



December 3rd, 2020

Mr. Charles O'Hara
Director, Resource Recovery Policy Branch
Ontario Ministry of Environment, Conservation and Parks
40 St. Clair Avenue West, 8th floor
Toronto, ON M4V 1M2

Re: ERO number 019-2579 - A proposed regulation, and proposed regulatory amendments,
to make producers responsible for operating blue box programs

Dear Charles,

The PAC Packaging Consortium (PAC) is broadly supportive of the aims of the proposed Blue Box Regulation, particularly the shift to giving producers responsibility to manage the packaging materials they produce. PAC believes this will encourage producers to make better design decisions such that whatever waste is created has a better chance of being reincorporated into new packaged products. Providing consistency on what can be recycled in the new Blue Box program will also aid producers, ensuring less waste and more recycling.

However, PAC is concerned that the proposed targets may not be achievable. PAC supports ambitious, attainable targets that minimize the risks associated with missed targets, such as an erosion of consumer confidence in Ontario's waste reduction efforts.

Consumer confidence could also be impacted by the provision in the proposed regulation to allow the land application of paper waste and the use of undefined recyclables in aggregate, to count towards the targets for diversion. PAC feels that consumers expect that materials put in the Blue Box are being recovered for a higher value use in a circular economy. The ministry is encouraged to review the rationale behind these provisions and amend them as necessary.

PAC believes that the European Union, with its larger markets and in many cases more developed recovery systems (including the use of non-recyclable materials to create energy products), provides an excellent model for achievable near-term targets. The ministry should also amend the proposed regulation to include a clear process for targets to be regularly reviewed and, if necessary, updated to align with targets set by other Canadian jurisdictions.

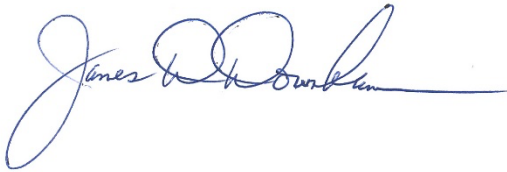
PAC also feels that the proposed regulation needs to provide greater clarity on the definition a number of terms used, including recovery, recycling and public space/public facilities. The regulation appears to use different terms for similar activities. Clarification would address any potential implications of misinterpretations of these terms.

The ministry could better explain the possible implications arising from multi-unit residential buildings being included under the proposed regulation, especially in light of the fact that the proposed regulation does not suggest changes to the current requirements under Ontario Regulation 103/94 for source separation in this type of facility.

Producer responsibility is one of a number of tools required to ensure more materials are recovered. PAC would appreciate the opportunity to participate in future work with the ministry, the Resource Productivity and Recovery Authority (RPRA) and other stakeholders as the proposed regulation is implemented, and to explore what additional tools are needed to support the aims of the proposed regulation.

PAC believes it can make a valuable contribution to the ongoing efforts to reduce waste, and recover valuable resources currently lost to landfills, or that become litter. Using resources recovered from the new Blue Box program to create new packaged products will in turn create jobs and generate new economic activity in Ontario and across Canada. More than ever, this economic activity is vital as we all deal with the impacts of the COVID-19 pandemic.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Downham". The signature is fluid and cursive, with the first name "James" being more legible than the last name "Downham".

James Downham
President & CEO
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