

March 4, 2022

Submitted online via [ec.plastiques-plastics.ec@ec.gc.ca](mailto:ec.plastiques-plastics.ec@ec.gc.ca)

## **Proposed *Single-Use Plastics Prohibition Regulations***

### **References:**

1. *Regulatory Impact Analysis Statement* in the Canada Gazette, Part I, Volume 155, Number 52: Single-Use Plastics Prohibition Regulations, dated December 25<sup>th</sup>, 2021

<https://www.gazette.gc.ca/rp-pr/p1/2021/2021-12-25/html/reg2-eng.html>

2. *Guidance for selecting alternatives to the single-use plastics* in the proposed Single-Use Plastics Prohibition Regulations, dated December 24<sup>th</sup>, 2021

<https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/consultations/proposed-single-use-plastics-prohibition-regulations-consultation-document.html>

### **Review Instructions:**

*We invite you to review the proposed Regulations, the accompanying Regulatory Impact Analysis Statement, as well as the draft Guidance for Selecting Alternatives and to provide your feedback, no later than March 5, 2022. Feedback should include the following for each specific comment:*

1. *the section of the proposed Regulations, Regulatory Impact Analysis Statement, or draft Guidance for Selecting Alternatives to which the comment relates*
  - a. *e.g., 5(1)(a)(i) of the regulatory text; “Select Canadian Market Characteristics” section of the Regulatory Impact Analysis Statement; “Considerations for Alternative Single-use Plastics” section of the draft Guidance for Selecting Alternatives;*
2. *the comment itself; and*
3. *any supporting information or rationale.*

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The Ontario Society of Professional Engineers (OSPE) is the advocacy body and voice of the engineering profession. Ontario currently has over 85,000 professional engineers, 250,000 engineering graduates, 6,600 engineering post-graduate students and 37,000 engineering undergraduate students.

OSPE is pleased to present the following submission concerning the **proposed *Single-Use Plastics Prohibition Regulations***.

### **Comment #1:**

**Section:** Figure 1 of the *Guidance for Selecting Alternatives to the Single-Use Plastics*.

**Comment:** The figure lists “reusable cotton bags” as part of the “improved value recover by increasing recyclability or recycling rates” instead of under “alternatives that reduce the amount of waste that ends up in environment”, which includes reusable metals straws. Consider including reusable cotton bags, which are not recyclable, under the reduction category.

**Supporting Information:** n/a

### **Comment #2:**

**Section:** Foodservice Ware made from or containing problematic plastics subsection of the *Guidance for Selecting Alternatives to the Single-Use Plastics*.

**Comment:** The guidance document does not address additional challenges presented in the recycling stream with the introduction of food-soiled recyclable plastic containers. Additionally, the colour of the plastic may impact recyclability, such as in the City of Toronto where black takeout containers cannot be recycled. OSPE suggests that there should be additional consideration regarding the inclusion of commentary on manufacturing/procurement decisions, as well as on personal responsibility (cleaning recyclables properly).

**Supporting Information:** <https://www.halton.ca/For-Residents/Recycling-Waste/Curbside-Collection#!rc-cpage=358084> and <https://www.toronto.ca/services-payments/recycling-organics-garbage/waste-wizard/>

### **Comment #3:**

**Section:** Statement in the *Regulatory Impact Analysis Statement*. The statement: “... *the Department is aware of the implications of prohibitions on domestic manufacturers that are competing in the global market, where prohibitions may not be present. Therefore, manufacture of the six categories of SUPs for the purpose of export, as well as import for the purpose of re-export, will continue to be permitted under the proposed Regulations.*” can be found in the “Canada’s International Trade Commitments” section.

### **Comment:**

- Substitution of the SUP (e.g., bags) to paper or cotton may increase the final price of products for Canadian consumers, while a price of the same products, but for foreign consumers will stay the same. What can the government do to eliminate this kind of consumption discrimination?
- If substitution of SUP to paper or wood is connected with a complicated design, more expensive logistics, or increasing the number of vendors, etc., it may provoke Canadian producers to work only for import or move productions to jurisdictions with no SUP ban.
- How does the government want to support Canadian commercial producers?
- The suggestion is to further investigate the impact analysis of SUP exports, or developing more parameters for exporting SUPs. Preventing manufacturers from selling SUPs

domestically, but permitting exports could eliminate the waste generated in Canada, but manufacturers at this time could also just shift their focus to increasing their exports to generate the same amount of SUPs as they were producing for Canada to another market to match their profits. This could defeat the purpose.

**Supporting Information:** n/a

**Comment #4:**

**Section:** Tables in Regulatory Impact Analysis Statement. *Table 26. Scoping of substitutes for single-use plastic products for the purpose of assessing environmental effects* and *Table 28. Upstream environmental effects* in the section: “Approach taken to assess potential environmental effects”.

**Comment:**

- What will be a cellulose (wood, paper, cellophane) source for SUP substitution?
- What does the government think about using hemp as a cellulose source?
- The existing system of paper recycling is not effective. A lot of paper is being lost. What does the government suggest to do to improve this?
- Does Canada want to purchase new technologies for recycling plastics, new types of substitute materials, or finance Canadian research companies? And how much is going to be spent in 2023?
- Where is the government planning to construct plants for the production of new types of plastic/materials? It is difficult to implement, e.g., in Ontario, where land is in high demand and very expensive.

**Supporting Information:** n/a

**Comment #5:**

**Section:** General observation in *Regulatory Impact Analysis Statement*

**Comment:** Suggestion to address issues with grocery food single use plastic packaging in this discussion, and note whether there are any future objectives that can be conveniently included in this initiative.

**Supporting Information:** n/a

**Comment #6:**

**Section:** General observation in *Regulatory Impact Analysis Statement*

**Comment:** Using more durable materials for food take-out, will not prevent people from continuing to use these materials for single use purposes. The only way to eliminate plastic pollution is to switch to organic materials like cellulose and wood for material packaging. Allocating funds for research, innovation, and local manufacturing is a very important aspect to support this initiative. If that’s the intention, there would be value in including this language.

**Supporting Information:** n/a