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Single-use Plastics Staff Report to Council

Report Number: 2021-18

Department(s): Public Works Services

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Meeting Date: March 22, 2021

Recommendations

1. That the report entitled Single-use Plastics, dated March 22, 2021 be received; and,
2. That the Town of Newmarket continue to support federal and provincial commitments to develop policies and action plans to curb the use of single-use plastics (SUPs) in Canada; and,
3. That plastic cutlery, plastic straws, stir sticks, black plastic, and single-serve milk and cream containers available for staff use within Town facilities be eliminated by July 1, 2021; and,
4. That staff conduct a comprehensive review of current municipal practices at Town facilities to identify additional opportunities to further reduce, replace, or eliminate municipally supplied SUPs; and,
5. That the same items identified to be eliminated at Town facilities also be eliminated for Town events by July 1, 2021; and,
6. That staff identify additional opportunities to further reduce or eliminate the use of non-essential SUP products sold or distributed to the public by the Town and third-party vendors at Town events with exceptions for accessibility; and,
7. That a public education program on reducing or eliminating SUPs be implemented; and,
8. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Single-use plastics (SUPs) such as bags and straws are difficult for recycling facilities to manage and can contaminate other recycling streams. With end-markets in countries like China prohibiting the import of 24 categories of recyclable material, including eight categories of plastic from Canada due to high levels of contamination, managing these materials has become a burden on many waste management systems. Furthermore, growing public concerns around how plastic waste is polluting the environment, harming wildlife, and entering the food web has prompted action among all levels of government for change.

Purpose

At the June 2019 Committee of the Whole meeting, the following motion was approved:

1. That Council direct staff to bring back a report which outlines the roles and responsibilities of the Province, the Region and the Town in relation to recycling and diversion and provides the following:
 - a. information on what work is currently being done to address the reduction and eventual elimination of single use plastics; and,
 - b. clear options for Council to consider to ensure the town is taking steps within its jurisdiction to reduce and eventually eliminate single use plastics.

Background

Single-use plastics (SUPs) are plastic items that are typically used once and then discarded. Not typically designed for durability, reuse or recyclability, SUPs include items such as straws and stir sticks, cutlery, bags, take-out cups, and foam food and beverage containers.

Both the Provincial and Federal governments have made strong commitments to banning SUPs. The Federal Government plans to ban SUPs in 2021 under the *Canadian Environmental Protection Act, 1999 (CEPA)* and the Provincial Government enacted Bill 82, *Single-Use Plastics Ban Act, 2019*, an Act to amend the *Resource Recovery and Circular Economy Act, 2016 (RRCEA)*. This Act aims to eliminate the distribution and supply of SUPs in Ontario by 2025 and passed first reading at the Ontario Legislature on March 18, 2019.

In March 2019, the Ontario Government released their *Reducing Litter and Waste in Our Communities: Discussion Paper*. According to the discussion paper, almost 10,000 tonnes of plastic debris enter the Great Lakes every year and more than 80 per cent of litter collected during volunteer cleanups along the shorelines of the Great Lakes is

plastic¹. Furthermore, the current Blue Box program in Ontario only recovered approximately 28 per cent of all plastic packaging generated in 2017. The remaining plastic packaging goes to landfill or becomes litter. Much of that plastic waste is from SUPs.

Once in the natural environment, SUPs take a very long time to decompose. As the plastic breaks down, it disintegrates into smaller and smaller pieces of plastic known as micro-plastics, making them ingestible by small organisms and enabling micro-plastics to enter the food chain. Micro-plastics have been found entering the food web in the Great Lakes and abroad with fish and insects found with micro-plastics in their stomachs.

In addition to ingestion, SUPs can also harm wildlife through entanglement. The impacts to the natural environment can be reduced by replacing SUPs with alternative items that are paper-based or compostable, or with more durable materials that can be reused, or are more cost-effective to recycle.

Furthermore, due to the COVID-19 pandemic, there has been a dramatic increase in the use of SUPs. This is primarily due to the perception that SUP items are a safer alternative to reusable items. Many of these items are not always disposed of properly and end up as litter in the community, polluting our parks and waterways.

In response to the growing concern and impact plastic waste is having on the environment, many municipalities across Canada are taking steps towards addressing SUPs within their communities.

Discussion

Federal Government Announces Single-use Plastics Ban

In June 2018, the Federal Government used its presidency of the G7 to push the creation of the Ocean Plastics Charter. The Charter obligates signatories to commit towards a more resource-efficient and sustainable approach to the management of plastics, avoid the unnecessary use of plastics and prevent waste, and to ensure that plastics are designed for recovery, reuse, recycling and end-of-life management².

The Federal Government also committed to diverting at least 75% of plastic waste by 2030 from federal operations as well as eliminating the unnecessary use of single-use plastics in government operations, events and meetings³.

¹ Ministry of the Environment, Conservation and Parks, "Reducing Litter and Waste in Our Communities: Discussion Paper", March 6, 2019, https://prod-environmental-registry.s3.amazonaws.com/2019-03/Reducing%20Litter%20and%20Waste%20in%20Our%20Communities%20Discussion%20Paper_0.pdf

² Government of Canada, "Ocean Plastics Charter", June 19, 2020, <https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/international-commitments/ocean-plastics-charter.html>

³ Government of Canada, "Government of Canada actions on plastic waste in federal operations", June 15, 2020, <https://www.canada.ca/en/treasury-board-secretariat/services/innovation/greening-government/government-canada-actions-plastic-waste-federal-operations.html>

On June 10, 2019, Prime Minister Justin Trudeau announced the Federal Government's plan to implement a ban on SUPs by 2021 under the *Canadian Environmental Protection Act, 1999 (CEPA)*. This decision follows the ban made by the European Union's parliament on a wide-range of SUPs by 2021. The Federal Government will work with provinces and territories to introduce standards and targets for plastics manufacturers and retailers so they become more responsible for their plastic waste⁴. Items identified under the ban will be based on scientific evidence that indicates those particular plastics are harmful to the environment and human health.

In January 2020, the Federal Government published their *Draft Science Assessment of Plastic Pollution*, which looks at the presence and effects of plastic pollution on the environment and human health.

The report identified that macro-plastics (plastic debris larger than 5 mm) can physically harm wildlife and negatively affect habitat integrity⁵. The negative effects of micro-plastic pollution on wildlife and the environment are also highlighted in the report as well as uncertainties regarding the potential for effects on humans, noting that more research is needed.

The report is being used to help inform the Federal Government's actions and policies as it continues to follow through on its commitment on banning SUPs⁶.

Because of COVID-19, environmental initiatives such as the Federal Government's plan to ban SUPs by 2021 were hindered as resources were redirected towards addressing challenges caused by the pandemic.

Action towards eliminating plastic pollution in Canada resumed in October 2020 when the Federal Government released their discussion paper, *Proposed Integrated Management Approach to Plastic Products to Prevent Waste and Pollution*, which seeks input on a proposed integrated management approach to plastics⁷.

A central part of the plan is a ban on harmful SUPs based on certain criteria such as: evidence that they are found in the environment; are often not recycled; and there are readily available alternatives. Based on those criteria, the six items proposed to be banned are: plastic checkout bags, straws, stir sticks, six-pack rings, cutlery, and food ware made from hard-to-recycle plastics.

The Federal Government is also proposing to establish recycled content requirements in products and packaging and improvements to recover and recycle plastic.

⁴ Prime Minister of Canada, "Government of Canada taking action to reduce plastic pollution", June 10, 2019, <https://pm.gc.ca/en/news/backgrounders/2019/06/10/government-canada-taking-action-reduce-plastic-pollution>

⁵ Government of Canada, "Draft Science Assessment of Plastic Pollution", January 30, 2020, <https://www.canada.ca/content/dam/eccc/documents/pdf/pded/plastic-pollution/Science%20Assessment%20Plastic%20Pollution.pdf>

⁶ Government of Canada, "Draft Science Assessment of Plastic Pollution confirms negative impact of plastic pollution on the environment in Canada", January 30, 2020, <https://www.canada.ca/en/environment-climate-change/news/2020/01/draft-science-assessment-of-plastic-pollution-confirms-negative-impact-of-plastic-pollution-on-the-environment-in-canada.html>

⁷ Government of Canada, "Discussion paper: A proposed integrated management approach to plastic products to prevent waste and pollution", October 7, 2020, <https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/plastics-proposed-integrated-management-approach.html#toc1>

The proposed approach was posted online for public feedback with comments due by December 9, 2020. Regulations will be finalized by the end of 2021.

Province Amends Act to Include Single-Use Plastic Ban

In March 2019, Bill 82, *Single-Use Plastics Ban Act, 2019*, passed first reading at the Legislative Assembly of Ontario. The Act, an amendment to the *Resource Recovery and Circular Economy Act, 2016 (RRCEA)*, aims to eliminate the distribution and supply of SUPs in Ontario by 2025. The Act requires the immediate elimination of the following SUP items within one year after receiving Royal Assent:

- a) plastic straws and drink stirrers;
- b) expanded polystyrene foam food and beverage containers;
- c) plastic bags;
- d) items made from oxo-degradable or oxo-fragmentable plastics;
- e) disposable coffee cups;
- f) plastic water bottles intended for a single-use; and
- g) any other single-use plastics that, in the opinion of the Minister, should be eliminated.

Province Moves towards Full Producer Responsibility

In June 2013, the Province introduced Bill 91, *Proposed Waste Reduction Act*, as a first step toward shifting more diversion obligations onto producers. Recognizing waste diversion deficiencies in the existing *Waste Diversion Act, 2002 (WDA)*, the proposed legislation recognized the role of municipalities in the integrated waste management system. However in May 2014, Bill 91 failed to pass. Following the 2014 Provincial election, the Premier of Ontario's mandate letter to the Minister included a goal of re-introducing waste reduction legislation. In April 2015, the draft Waste Reduction and Resource Recovery Policy Framework was released which focuses on making producers fully accountable for the proper end-of-life management of their products and packaging.

Provincial Government Releases Discussion Paper

On March 6, 2019, the Provincial Government released a discussion paper on reducing litter and waste. The paper identifies the need to reduce plastic waste going into landfills or waterways, which is listed as one of the eight key areas for action⁸. A number of commitments aimed at reducing litter and waste in Ontario communities includes:

- Reducing and diverting food and organic waste from households and businesses.
- Reducing plastic waste.
- Reducing litter in our neighbourhoods and parks.

⁸ Ministry of the Environment, Conservation and Parks, "Reducing Litter and Waste in Our Communities: Discussion Paper", March 6, 2019, https://prod-environmental-registry.s3.amazonaws.com/2019-03/Reducing%20Litter%20and%20Waste%20in%20Our%20Communities%20Discussion%20Paper_0.pdf

- Increasing opportunities for the people of Ontario to participate in waste reduction efforts.

Province Releases Draft Blue Box Regulation

The Ontario Government unveiled their draft Blue Box regulation on October 19, 2020, that will transition the current blue box program to a producer responsibility model. The proposed regulation was posted on the Environmental Registry of Ontario for public feedback with comments due by December 3, 2020⁹.

The proposed regulation, under the *RRCEA*, would make producers of paper products and packaging fully responsible for the waste they create. Producers would be responsible for collecting and managing items made from paper, metal, glass, plastic, or any combination of these materials.

The proposed regulation would also expand collection requirements to include additional materials commonly put in blue boxes by residents such as single-use packaging-like products (e.g. foils, wraps, trays, boxes, bags) and single-use items supplied with food and beverage products (e.g. straws, cutlery, plates, stir sticks).

Canada-wide Strategy on Zero Plastic Waste

In November 2018, the Canadian Council of Ministers of the Environment (CCME) approved, in principal, the Canada-wide Strategy on Zero Plastic Waste which aims to reduce the harmful environmental impacts of plastic waste through greater prevention, collection, and value recovery to achieve a more circular plastics economy. To facilitate action on SUP waste, CCME will develop an approach to strengthen management of single-use, disposable plastics which will involve defining and identifying single-use items most likely to be released into the environment or pose other end-of-life management challenges. CCME will also be working with stakeholders to promote solutions to single-use and disposable plastic items as well as identify sustainable alternatives to their use. Work on this component of the Strategy is expected to be completed by the end of 2021¹⁰.

Action Taken Across Canada

As part of an update to the SM4RT Living Plan 2020, York Region has committed to working with local municipalities to “implement an “Ask First” voluntary program across the Region to reduce single-use items, and show leadership by reducing consumption at their own facilities”.¹¹

⁹ Ministry of the Environment, Conservation and Parks, “A proposed regulation, and proposed regulatory amendments, to make producers responsible for operating blue box programs”, October 19, 2020, <https://ero.ontario.ca/notice/019-2579>

¹⁰ Canadian Council of Ministers of the Environment, “Canada-Wide Action Plan on Zero Plastic Waste: Phase 1”, June 27, 2019, https://www.ccme.ca/files/Resources/waste/plastics/1289_CCME%20Canada-wide%20Action%20Plan%20on%20Zero%20Plastic%20Waste_EN_June%2027-19.pdf

¹¹ York Region, “Update to SM4RT Living The York Region Waste Management Master Plan”, January 28, 2021, <https://www.york.ca/wps/wcm/connect/yorkpublic/6f3f1734-1d45-4322-8903-ca7354a2db50/The+York+Region+Waste+Management+Master+Plan+2020.pdf?MOD=AJPERES&CVID=n50.7-p>

Across Canada, many municipalities and some provinces have implemented programs targeting SUPs. A list of summarized actions taken by other municipalities is provided in Attachment 1.

Types of Approaches to Addressing Single-Use Plastics

Mandatory, voluntary, or a combination of mandatory and voluntary approaches can be used to address the issue of SUPs. Mandatory approaches include implementing fees, bans, or signage with or without enforcement and voluntary approaches include incentives or reward programs or education and promotion campaigns.

Examples of mandatory approaches include, but are not limited to:

- A "By-Request" By-law - upon request from the customer, commercial establishments would distribute SUPs such as straws or cutlery.
- A Signage By-law – commercial establishments are asked to post information for customers on how to reduce their use of takeaway items.
- A Fee By-law – requires commercial establishments to charge customers a fee per single-use item (e.g. for a hot/cold beverage cup or plastic bag).

Examples of voluntary approaches include, but are not limited to:

- Voluntary posting of signage to encourage the use of reusable items, or information on how to reduce the use of SUPs is provided to customers.
- Continued advocacy and support for strong Provincial and Federal legislation aimed at reducing and/or eliminating SUPs.
- SUP waste reduction plans for commercial establishments.
- Greater promotion, education, and outreach campaigns targeting SUPs.

City of Markham Implements Styrofoam Ban

On October 19, 2020, coinciding with Waste Reduction Week, the City of Markham banned packaging Styrofoam from curbside collection however, the ban does not include Styrofoam food containers (e.g. meat trays, take-out containers, cups and plates). Residents can drop this material off at one of four local recycling depots to be recycled provided the item is clean. Soiled items can still go in the garbage.

Markham has a well-established densification program whereby clean residential Styrofoam collected at all Markham recycling depots are compacted into bricks for transportation and recycled into new products such as picture frames and building materials. Markham also has a clear bag program in place for garbage which supports enforcement of the ban at the curb by waste collection staff.

A ban on Styrofoam at the curb is not recommended at this time as the Town does not have the required infrastructure in place that would offer convenient drop-off locations for residents, processing, or enforcement. Currently, Newmarket residents can place

Styrofoam in their garbage or take this material to select York Region waste depots for recycling, however, due to COVID-19, this program has been temporarily suspended.

Furthermore, in light of pending Provincial and Federal Government regulations to address SUPs, implementing regulatory measures such as bans or fees are not recommended at this time. A nation- or province-wide regulatory approach would be more effective and make a meaningful difference. Having a multitude of differing local government regulations would make it difficult for businesses operating in more than one jurisdiction to adjust and comply and could potentially conflict with upcoming Federal and Provincial regulations. Staff can provide Council with an update to this report when details of the finalized regulations are known.

Opportunities to Eliminate SUPs at Town Facilities and Events

1. Eliminate SUPs at Town Facilities

As a means of exemplifying the Town of Newmarket's commitment and leadership in reducing SUPs, the Town has already taken steps to reduce the use of SUPs at Town facilities including: replacing plastic stir sticks with wooden alternatives; banning the provision of bottled water at the municipal offices and providing all staff with reusable beverage containers; and replacing plastic cutlery with reusable cutlery at the R.N. Shelton Operations Centre and Municipal Offices.

The reduction or elimination of municipally supplied SUPs from Town facilities would publicly demonstrate the importance the Town places on environmental stewardship, aligning with Council's Strategic Priority regarding environmental stewardship through leading proactive planning and action related to climate change and other environmental initiatives.

Staff recommend supporting existing initiatives by eliminating the following municipally supplied SUP items available for staff use within Town facilities by July 1, 2021 to coincide with the start of Plastic Free July, a global movement focused on reducing plastic pollution:

- plastic cutlery;
- plastic straws;
- stir sticks;
- black plastic; and
- single-serve milk and cream containers.

Staff also recommends conducting a comprehensive review of current municipal practices at Town facilities to identify additional opportunities to further reduce, replace, or eliminate municipally supplied SUPs. For example, working with existing vendors to amend contracts that would eliminate the provision or sale of SUP items. Staff recommend taking a phased approach when eliminating SUPs at Town facilities recognizing that there are financial and operational considerations.

2. Eliminate SUPs at Town Events

SUPs are commonly used at public events and the Town not only hosts public events, but also provides facilities where others are able to host events. SUP items at Town events could be replaced with compostable or recyclable alternatives. For example, at the Town's 2019 Touch-a-Truck event, compostable plates were supplied by event sponsor Wolfpack Packaging Inc. Paper napkins provided at the event were compostable and beverages were provided in juices boxes, bottles and cans, materials that are accepted in the facility's waste diversion programs.

Staff recommend that the same items identified to be eliminated at Town facilities also be eliminated for Town events by July 1, 2021.

Staff also recommends identifying additional opportunities to further reduce or eliminate the use of non-essential SUP products sold or distributed to the public by the Town and third-party vendors at Town events with exceptions for accessibility. As an example, SUPs provided by food and drink vendors such as plastic cutlery and polystyrene foam food containers could be prohibited and vendors required to provide sustainable alternatives.

3. Public Education Program

In order to raise awareness on SUPs and promote options available to reduce SUP use, staff recommend the Town initiate a public education program. The Town's website and social media channels would be used to provide educational information to the public on SUPs. These communication platforms could also be used to recognize local organizations and businesses that have taken action towards reducing or eliminating SUPs from their operations. An education program would also help prepare residents for potential regulations being brought forward by the Federal and Provincial Governments.

Additionally, educational information on SUPs would be provided to Town employees to raise awareness on the Town's SUP reduction initiatives as well as encourage action individually and within the Corporation.

Conclusion

The negative environmental impacts associated with SUPs has ignited governmental action across Canada. The recommendations in this report provide an opportunity for the Town of Newmarket to become a part of this movement and continue to implement measures that supports the reduction and elimination of SUPs.

With both the Federal and Provincial governments having announced regulatory approaches to ban certain SUPs, staff recommend the Town continue to support these commitments while pursuing public education initiatives that further promotes the reduction and elimination of SUPs in our community.

Additionally, it is important to recognize that many businesses are already leading by example and have voluntarily implemented changes within their establishments to reduce or substitute SUPs.

While most SUP items are items of convenience, consideration must also be included to not restrict access to products for those who require them for daily living. SUPs are often used in products that provide assistance to those with disabilities.

Business Plan and Strategic Plan Linkages

This report aligns with Council's Strategic Priority regarding environmental stewardship through leading proactive planning and action related to climate change and other environmental initiatives.

Consultation

Eliminating SUPs at Town facilities would require further consultation with staff from other departments including Corporate Communications, Recreation and Culture, and Facilities. Developing and implementing a public education program would require consultation with staff from Corporate Communications as well as staff from York Region.

Any type of by-law or ban would require consultation with the public, affected businesses, community health groups as well as staff from By-laws and Corporate Communications and York Region.

Human Resource Considerations

Recommendations in this report, if approved by Council, would require a commitment of staff resources from other departments, including Corporate Communications, Facilities, Recreation and Culture, and potentially By-laws.

Budget Impact

Budgetary impacts would need to be further investigated as eliminating or reducing SUPs at Town facilities will require sustainable alternatives to be supplied. Council direction to implement a public education program will require additional staff resources.

Attachments

Attachment 1 – Summary of actions taken by municipalities regarding single-use plastics.

Approval

Amanda Romano, Waste Program Administrator, Public Works Services

Mark Agnoletto, Director, Public Works Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

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