensuring that the three principles of trust, cost, and fairness are respected.



CLIFF #383090
eApproval 12038

December 20, 2021

Tamara Burns
Executive Director Western Canada
Recycle BC
171 Esplanade West, suite 230
North Vancouver, BC V7M 3J9

Dear Tamara Burns,

Thank you for submitting the August 31st, 2021 program plan amendments for curbside equivalency, streetscape, multi-family service, and glass and metal targets in fulfillment of the requirements of Section 5(1)(a)(iii), (c)(iii) and (d)(ii) of the Recycling Regulation (the regulation) made under the *Environmental Management Act*.

I have completed my review of the proposed amendments to your Packaging and Paper Product Extended Producer Responsibility Plan, and I am satisfied they meet the requirements of the regulation.

Specifically, I have been satisfied of the following:

1. Curbside Equivalency Definition

The proposed amendment has demonstrated how the plan itself meets subsection 5(1)(c)(iii) of the Regulation. This amendment justifies the methodology, the process involved, how stakeholder comments were solicited and addressed, and includes equivalency definition parameters, and timelines for offers to communities meeting the equivalency definition.

2. Streetscape

The proposed amendment has demonstrated how the plan itself meets subsection 5(1)(d)(ii) of the Regulation. This amendment summarizes the advisory group consultation methodologies, the process involved, how stakeholder comments were solicited and addressed, and the resulting service and funding commitments, and program deliverables.

3. Multi-Family Service

The proposed amendment has demonstrated how the plan itself meets subsection 5(1)(c)(iii) of the Regulation. This amendment provides a methodology for tracking and reporting annually

on the expansion of multi-family service, as well as confirms the promotion of such service offerings to multi-family facility owners/operators.

4. Glass and Metal Targets

The proposed amendment has demonstrated how the plan itself meets subsection 5(1)(a)(iii) of the Regulation. These amendments provide for performance targets that are capable to achieve in a reasonable time.

Thank you for your efforts on these plan amendments that demonstrate continuous improvement on several fronts. I also appreciate the industry's continued commitment to achieving compliance in this regard.

Sincerely,



Laurel Nash
Assistant Deputy Minister
Environmental Protection Division

cc: Sonya Sundberg, Executive Director, Environmental Standards Branch
Bob McDonald, Director, Extended Producer Responsibility Section
Tim O'Rourke, Ministry file lead, Extended Producer Responsibility Section



Recycle BC

New Plastics Targets

Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

August 1, 2022
Revised October 20, 2022

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Introduction

Recycle BC's second program plan, dated June 2019, introduced material category recovery performance targets for Paper, Plastic, Metal and Glass. In addition to establishing targets for these four major categories, Recycle BC set recovery performance targets for rigid and flexible plastic subcategories. As a material category achieves and maintains its target recovery rate for two years, a new target will be set. Recycle BC, when preparing for its next 5-year program plan (2023 – 2028), will consult on performance targets and measures as per its commitment in Appendix B of the current program plan (https://recyclebc.ca/wp-content/uploads/2019/07/RecycleBCStewardshipPlan_16July2019.pdf).

Recycle BC reports on the performance of its packaging and paper (PPP) program in an annual report submitted to the BC Ministry of Environment and Climate Change Strategy ("the Ministry") and posted on its website by July 1 each year (<https://recyclebc.ca/about-recyclebc/program-overview/annual-reports/>). Starting in 2019, tonnes and recovery rates for the following material categories are reported annually: paper, plastic, metal and glass, as well as plastic sub-categories of rigid plastic and flexible plastic.

Recycle BC achieved its glass and metal targets in 2018 and 2019 and therefore set new targets for these two materials for 2020. These new targets, and performance against them, were reported in Recycle BC's 2020 Annual Report. For 2021, target recovery rates were increased for plastic, rigid plastic and flexible plastic and 2025 was set as the year to achieve the new targets.

The Ministry requested Recycle BC submit amendments pertaining to new targets, and to also provide the methodology used to set new targets. This document contains the amendment and the additional information requested.

Target Details

Recycle BC was the first jurisdiction in North America to have material-specific reporting for packaging and paper product and to set targets for rigid and flexible plastic subcategories. These first material-specific recovery targets were consistent with the European Union's targets, including plastic targets of 50% by 2025 and 55% by 2030, set as part of the efforts to transition to a circular economy. Similarly, they were consistent with the targets set in the Plastics Charter, tabled by Canada at the 2018 G7, (i.e., recycle and reuse 55% of plastic packaging by 2030 and recover 100% of all plastics by 2040).

The target rate chart in Recycle BC's program plan (revised June 2019) was:

Material Category	2017 Recovery Rate	Target Recovery Rate	Year to Achieve Target
Paper	87%	90%	2020
Plastic	41%	50%	2025
Rigid Plastic	50%	55%	2022
		60%	2025
Flexible Plastic	20% ²⁶	22%	2022
		25%	2025
Metal	66%	67%	2020
Glass	72%	75%	2020

(footnote 26: Please note that in 2017 plastic laminates were not targeted for collection but nonetheless residents disposed of them in the Recycle BC system and those quantities are included here.)

Recycle BC achieved its glass and metal targets in 2018 and 2019 and therefore set new targets for these two materials for 2020. These new targets, and performance against them, were reported in Recycle BC's 2020 Annual Report. The Ministry approved Recycle BC's proposed Amendment for new Glass and Metal targets. The new targets were published in a companion document to the program plan, as follows:

Material Category	2020 Recovery Rate*	Updated Target Recovery Rate	2019 Recovery Rate	Target Recovery Rate	Year To Achieve Target
Paper	90%		83%	90%	2020
Plastic	52%		46%	50%	2025
Rigid Plastic	64%		56%	55%	2022
				60%	2025
Flexible Plastic	24%		22%	22%	2022
				25%	2025
Metal	85%	81%	73%	67%	2022
Glass	97%	98%	87%	75%	2022

* The pandemic effect on recycling behaviour made 2020 an anomalous year to historical trend. 2021 is anticipated to be affected as well.

Recycle BC achieved its plastics targets in 2019 and 2020, including achieving the subcategories of rigid plastic and flexible plastic, and therefore set new targets for all plastic material for 2021.

2.1 Target Methodology

The material specific target rate method outlined below is principally in line with the calculation of the regulatory recovery rate (RR) whereby the RR is a percentage with the numerator representing the quantity of PPP collected and the denominator representing the quantity of PPP supplied.

The methodology for setting material-specific targets considers the last three calendar years preceding the year of the new target, for the respective supply and collection years as reported in each Annual Report, in order to assess the trend and trajectory of the material's performance.

The material specific target rates are calculated as follows:

Recovery Rate Target =

$$\frac{\text{Latest Material Specific Collection Quantity} \times (1 + \text{Material Specific Collection Growth}) \times (1 + \text{Program Growth})}{\text{Latest Material Specific Supplied quantity} \times (1 + \text{Material Specific Supplied Growth})}$$

$$\frac{\text{Latest Material Specific Collection Quantity} \times (1 + \text{Material Specific Collection Growth}) \times (1 + \text{Program Growth})}{\text{Latest Material Specific Supplied quantity} \times (1 + \text{Material Specific Supplied Growth})}$$

The components of the calculation are defined as follows:

- Latest Material Specific Collection Quantity:
 - Material specific collection quantity as reported in the Annual Report preceding the year of the new target.
- Material Specific Collection Growth:
 - The growth in the net collected quantities of the material in question over a period of the last three calendar years preceding the year of the new target.
- Latest Material Specific Supplied Quantity:
 - Material specific supplied quantity as reported in the Annual Report preceding the year of the new target.
- Material Specific Supplied Growth:
 - The growth in the supplied quantities of the material in question over a period of the last three calendar years preceding the year of the new target.
- Program Growth:
 - Estimated growth in the program collection over the last three years including the year of the new target.

The above methodology and specific calculations for plastic and its two subcategories were performed for the new 2021 targets. This resulted in new targets of:

- Plastic: 58% (previous target 50%)
- Rigid: 73% (previous target 55%)
- Flexible 27% (previous target 22%)

2.2 Additional Information

Stakeholders can be confident in the metrics reported by Recycle BC because each year Recycle BC is subject to third party assurance for non-financial information in the annual report. Annually, Recycle BC provides its auditors with the *Product Stewardship Annual Report Submission Checklist and Guidance* document provided by the Ministry to ensure the objectives of the audit are satisfied. The findings of the third-party assurance audit are included in Recycle BC's annual report.

It should be noted that the pandemic effect on recycling behaviour continued in 2021. Recovery rates will continue to be impacted by the pandemic for the next couple of years until stability in supply and collection resume.

The 2021 Annual Report was approved by Recycle BC's Board of Directors at its June 21, 2022, meeting. The 2021 Annual Report, submitted June 30, 2022 to the Ministry, was assessed as a Notice of Compliance by the Compliance and Environmental Enforcement branch (inspection report (IR 191642)) on July 20, 2022.

Amendment

The following amendment pertains to Recycle BC's new targets for plastics, and performance against them, as reported in Recycle BC's 2021 Annual Report. The amendment, once approved by the Ministry, will be published in a companion document to the program plan within 30 days of approval. This

companion document will hold all future amendments to the June 2019 plan in one place for ease of reference. All links contained in the amendment will be active upon publishing.

Amendment:

The government-approved 2019 Recycle BC Program Plan (PP) introduced material category recovery performance targets for paper, plastic, metal and glass (section 5.3.2 *Material Category Performance Targets*). The targets were established to promote continuous improvement. Once a target has been achieved and maintained for two years, Recycle BC has committed to revising the target and publishing in its Annual Report (AR). New target rates for these materials are:

Material Category	Updated Target Recovery Rate (2021 AR)	Updated Target Recovery Rate (2020 AR)	2021 Recovery Rate	Year to Achieve Updated Target*	Original Target Recovery Rate (2019 PP)	Original Year to Achieve Target (2019 PP)
Paper			101%		90%	2020
Plastic	58%		55%	2025	50%	2025
Rigid Plastic	73%		67%	2025	60%	2025
Flexible Plastic	27%		28%	2025	25%	2025
Metal		81%	83%	2025	67%	2020
Glass		98%	116%	2025	75%	2020

*Recycle BC will update 2025 targets as part of its 2022 consultation for its new 5-year program plan.



Single-Use and Packaging-Like Products
Packaging and Paper Product Extended Producer Responsibility Plan
Amendment

October 5, 2021, Revised and Resubmitted August 4, 2022

SECTION 1: Introduction

The Ministry of Environment and Climate Change Strategy (Ministry) enacted amendments to the *Recycling Regulation* in June 2020, through *Order in Council #370*, including changes to the materials to be included in the Recycle BC program. Beginning January 1, 2023, producers of Single-Use Products and Packaging-Like Products (SUP/PLP) will be obligated for these materials.

As a result, producers are required to track 2021 sales data of SUP/PLP to prepare for the 2022 reporting cycle. Reports submitted in 2022 will include 2021 SUP/PLP sales data to inform 2023 fee rates and invoices. Recycle BC will begin collection of designated SUP/PLP in 2023. Current definitions and examples of SUP/PLP are included in an [Explanatory Note](#) to the Regulation.

SECTION 2: Recycle BC Proposal

Recycle BC's amendment seeks to address the inclusion of the newly obligated materials (SUP/PLP) in its Program Plan, and to shift the responsibility for Service Packaging as currently included in Recycle BC's Program Plan from the "filler" who supplies such packaging to consumers at point of sale, to either the brand owner, first importer or franchisor of the packaging that is ultimately supplied to consumers in British Columbia.

By introducing an obligation for SUP/PLP and listing the types of materials covered by the amendments, the Ministry's amendments will supersede Recycle BC's Program Plan definition for Service Packaging. Service packaging, as currently defined in Recycle BC's Program Plan, is comprised of both Single-Use Products and Packaging-Like Products.

Packaging-like products as defined by the Ministry include, but are not limited to, items such as:

- Food bags and films purchased as a product, food storage, sandwich and freezer bags, paper lunch bags, aluminum foil wrap, plastic shrink film wrap, paper wrap (e.g. wax paper, parchment paper);
- Disposable food storage containers purchased as a product, (i.e. containers intended for short term use), non-durable plastic, paper or other food containers (e.g. plastic lunch containers), aluminum foil pie plates and baking trays, etc.; and
- Household items purchased as a product, corrugated cardboard moving boxes, banking boxes and cardboard boxes, recycling bags (i.e. bags used to collect recyclables), LDPE/HDPE film (e.g. used as drop sheets for painting, covering items like furniture or equipment), bubble wrap, plastic plant pots and saucers.

Single-use products as defined by the Ministry include, but are not limited to, items such as:

- Straws, stir sticks, utensils, plates, bowls and cups; and
- Party supplies and paper party décor (e.g. paper streamers, pinwheels and piñatas), but does not include items such as costume wear (e.g. eye glasses), balloons, ribbons, that prove especially problematic in a recycling system.

Starting with the 2022 reporting year (2021 data) and consistent with the amendment to the Regulation, the obligated party will be required to report SUP/PLP and Service Packaging under Recycle BC's program plan. This data will inform the 2023 fees and generate the incremental revenue required to fund Recycle BC's management of these materials starting on January 1, 2023.

Service Packaging is packaging which may or may not bear a brand that is supplied at the point of sale by retail, food-service or other service providers to facilitate the delivery of goods. Service Packaging includes all bags, boxes, and other items for the containment of goods at point of sale.

As noted above, for Service Packaging, this responsibility will shift from the "filler" who supplies such packaging to consumers at point of sale, to either the brand owner, first importer or franchisor of the packaging that is ultimately supplied to consumers in British Columbia.

SECTION 3: Amendment Language

Note: amendments are housed in the posted Program Plan Amendments document on Recycle BC's website.

The obligations of "small producers" and "franchise systems" will continue to be determined in accordance with the Recycling Regulation and the Government's policy guidance, as may be updated from time to time.¹

Recycle BC proposes amending Section 3.1 (Packaging) to include:

(f) effective January 1, 2023, packaging and paper products include:

- (i) "Designated Packaging-like Products" as defined by the 2020 Amendments to the BC Recycling Regulation; and*
- (ii) "Designated Single-use Products" as defined by the 2020 Amendments to the BC Recycling Regulation [Explanatory Note](#).*

SECTION 4: Next Steps

Once the Ministry has approved the proposed amendment as outlined (Section 3: Amendment Language above), Recycle BC will post this amendment to its Program Plan Amendments document on the Recycle BC website.

¹ See <https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/paper-package/sm-producer-definition-policy-interp.pdf>



CLIFF #382796
eApproval #11875

Tamara Burns
Executive Director Western Canada
Recycle BC
171 Esplanade West, suite 230
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Dear Tamara Burns,

Thank you for your August 4th, 2022, and revised October 20th, 2022 submissions regarding the Extended Producer Responsibility (EPR) plan amendment for New Plastics Targets in fulfillment of the requirements of your approved EPR plan (the plan). Thank you for your October 5th, 2021, and revised August 4th, 2022 submissions regarding the Single-Use Plastics and Packaging-Like Products (SUP/PLP) amendment in fulfillment of the requirements of Order in Council #370, Appendix 2, which amends the Recycling Regulation (the regulation), made under the *Environmental Management Act*, to include SUP/PLP as of January 1st, 2023.

Under the Regulation, the director can both amend an approved EPR plan on their own initiative and approve amendments to an approved plan that are proposed by the producer.

I have completed my review of the proposed amendments to your Packaging and Paper Product (PPP) EPR plan and identified that, while elements of the proposed amendments meet the criteria set out in s5(1) of the regulation and my previous direction, certain components remain outstanding.

Prior to the issuance of this decision letter, Recycle BC was provided with feedback on the New Plastics Targets amendment as well as extensive feedback on the SUP/PLP amendment, and has had the opportunity to propose further amendments or provide additional information for consideration.

Recycle BC addressed several of the identified deficiencies either through revising the proposed amendment itself or through providing supplementary information. Matters that I do not consider to be effectively addressed are set out below. Please be advised that in addition to the amendments proposed by Recycle BC, I am making the amendments identified below, pursuant to section 5(5) of the regulation.

1. New Plastics Targets

Recycle BC has been a leader in the recovery and recycling of residential plastics, and I commend the efforts and progress the program has made to date on this front. This is a trend that the Ministry would like to see continue.

The proposed amendment has demonstrated how the plan meets subsection 5(1)(a)(iii) for the rigid plastic target and provides for a performance target that is achievable in a reasonable timeframe. Therefore, I approve the amendment target of 73% for rigid plastics, to be achieved by 2025.

However, I note that the proposed flexible plastics target has already been surpassed, with Recycle BC reporting a 28% recovery rate in 2021. Currently, 72% of producer's flexible plastics are not being collected for recycling and are instead either being landfilled or filtering into the environment. I do not consider that the proposed flexible plastics target meets producers' obligation to manage their products.

As the overall plastic target is calculated as a combination of the rigid and flexible plastic subcategories, an increase in the flexible plastic target will automatically increase the plastic target. Given this link between the two targets, neither are approved.

As Recycle BC is currently consulting on its 2023 EPR plan, I do not require Recycle BC to resubmit improved targets for flexible plastics and overall plastics. I do however expect to see substantially higher plastic and flexible plastic recovery rates proposed in the 2023 EPR plan to ensure that continuous progress is being made.

2. Single-Use Products and Packaging-Like Products

The proposed amendment has demonstrated how the plan fulfills the requirements of Order in Council #370, Appendix 2, which amends the regulation to include SUP/PLP; however, I am amending section 2 of the plan (The Extended Producer Responsibility Agency), the footnote on page six of the plan, section 3.1 of the plan (Packaging), and Appendix D of the plan to align the definition of "producer" to that established under the regulation, which prevails. I understand that these amendments were discussed at length between the ministry's and Recycle BC's legal representation, agreed by both parties, and were expected by the ministry to be included in Recycle BC's proposed amendment.

Specifically:

- i. The final paragraph of Section 2 (The Extended Producer Responsibility (EPR) Agency) of the plan is amended to read:

“For the purposes of the Program Plan, the producer for a specific unit of packaging or paper product is generally the supplier of service packaging or the first of the following: brand owner, the franchisor or the first seller (also known as the first importer).⁹”

- ii. The footnote nine on page six of the plan, referring to Appendix D, is amended to state:

“⁹ B.C.’s Recycling Regulation defines “producer”. For Recycle BC’s working definition, see Appendix D.”

- iii. I approve section 3.1 (packaging) and further amend it to better reflect SUP/PLP descriptions. I amend the plan to read:

(f) effective January 1, 2023, packaging and paper products include:

- (i) “Packaging-like Products” as described in section 2 of Schedule 5 of the Recycling Regulation (see B.C. Reg 162/2020); and*
- (ii) “Single-use Products” as described in section 4 of Schedule 5 of the BC Recycling Regulation (see B.C. Reg 162/2020).*

- iv. In Appendix D of the plan, under the heading ‘Designation of Producers’, I amend sub-section ‘Producers for Packaging’, to read:

“Producers for Packaging

For Packaging the Producer is the Person Resident in British Columbia who:

- a) manufactures the product and uses in a commercial enterprise, sells, offers for sale or distributes the product in British Columbia under the manufacturer's own brand,
- b) if subparagraph (a) does not apply, a person who is not the manufacturer of the product but is the owner or licensee of a trademark under which a product is used in a commercial enterprise, sold, offered for sale or distributed in British Columbia, whether or not the trademark is registered, or

- c) if subparagraphs (a) and (b) do not apply, a person who imports the product into British Columbia for use in a commercial enterprise, sale, offer for sale or distribution in British Columbia”

Thank you for your efforts on this plan amendment and I appreciate the industry’s continued commitment to achieving compliance in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laurel Nash', with a stylized, cursive script.

Laurel Nash
Assistant Deputy Minister
Environmental Protection Division

cc: Sonya Sundberg, Executive Director, Environmental Standards Branch
Bob McDonald, Director, Extended Producer Responsibility Section



RECYCLEBC™

Recycle BC

New Curbside

Curbside Adjacency Criteria Amendment

August 2022

Revised October 20, 2022

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SECTION 1: Introduction

1.1 Project Objective

Section 4.3.5 of the Recycle BC Program Plan outlines eligibility criteria for new curbside collection programs in municipalities. The Ministry of Environment and Climate Change Strategy (MOECCS) subsequently requested that Recycle BC expand that definition to include an equivalency definition for unincorporated areas, which was approved in late 2021.

Recycle BC also committed in the Program Plan to “...assess the feasibility of servicing smaller, densely populated communities of less than 5,000 residents that are immediately adjacent to an existing curbside service area, with the same requirement for curbside garbage collection...”
The objective of this project was to develop the curbside adjacency criteria.

1.2 Project Background

During development of Recycle BC’s latest five-year Program Plan, which began in 2017, the Ministry of Environment and Climate Change Strategy (MOECCS) requested Recycle BC provide clear criteria for new curbside collection programs and consult on that definition. Recycle BC completed this work and provided the following definition in its revised Program Plan:

4.3.5 New Curbside Programs

Local governments, in communities that did not have PPP curbside collection programs as of May 2014 when the program was first launched, are eligible to join the Recycle BC program as contracted collectors if they implement a PPP curbside collection program, provided each of the following criteria is met:

- *A curbside garbage collection program was in place for a minimum of two years in advance of the new curbside program for the same households;*
- *The community represents an incorporated municipality; and*
- *The community has a minimum population of 5,000 residents.*

The MOECCS subsequently requested that Recycle BC expand that definition to include an equivalency definition for unincorporated areas. Recycle BC proposed the following amendment language for Section 4.3.5 New Curbside Programs in its Stewardship Plan, which was approved in 2022:

Regional Districts are eligible to join the Recycle BC program as contracted collectors if they implement a PPP curbside collection program in one or more unincorporated areas, provided each of the following criteria are met:

- *The proposed service area has a minimum population of 5,000 residents;*
- *The proposed service area has a minimum household density of 0.42 households/hectare;*
- *There is a maximum distance of 20 km between proposed Service Area Sections; and*
- *A curbside garbage collection program is in place for a minimum of two years in that service area.*

For clarity, the following definitions are provided:

- **Minimum household density:** Defined as total occupied dwellings divided by total hectares in proposed service area, excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced;
- **Maximum distance:** Calculated by the distance of navigable roads from respective edges of service area sections, with a maximum number of three gaps greater than 10 km up to a maximum 20 km in distance between service area sections. Island and ferry accessed communities are considered a single service area and must meet all criteria independently; and
- **Curbside garbage:** Program must be managed by the local government proposing service.

This revised eligibility criteria applies only to unincorporated areas and only to newly proposed service areas, not to expansion of service areas of existing Recycle BC collectors. By August 31, 2022, Recycle BC will propose further amendments to the program for adjacency criteria.

Recycle BC also committed in the Program Plan to “...assess the feasibility of servicing smaller, densely populated communities of less than 5,000 residents that are immediately adjacent to an existing curbside service area, with the same requirement for curbside garbage collection...”

This report will serve as a companion document to the Program Plan, outlining the amendment for curbside adjacency.

1.3 Adjacency Definition

The revised eligibility criteria for new curbside service within the Recycle BC program (curbside adjacency criteria), as an outcome of the methodology, analysis and consultation, is defined as:

PPP curbside collection service providers included in the Recycle BC program are eligible to service adjacent non-municipal areas provided each of the following criterion are met:

- The proposed adjacent area has a maximum population of 4,999 residents;
- The proposed adjacent area has a minimum household density of 0.42 households/hectare;
- There is a maximum distance of 5 km between the existing curbside service area included in the Recycle BC program and the proposed adjacent area; and
- A curbside garbage collection program is in place in the proposed adjacent area or scheduled to launch no later than coinciding with the introduction of PPP curbside collection.

For clarity, the following definitions are provided:

- PPP curbside collection service providers may include any of the following:
 - Recycle BC, as the provider of curbside collection service in a direct service area adjacent to the proposed adjacent area; and

- A local government providing curbside collection service in a service area adjacent to the proposed adjacent area, utilizing either in-house collection staff, a private contractor, or a sub-contract with another applicable level of government.
- Minimum household density: Defined as total occupied dwellings divided by total hectares in proposed service area, excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced;
- Maximum distance: calculated by the distance of navigable roads between the edge of the existing service area and the proposed adjacent area;
- Curbside garbage: Program must be managed as a coordinated service directly by an applicable First Nation, municipality or Regional District and excludes subscription service whereby households' contract with one or more collection contractors directly.

SECTION 2: Adjacency Project

To develop eligibility criteria for new curbside service for areas that are adjacent to an existing curbside service area, Recycle BC used Census data, local government data as submitted, as well as Recycle BC's own data, to provide the most accurate view available for calculations and analysis. This first stage of the project is described below in 2.1 Methodology.

Following this stage, the relevant assembled data was used to calculate density by households per hectares. The calculations and analysis are described in 2.2 Analysis and Results. Recycle BC selected the weighted average of the two least dense municipal types within incorporated municipalities across BC as the proposed density threshold. Additionally, Recycle BC determined through analysis (and feedback through the consultation process) that a maximum distance of 5 km between an existing curbside service area included in the Recycle BC program and the proposed adjacent area was reasonable definition of adjacency.

The adjacency project also included a stakeholder consultation process, which is outlined below in 2.3 Consultation and Feedback. This section outlines how stakeholder comments were solicited and addressed.

Finally, the project concluded with the proposed adjacency definition parameters presented to the Recycle BC Board of Directors for approval to submit to the MOECCS August 2022, with an updated version provided October 2022 after feedback from the MOECCS. Upon approval by the MOECCS of the proposed amendment, it will be posted on the Recycle BC website in the Amendment companion document to the Program Plan and offers will be distributed to applicable local governments within 60 days. A minimum period of 6 months will be required between a local government accepting the offer and onboarding into the program.

2.1 Methodology

1. Density Data Assembly

- Recycle BC used Statistics Canada's Census to assemble the relevant data to compare Census Subdivisions (incorporated municipalities) to designated Unincorporated Places in the province (i.e., regions of land not governed by a local municipal corporation);

- Census data files used included:
 - Census Division (CD) – Regional Districts
 - Census Subdivision (CSD) – Incorporated Municipalities
 - Population Centre (POPCTR)
 - Designated Place (DPL) – Unincorporated Place
 - Private dwelling occupied by usual residents (Total Occupied Dwelling).
 - Recycle BC data used included:
 - Household counts
 - Collection tonnage
 - Capture rates
 - Supplied Regional District data used included:
 - Regional information on population and household counts.
2. Mapping
- Recycle BC defined and mapped possible adjacent areas near existing curbside service areas to achieve density measurements and consider the distance requirements between existing curbside service areas and possible adjacent areas.
3. Data Usage
- The relevant assembled data was used to calculate density by households per hectares as well as the distance requirements between existing curbside service areas and possible adjacent areas.

2.2 Analysis & Results

1. Density Requirement
- Five Census Category types were considered for this analysis: City, Town, Village, District Municipality, and Island Municipality;
 - The density components used were:
 - Households = total occupied dwellings;
 - Hectares = total hectares in proposed service area excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced; and
 - Median = the middle value in a definition.
 - Households/Hectare was selected as the equivalency comparator for consistency in approach; and
 - Median was selected versus mean or weighted average as the equivalency comparator. It was determined through analysis that mean or weighted average was affected to a greater extent by the density of the largest cities and towns than by using median average.
2. Density Calculation
- Median Average calculation was used to select the representative figure under each Category Type:
 - Formula: Median = $\{(n + 1) \div 2\}^{\text{th}}$ value.
 - The Median formula was used to determine the representative number for each incorporated municipality category (City, Town, Village, District Municipality, and Island Municipality). The list was filtered for each of the municipal categories, then sorted by

ascending order from smallest to largest before the formula was applied. If the total count ('n') was an even number, the average was taken from the middle two values.

3. Mapping (Maximum Distance)

- From the mapping methodology (2.1.2 above), the function of the analysis was to determine a reasonable maximum distance between an existing curbside service area included in the Recycle BC program and the proposed adjacent area; and
- Recycle BC analyzed distance gaps between Service Areas and adjacent areas with reasonable density to determine a reasonable distance.

4. Results

- The table below shows the median density by type of municipality calculated using Statistics Canada data;

Municipality Type	All BC: Households/Hectare
City	2.54
Town	2.90
Village	0.55
District Municipality	0.45
Island Municipality	0.30
District/Island Municipality Combined	0.42

- Recycle BC selected the weighted average of the two least dense municipal types as the proposed density threshold (.42) for unincorporated areas, which corresponds with the density requirement included in Recycle BC's curbside equivalency amendment; and
- Additionally, Recycle BC determined through analysis and consultation that a maximum distance of 5 km between an existing curbside service area included in the Recycle BC program and the proposed adjacent area was reasonable.

2.3 Consultation & Feedback

1. Consultation Process

- The draft curbside adjacency criteria was distributed to all local government curbside collectors on April 29, 2022, which included an invitation to a webinar consultation event on May 12, 2022;
- 36 people attended the webinar, including:
 - 21 from Regional Districts;
 - 9 from Municipalities;
 - 3 from First Nations;
 - 3 from the MOECCS; and
 - 1 from Other.

- Recycle BC presented in PowerPoint format the project overview, current curbside equivalency criteria, methodology development and results, definitions, and the proposed adjacency criteria. Next steps and a question period closed the consultation webinar.
2. Feedback
- 14 verbal and 9 written questions and comments were raised during the webinar (the Q&A is documented in Appendix A);
 - The deadline for written questions and feedback was extended to May 27, 2022; and
 - Written feedback was received from 4 Regional Districts. This is documented in Appendix B.
3. Outcome
- The feedback received was reviewed in detail by Recycle BC and considered against the proposed criteria;
 - A number of changes were made to the criteria in response to the feedback received, including;
 - The requirement to have a curbside garbage program in place for two years was adjusted to indicate that curbside garbage service only needed to be scheduled to launch no later than coinciding with the introduction of PPP curbside collection;
 - Clarification was provided on the parties able to provide curbside garbage collection under the criteria and the intent to exclude private subscription service;
 - Clarification was provided on the parties able to provide PPP curbside collection under the criteria; and
 - The maximum distance between an existing curbside service area included in the Recycle BC program was extended from 2 km to 5 km.

SECTION 3: Amendment

3.1 Regulation Subsection 5(1)(c)(iii)

Recycle BC's Program Plan adequately provides for reasonable and free consumer access to collection facilities. Recycle BC provides accessibility through curbside, multi-family, depot and First Nations Recycling Initiative collection of residential waste packaging and paper. 99.3% of households have access to Recycle BC's program in the province.

This amendment adds to Recycle BC's clear criteria for new curbside collection programs by defining curbside adjacency criteria for communities to add new curbside collection of packaging and paper within the Recycle BC program.

In developing the amendment language for Section 4.3.5 New Curbside Programs in its Program Plan, Recycle BC has demonstrated through this report the work undertaken on methodology, process, stakeholder engagement, and adjacency definition parameters to meet the Director's Letter requirement.

3.2 Amendment Language

Recycle BC proposes for approval the following amendment language for Section 4.3.5 New Curbside Programs in its Stewardship Plan:

PPP curbside collection service providers included in the Recycle BC program are eligible to service adjacent non-municipal areas provided each of the following criterion are met:

- *The proposed adjacent area has a maximum population of 4,999 residents;*
- *The proposed adjacent area has a minimum household density of 0.42 households/hectare;*
- *There is a maximum distance of 5 km between the existing curbside service area included in the Recycle BC program and the proposed adjacent area; and*
- *A curbside garbage collection program is in place in the proposed adjacent area or scheduled to launch no later than coinciding with the introduction of PPP curbside collection.*

For clarity, the following definitions are provided:

- *PPP curbside collection service providers may include any of the following:*
 - *Recycle BC, as the provider of curbside collection service in a direct service area adjacent to the proposed adjacent area; and*
 - *A local government providing curbside collection service in a service area adjacent to the proposed adjacent area, utilizing either in-house collection staff, a private contractor, or a sub-contract with another applicable level of government.*
- *Minimum household density: Defined as total occupied dwellings divided by total hectares in proposed service area, excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced;*
- *Maximum distance: calculated by the distance of navigable roads between the edge of the existing service area and the proposed adjacent area;*
- *Curbside garbage: Program must be managed as a coordinated service directly by an applicable First Nation, municipality or Regional District and excludes subscription service whereby households' contract with one or more collection contractors directly.*

SECTION 4: Next Steps

4.1 MOECCS Approval

The curbside adjacency criteria was approved by Recycle BC's Board of Directors at its June 2022 meeting. Recycle BC prepared its report to the MOECCS as per the Director's Letter and, with this report, submits the amendment language for approval.

Once the MOECCS has approved the proposed amendment as outlined (3.2 Amendment Language above), Recycle BC will post this amendment as a companion document to its Program Plan on the Recycle BC website.

4.2 Offer to Join Recycle BC Program

Upon approval by the MOECCS of the proposed amendment, Recycle BC will provide offers to applicable local governments within 60 days. A minimum period of 6 months will be required between a local government accepting the offer and onboarding into the program.

Appendix A – Consultation Webinar Q&A

Recycle BC held its Curbside Adjacency Criteria Consultation on May 12, 2022. The following table contains the verbal and written questions and comments posed during the session, as well as Recycle BC's response. Note that the responses provided reflect the changes to the criteria that were made after the webinar in response to the consultation feedback received, where applicable.

	Verbal Questions/Comments	Recycle BC Response
1	If there are dense areas around a municipality, would you consider onboarding them together? Or would they need to be onboarded separately?	This is up to the local government. If all areas meet the criteria, they can be onboarded together or in a phased approach. We would work with the Collector to determine a mutually agreeable timeline. We would not require each area to onboard at different times.
2	Does it need to be the municipality that has the curbside contract that provides the garbage service? Could it be the regional district that provides the garbage service to the residents outside the municipality?	We have amended the criteria to specify that the garbage service can be provided by any local government, whether that be a municipality, First Nation or regional district. The intent is to exclude private subscription garbage service.
3	2-year garbage requirement provides challenges – it is hard to roll out new collection programs without doing them at the same time. Training people to throw away their garbage for two years and then implementing recycling seems counter intuitive.	The two-year requirement was eliminated in response to this feedback.
4	Echo the difficulty of the 2-year curbside garbage requirement. We tried to pitch a garbage plan to residents and explained if we went ahead with the program Recycle BC would eventually come onboard and cover the recycling costs. Resident were suspicious of government plans. Would have been fantastic to have the commitment from Recycle BC upfront to cover the recycling costs. The 2-year garbage requirement kills expansion in areas that have no collections services as we want to roll out garbage, organics, and recycling together and tell residents that Recycle BC will cover the costs of recycling. We are committed to providing garbage service we just don't have it in place for 2 years.	The two-year requirement was eliminated in response to this feedback.
5	We have an island that is part of our city, but we use boats to bring the recycling to the city. The city pays GFL to move the materials and they go to Recycle BC's facility. We are looking for a way that we don't need to pay for this.	Please connect directly with Recycle BC on this. If the area is within the City, then is not

		impacted by the adjacency criteria.
6	Is the criteria 2km from the existing service areas edge to the proposed service area edge? Is there any requirement from the furthest edge of the proposed service areas?	The 2 kms between the existing area and proposed areas is meant to be the closest navigable path between both areas. This distance was adjusted to 5 km.
7	Echo the difficulty of the 2-year curbside garbage requirement. The 2-year requirement causes confusion because the residents don't believe that Recycle BC will end up paying for the recycling service. Are there examples of why Recycle BC is concerned that the local government would not provide garbage service?	The two-year requirement was eliminated in response to this feedback.
8	Echo the difficulty of the 2-year curbside garbage requirement. Makes more sense to launch all 3 services (garbage, organics, recycling) at once. Does the existing municipality's service provider have to go outside the municipality to collect the for the adjacent community or can it be a different service provider?	If there are cases people are aware of where it makes sense for the contractor to be different for the existing and proposed area, we would like to hear about it. Then we can consider those scenarios. The intent was for the material in the proposed area to be picked up by the same contractor and delivered with the material from the existing area using the same reporting structure and agreement. Clarification was provided in the updated criteria to indicate the parties able to provide PPP curbside collection under the criteria.
9	Under our existing agreement local governments can choose their own contractor?	The intent is not to dictate the private contractor that is used. A different private contractor can be used for the existing service area and the proposed service area. Where it gets more complicated is if a municipality were to subcontract a regional district to service the adjacent community. We would like to hear from you if this is a likely scenario so that we can review those cases. We are looking to avoid creating small new service areas that have their own agreement. We would

		<p>like these adjacent areas to be incorporated into an existing service area/agreement.</p> <p>Clarification was provided in the updated criteria to indicate the parties able to provide PPP curbside collection under the criteria.</p>
10	If a First Nation has a curbside contract with Recycle BC, can they expand their contract into non-First Nations areas?	Yes, First Nations are not limited to only servicing First Nations households but it depends on the geographic context. Please contact Recycle BC directly on the specifics.
11	Where do municipalities with a population less than 5,000 fit into this?	They would receive depot service under our program as the adjacency criteria is meant to cover dense areas near an existing municipality with curbside service. There are municipalities under 5,000 people that are only eligible for depot service and there are rural unincorporated areas under 5,000 people that are also not eligible for curbside service and only have depot service.
12	If the 2-year garbage requirement out of your control, perhaps a compromise is if the local government is providing garbage service somewhere else successfully for 2 years that could be sufficient. As long as we commit to providing garbage at the same time as recycling.	The two-year requirement was eliminated in response to this feedback.
13	If there is a First Nation adjacent to a municipality but the municipality is not able to expand service to the First Nation can the Regional District expand service to the First Nation even, they don't have a curbside contract with Recycle BC?	We have shown flexibility in onboarding First Nation communities. If there is a nearby First Nation community interested, please get in touch with us directly so that we can look into collection options.
14	If an area meets equivalency and then an area next to that meets adjacency is that ok?	Yes, as long as both areas independently meet the applicable criteria.

	Written Questions/Comment	Webinar Response
1	Wondering what the rationale is for requiring municipalities/RD's to conduct 2 years of garbage service	Our rationale is that we want the local government to demonstrate

	<p>before being allowed to include recycling if wanting to expand curbside service. It seems backwards and limiting to not roll out a new curbside service that includes multistream collection (garbage, recycling and ideally organics). Decreasing/limiting access by only providing garbage will result in divertables ending up in the waste stream. From where Solid Waste Management Plans are now and the targets set in these and from the Province, only allowing garbage for 2 years for establishing new curbside service really seems to go against all this work and doesn't appear to be a progressive approach to waste management that places priority and focus on diversion.</p>	<p>commitment to providing a comparable level service for garbage. We want to see that the area makes sense for garbage service, the service is successful and that residents support it. To support recycling the local government's commitment to providing the same level of service for garbage is important for contamination remediation and integrated resident messaging.</p> <p>The two-year requirement was eliminated in response to this feedback.</p>
2	<p>Regarding the curbside provider requirement. If there are competing providers, and one provides recycling service in an area, but the adjacent provider doesn't, but would like to, would that be ok?</p>	<p>These are areas in your region we are aware of that meet the equivalency criteria. It's suggested that areas that meet the equivalency criteria not use the adjacency criteria.</p>
3	<p>Is there any additional support or programs for onboarding a First Nation community? And, can Recycle BC tell us what the population density is for a specific area for the consideration of expanding curbside service or can you give us more details on how we can calculate that to see if an area meets that criteria point?</p>	<p>We do have additional support and projects for increasing service for First Nation communities including a First Nations Field Services Specialist whose role is to work with First Nations on increasing their capacity. If there are First Nations interested in joining the program, please connect with us directly.</p>
4	<p>Will there be exceptions for areas that meet all but one of the criteria? For example: slightly less than the density requirement, or the community is private subscription service. Is there potential for these types of areas to be included in Recycle BC in the future?</p>	<p>The intent is that all the criteria is met. There are areas that meet the criteria except the garbage requirement so there is potential for additional communities to meet the criteria and be onboarded in the future.</p>
5	<p>If an area looking to expand to recycling services is incorporated, is that ok or are they required to be unincorporated? I know our First Nation community has signed their new treaty and are their own sovereign government, not sure what their status is in terms of incorporation but wondering if that's a criteria factor that the area has to be unincorporated.</p>	<p>Our understanding is that Treaty First Nations areas are considered "unincorporated." The purpose of the term unincorporated in the criteria is to exclude incorporated municipalities specifically, which have their own criteria for</p>

		curbside collection in the Program Plan.
6	We are looking to consult on rural curbside to increase diversion. Being able to offer 3 stream at launch would be significantly improved over 2 stream with a potential for recycling down the road.	The two-year requirement was eliminated in response to this feedback.
7	The criterion that a curbside garbage collection program is in place for a minimum of two years is overly restrictive, especially since this an EPR program already contributed to by consumers in these areas. It is concerning that a level of service for garbage collection determines access to recycling, this is not consistent with the Pollution Prevention Hierarchy that prioritizes recycling before disposal. Having a service provider in the area that is willing and able to serve the area should be adequate.	The two-year requirement was eliminated in response to this feedback.
8	Does RecycleBC have any examples of rural curbside collection services provided by a local government that were not 'successful' and failed to demonstrate they could provide garbage collection, or cancelled the collection service after a period of time - essentially justification for the 2 year rule?	The two-year requirement was eliminated in response to this feedback.
9	I do not understand the reason provided for requiring 2 yrs of garbage service. You need public approval to offer a new service and setting up contracts for collection or getting equip/staff is no small feat. Trust that local governments would not offer curbside service willy-nilly.	The two-year requirement was eliminated in response to this feedback.

Appendix B – Written Feedback

Formally submitted written feedback was received from four Regional Districts. Regional District names and geographic areas will be anonymized before this amendment is publicly posted on the Recycle BC website.

Recycle BC responded to each of these Regional District's to thank them for their feedback, to provide the updated criteria approved by our board for submission to MOECSS, and to highlight the changes made to the criteria in response to the feedback received. As noted above, these changes included:

- The requirement to have a curbside garbage program in place for two years was adjusted to indicate that curbside garbage service only needed to be scheduled to launch no later than coinciding with the introduction of PPP curbside collection;
- Clarification was provided on the parties able to provide curbside garbage collection under the criteria and the intent to exclude private subscription service;
- Clarification was provided on the parties able to provide PPP curbside collection under the criteria; and
- The maximum distance between an existing curbside service area included in the Recycle BC program was extended from 2 km to 5 km.

Regional District 1:

A General Overview:

RD1 would like to share some general thoughts and comments, based on actual experiences from trying to implement recycling collection in an unincorporated Electoral Area [area removed] with a population of approximately 8,900 according to 2021 census data.

As with most unincorporated areas across British Columbia, there is typically no existing curbside collection program for garbage, it is often a private hauler recognizing a need to provide a private hauling service. As such, in 2018/19 RD1 embarked on a process to examine the costs to deliver a curbside collection service for [area removed], which would include garbage, food waste and recycling collection services. Working with a consultant from the collection business, cost estimates were formulated and a survey to the public was performed, outlining options for collection and associated costs. Unfortunately, because of the RecycleBC criteria for "curbside garbage collection program is in place for a minimum of two years" RD1 staff were forced to try and convince residents that if they chose to proceed with a curbside program, RecycleBC would in time fund the recycling portion. Not sure if RecycleBC has had the experience of implementing waste collection programs, but it's an uphill battle right from the start, especially in rural areas where there's a healthy distrust of government and a government run programs that are going to result in an increase in taxes. [Name] was a part of the RD1 team that led the consultation on this program initiative, I'm sure she could provide some insights as well!

What RD1 is trying to say is that in order for RD1, and likely several Regional Districts across BC, to implement a curbside recycling collection program, we need up front support from Recycle BC. RD1 is

fully willing to take on an initiative of increasing/expanding Recycle BC's collection areas within RD1, but without the up-front commitment, the costs are prohibitive.

As such, RD1 is recommending that RecycleBC consider partnering with Regional Districts that are willing to implement a curbside collection service in unincorporated areas immediately, rather than 2 years after implementing a curbside garbage collection service.

In terms of the more general questions related to expanding into adjacent unincorporated areas, it is important to note that typically member municipalities are operating the collection service via the Recycle BC remuneration program or have handed over the services to RecycleBC to directly administer. Either way, the Regional District has a very limited role in the delivery of curbside collection programs led by municipalities. Essentially, you're asking a Municipality to expand into a Regional District area.....the political and bureaucratic challenges to this are a massive impediment to implanting any sort of expanded services for Recycle BC. I don't believe this is well enough understood by the Recycle BC proposal for expanding services.

As such, RD1 is fully committed to meeting with Recycle BC staff to better explain our challenges and to better understand Recycle BC's goals and objectives in expanding services.

Additional comments on the RecycleBC proposal and additional points to reiterate our challenges in implanting/onboarding new areas of our Regional District:

- There is a maximum distance of 2 km between an existing curbside service area included in the Recycle BC program and the proposed adjacent area;

In the presentation the rationale behind deciding on the 2km between existing curbside was not provided. There would be very few areas that would qualify in RD1, but if the distance would be increased to 5km, then more rural areas not only in RD1 but other regional districts would consider transitioning to curbside collection of recycling material.

- A curbside garbage collection program is in place for a minimum of two years in the proposed adjacent area;

This criterion adds to the greater challenge for local governments to introduce curbside collection programs. The amount of staff time dedicated to developing a program and infrastructure required to operate a collection program for two years without the guarantee of Recycle BC even signing on after the two years seems short sighted. It is unrealistic for residents to agree to a program with only a possibility of paying for collection in two years before being onboarded. If local governments are not able to offer all three streams (garbage, food waste and recycling) all at once then the program will not be successful, and residents will be skeptical. The collection costs for the Recycle BC material being covered at the introduction of the program would allow for local governments to convince the residents of the program and provide service at a lower cost from the start.

- Curbside garbage: Program must be managed by the local government proposing service

The RD1 does not manage any curbside garbage collection program, only the member municipalities. The member municipality would most likely not propose the expansion of curbside recycling and RD1 along with the member municipality would propose the expansion together. Also, member

municipalities would not necessarily have the capacity to provide the service of collection so alternatives (private haulers) may have to be contracted to collect the material.

Regional District 2:

The following are feedback comments from RD2:

- Requirement of 2 years of garbage collection -> We recommend that this criteria be removed. If rolling out a new curbside collection program, mandating that garbage be a part of the system is imperative but being limited to only garbage collection for a minimum of 2 years is not inline with current waste management practices. Ideally, any area starting to receive a new curbside program should have access to, at a minimum, garbage and recycling. Establishing a new program is best done at once, not piecemeal. Being able to offer only garbage for the first 2 years will inevitably train residents to throw everything into the garbage, which will be challenging to address post year 2 in trying to then change behaviours to encourage diversion. If there are concerns about the service provider and providing a consistent service, I think RBC can employ alternative initiatives, contract conditions, etc to address these concerns to allow curbside collection programs to stay relevant and in the 21st century by allowing the acceptance of recycling collection right from the start.
- We recommend the addition to allow a different service provider to service a new area being included under the adjacency criteria. For our local area, we can foresee a community that meets the adjacency criteria but may not be able to be serviced by the City who currently does the City's garbage and recycling curbside collection due to capacity challenges. It would be advantageous to include a new area and avoid the potential barrier of being solely reliant on the current service provider. The current provider could be required to have the first opportunity to take on the new service route but if due to the current service provider not having the capacity to service the area, or lack of interest, etc., it would be helpful to be able to engage with another provider. The particular neighbourhood in our area that meets the adjacency criteria currently has access to curbside garbage pickup, which is a free service to residents living with this First Nation community, provided by the Nation through their own private garbage truck. Having some leeway in allowing either the First Nation or another private hauler to be able to provide curbside recycling would put this neighbourhood in a more advantageous position to get service, which we assume would increase the diversion and recycling rate, if the City, who holds the contract with RBC, is not able to provide the service.

Regional District 3:

Thank you for the opportunity for local governments and other stakeholders to provide feedback to Recycle BC as they continue to develop and amend their Packaging and Paper Product Extended Producer Responsibility Plan. This plan governs how almost all British Columbians receive recycling service for their most common recyclable materials and how local governments provide that service so it is important that perspectives from across the entire province are considered.

As RD 3 is developing its organic waste management program and composting facilities expanded curbside collection services are being evaluated. This represents a terrific opportunity to maximize the services to our residents and include curbside recycling collection in those evaluations as we feel there are several areas in the district that could meet either the proposed Curbside Adjacency Criteria or the existing Curbside Equivalency Criteria, except for the requirement of two-years of local government provided curbside garbage collection. This requirement places an unfair burden on local government to fund a service without support from the Product Stewards that should be managing PPP, and no guarantee that curbside recycling will even be offered after the two-year period is complete. Further, it could create skepticism in residents that receive the service and incentive through convenience for curbside users to dispose of PPP in the waste stream rather than drive it themselves to an RBC depot. We suggest the two-year curbside collection requirement be amended to allow local governments to qualify for RBC curbside collection should they commit to launching both curbside garbage and recycling collection simultaneously. Local governments that already provide curbside garbage collection for any length of time should also satisfy this requirement.

Second, the requirement that potential adjacent service areas be within two kilometers of existing curbside recycling service areas should be modified to make allowances for unique geography. A maximum distance of two kilometers measured by navigable roads may eliminate some closely linked communities in areas like the Kootenays or the Coast where steep terrain and coastlines necessitate less direct transportation routes. This distance should be extended where a proposed Service Area would not qualify for its own curbside program under the Equivalency Criteria but would under the Adjacency Criteria if not for its distance from an existing curbside recycling program.

We look forward to hearing about the results of this consultation and the continued improvement of the RBC Extended Producer Plan.

Regional District 4:

[RD4 comments are provided in red beside the original criteria used for the consultation webinar]

Unincorporated areas adjacent to existing PPP curbside collection service areas included in the Recycle BC program are eligible to be serviced under the Recycle BC program provided each of the following criterion are met:

- The proposed adjacent area has a maximum population of 4,999 residents;
- The proposed adjacent area has a minimum household density of 0.42 households/hectare;
- There is a maximum distance of 2 km between an existing curbside service area included in the Recycle BC program and the proposed adjacent area;
- A curbside garbage collection program is in place for a minimum of two years in the proposed adjacent area; - What is the reason for this requirement? Launching curbside garbage and recycling at the same time allows LG to provide the collection containers, information, education, and promotion at one time, rather than coming back in two years to introduce a second service. Most importantly though, delaying recycling collection will train residents to

dispose of PPP in the garbage for two years as many residents are not going to haul their recyclables to a depot when they no longer have to drive to a refuse site to drop off garbage. Additionally, it would put pressure on the LG to provide PPP collection independently for the two-year window, which is unrealistic.

- A PPP curbside collection service provider included in the Recycle BC program is able and willing to expand their existing curbside service area to include the proposed adjacent area, which may include one of the following:
 - Recycle BC, as the provider of curbside collection service in a direct service area adjacent to the proposed adjacent area; - For Direct Service areas, what would the process be to determine if RBC will provide the service to the adjacent area? What kind of timeline would be expected? If RBC requires the adjacent municipality to provide the garbage collection, please provide a reason why. If 2 years of garbage collection remains as a requirement, would RBC commit to the service before the garbage collection was launched?
 - A local government providing curbside collection service in a service area adjacent to the proposed adjacent area. If the adjacent collection area(s) justify an additional day of service, could this be provided by the RD, or would the curbside collection service provider (municipality) with the existing collection contract still have to manage this area?

For clarity, the following definitions are provided:

- Minimum household density: Defined as total occupied dwellings divided by total hectares in proposed service area, excluding non-populated areas (parks, crown lands, etc.) and areas not proposed to be serviced;
- Maximum distance: calculated by the distance of navigable roads between the edge of the existing service area and the proposed adjacent area;
- Curbside garbage: Program must be managed by the local government proposing service – could this be re-worded to say “Curbside garbage” excludes private garbage collection, and must be provided by a LG?



March 3, 2023

Reference: 17073

Tamara Burns
Executive Director Western Canada
Recycle BC
171 Esplanade West, suite 230
North Vancouver, BC V7M 3J9

Sent via email: tburns@recyclebc.ca

Dear Tamara Burns:

Thank you for submitting the October 4th, 2022, Curbside Adjacency Criteria Amendment (the amendment) proposing to amend Recycle BC's Packaging and Paper Product Extended Producer Responsibility Plan (the plan) in fulfillment of the requirements of subsection 5(1)(c)(iii) of the Recycling Regulation (the regulation), made under the *Environmental Management Act*.

I acknowledge the efforts of Recycle BC towards continuous improvement to provide a sound basis for ensuring the program's success going forward. As noted in my preliminary decision letter, I note one deficiency in the proposed amendment that must be addressed.

As you are aware, the director has the ability to both amend an approved Extended Producer Responsibility (EPR) plan on their own initiative, and to approve amendments to an approved plan that have been proposed by a producer. Prior to the issuance of this decision letter, Recycle BC was provided with a preliminary decision letter for the amendment on December 15th, 2022, and has had the opportunity to propose further amendments or provide additional information for consideration by January 15th, 2023. Although Recycle BC missed the deadline to provide a response, I understand EPR staff met with you on February 15th, 2023, to discuss the intent of the amendment and gain clarity on expectations associated with my proposed amendment.

Having taken that information into account, I have completed my review of the amendment to the plan and note an area of deficiency with regard to meeting the criteria for approval set out in subsection 5(1)(c)(iii) of the regulation (reasonable and free consumer access to collection facilities or collection services).

Please be advised that, pursuant to subsection 5(5) of the regulation, I approve the Curbside Adjacency Criteria Amendment, proposed October 20th, 2022, and in addition to the amendments proposed by Recycle BC, and approved by me in this letter, I am further amending the plan, pursuant section 5(5) of the regulation. To address the deficiency of subsection 5(1)(c)(iii), I am amending the plan by replacing the following text that provides context to the criteria, which I approve, in section 3.2 of the proposed amendment:

Replacing:

“PPP curbside collection service providers included in the Recycle BC program are eligible to service adjacent non-municipal areas provided each of the following criterion are met”

With:

“Areas outside municipal jurisdictions that are adjacent to existing PPP curbside collection service areas included in the Recycle BC program are eligible to be serviced under the Recycle BC program provided each of the following criterion are met”

This amendment reflects the language originally proposed by Recycle BC on August 4, 2022, in its first submission of the amendment. This alteration is to reflect the intent of the regulation in which Recycle BC, as the producer-appointed agency, is responsible for the collection of regulated products covered by the plan and does not pass this responsibility on to local governments or service providers.

Thank you for your efforts and I appreciate the industry’s continued commitment to achieving compliance in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laurel Nash', with a stylized, flowing script.

Laurel Nash
Assistant Deputy Minister
Environmental Protection Division