

Do not go where the path may lead - go instead where there is no path and leave a trail.

November 16, 2021

RE: BC Major Appliance Stewardship Plan Draft, 2022

Thank you for the opportunity to provide feedback on the Draft BC Major Appliance Stewardship Plan.

Recycling Regulation 8.2(d)a requires description of how the collected product was managed in accordance with the pollution prevention hierarchy;

MARR is to be commended on progress since 2019, specifically for the significant reported increase in certified collection sites requiring MARR's Processing Standard. It is significant that Marr has provided oversight of the collection sites, that MARR has mandated the Processing Standards, and that MARR has secured reporting from data on units collected and emptied of ODS.

Recycling Regulation 5.1(c) states that plans must adequately provide for

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

(iv)making consumers aware of

(A)the producer's extended producer responsibility program,

(B)the location of collection facilities or the availability of collection services,

MARR is to be commended for what seems like much improved consumer awareness of sites, and better enforcement of the free drop-off requirement at contracted sites. Although there are still sites that charge for drop off, they seem to now be the exception rather than the rule.

Please note:

- Some places, even those associated with Regional Districts are charging for drop-off of more than 1 or 2 items containing ODS in a single visit.
- Metal collectors, for example, ABC Metal pays the market price of metal drop off for each unit, except if the ODS has not been drained. This makes two problems: one is it encourages uncertified emptying of fridges before drop off in order to receive the market rate. The other problem is that it disincentivizes drop off at these MARR certified metal recyclers. MARR should be covering the cost of ODS removal at all collection sites, including metal recyclers, and the metal recycler should carry on business as usual and pay the customer.
- Trail appliances picks up with a purchase of a new fridge, but charges \$35. Marr should be reimbursing Trail to pick up and transport to a metal recycler where no further transport is needed. This same program can be applied in remote areas to ensure

Do not go where the path may lead - go instead where there is no path and leave a trail.

management under the MARR program. MARR could consider a no purchase needed sub contract arrangement with Trail to transport ODS containing materials to metal recyclers because this is an end market. This would raise convenience and proper management of recycling such heavy ODS containing products.

MARR is to be commended on their revised site finder that seems to identify only the contracted sites. Maybe add a note on the site for consumers that taking large appliances elsewhere does not guarantee free or safe ODS management and it could harm the environment.

MARR should be commended for tightening reporting from the certified collection sites. One reporting suggestion might be to add percentage calculation of Units with ODS emptied under Marr program vs those emptied some other way. As data is presented now, the reader must search the units with ODS collected in one section and search for number managed under MARR in another section, and do the calculation.

Note of concern: How is it that a rise in contracted collection sites results in a lower percentage of ODS units where Marr managed the safe removal of ODS Gas or other halocarbons?

- MARR 2020 Annual Report says 112,190 units containing ODS were collected, and MARR managed the safe removal of ODS gas or other halocarbons for 83,922 of those units. That is 75%.
- MARR 2019 Annual Report says 78,336 units containing ODS were collected, and MARR managed the safe removal of ODS gas or other halocarbons for 63,818 of those units. That is 81%

Recycling Regulation (3) states that

For the purposes of subsection (1) (c) (viii), the pollution prevention hierarchy is as follows in descending order of preference, such that pollution prevention is not undertaken at one level unless or until all feasible opportunities for pollution prevention at a higher level have been taken:

- (a) reduce the environmental impact of producing the product by eliminating toxic components and increasing energy and resource efficiency;
- (b) redesign the product to improve reusability or recyclability;
- (c) eliminate or reduce the generation of unused portions of a product that is consumable;
- (d) reuse the product;
- (e) recycle the product;
- (f) recover material or energy from the product;
- (g) otherwise dispose of the waste from the product in compliance with the Act.

Do not go where the path may lead - go instead where there is no path and leave a trail.

- “MARR strives to promote the principles of the pollution prevention hierarchy where technically feasible and economically viable, to divert as much material as possible from the waste stream.”

There is no contingent of “technically feasible” or “economically viable” in the regulation. Products are to be managed according to the pollution prevention hierarchy, and annual reports must demonstrate compliance.

The MARR plan continues to ride the coat tails of the metal recycling industry, and thereby accepts the constraints of processing the non-metal components. It is time MARR took responsibility for the actual products in the program, especially when there are existing programs for recycling such products as plastic.

Given there are existing programs for recycling non-metal components, it is not true that

- “The imposition of a traditional stewardship model on the pre-existing market-based system has the potential to cause significant economic dislocation for businesses operating in that system, confusion for consumers and ultimately reduced environmental performance.”

Consider an adjustment to the supply chain model: shred or dismantle appliances prior to the hand-off to the metal recycling industry. This would eliminate transport cost complexities. Revenue is collected at point of purchase for this purpose.

Consider providing data driven information to the industry about the state of global recycling and the advantages of using 100% recyclable materials. EPR should be concerned with End of Life environmental impact, and not distribution supply chain costs reduced by lightweighting.

Discontinue light-weighting of products with materials that result in pollution.

Perhaps light-weighting is not the direction to go with appliances: consider promoting design with durable materials consistent with rigors of disassembly and repair.

Recycling Regulation 5 (1) states that approval of a plan requires

(c)the plan adequately provides for

- (i)the producer collecting and paying the costs of collecting and managing products within the product category covered by the plan, whether the products are currently or previously used in a commercial enterprise, sold, offered for sale or distributed in British Columbia,**
- (vii)eliminating or reducing the environmental impacts of a product throughout the product's life cycle, and**
- (viii)the management of the product in adherence to the order of preference in the pollution prevention hierarchy,**

Do not go where the path may lead - go instead where there is no path and leave a trail.

Why has MARR reduced the fees when there is no apparent solution for any non-metal components? Metal high-grading does not sufficiently address the waste from large appliances. Funds exist to try something.

The MARR 2020 Annual Report states,

- “At this time, MARR is unable to obtain information from third party vendors regarding the exact volume of material components of major appliances and the degree of certainty over the processing pathways. Therefore, end fate data is based on estimates from two BC-based metal processors surveyed in the System Study. These processors estimate the material composition of major appliances to be approximately 75% metal. Of this metal, processors estimate that 98% of ferrous and non-ferrous metal is recovered and recycled back into the commodities market. It is unknown at this time which geography the metals are processed and re-entered into the commodities market. The remaining 26%, other than substances of concern, do not undergo further processing, and is currently sent to landfill.”

Recycling Regulation 8 (2) states that Annual Reports must include

(d)a description of how the collected product was managed in accordance with the pollution prevention hierarchy;

Without processing data, MARR is not in compliance with the Regulation. This lack of processing data doesn't ensure compliance with Recycling Regulation 5(1) c i,vii, or viii.

Recycling Regulation 8 (2) states that Annual Reports must include

(g)a comparison of the approved plan's performance for the year with the performance measures, performance requirements and targets referred to in section 5 (1) (a) [approval of extended producer responsibility plan];

- “MARR continues to examine the management of shredder residue and identify opportunities for achieving higher end uses of residual materials.”

Management of non-metal components of large appliances does not seem to improve.

Annual Reports must also contain:

(c)efforts taken by or on behalf of the producer to reduce environmental impacts throughout the product life cycle and to increase reusability or recyclability at the end of the life cycle;

(d)a description of how the collected product was managed in accordance with the pollution prevention hierarchy;

The MARR 2019 Report states:

- “At this time, MARR is unable to obtain information from third party vendors regarding the exact volume of material components of major appliances. Therefore, end fate data

Do not go where the path may lead - go instead where there is no path and leave a trail.

is based on estimates from two BC-based metal processors surveyed in the system study. These processors estimate the material composition of major appliances to be approximately 75% metal. Of this metal, processors estimate that 98% of ferrous and non-ferrous metal is recovered and recycled back into the commodities market. The remaining 26%, other than substances of concern, do not undergo further processing, and is currently sent to landfill.”

As long as MARR continues to superimpose EPR requirements on metal recycling industry processing, there will unmet outcomes of the EPR program, and likely no year over year improvement reported in collected product management.

What is planned to encourage reuse or repair? This lack of processing data also doesn't ensure compliance with Recycling Regulation 5(1) c i,vii, or viii.

It's difficult to see design impacts MARR is having on industry.

- The home appliance industry has a history of implementing design changes and transitioning to the use of materials that lessen the environmental footprint of home appliances both in their use and management at the end of life.

Wouldn't reuse and repair be a better return for the fees collected?

Instead of reporting the sunshine and roses, I continue to look for sections in any EPR reports that identify true state of play. What are the systemic challenges? What are the real limitations or infrastructure deficiencies that limit PRO ability to reduce environmental impact? High-grading has somehow become the acceptable standard for management of products and for reporting “recycling.” There is valuable data being lost.

Industry led EPR has represented industry. It's fair to say industry would represent industry without a Producer Responsibility program. A more productive balance of representation could be achieved if EPR boards were mandated to include members representing the environmental purpose of the program.

I wish you continued success with the next MARR Stewardship Plan.

Sincerely,

Jan Hastings,
Executive Director
Nanaimo Recycling Exchange Society
jan@recycling.bc.ca