



Consultation Report on MMSM's draft
Transition Plan to Full EPR

November 17, 2021

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Executive Summary:

In 2018, the Minister of Conservation and Climate approved the renewal of the Multi-Material Stewardship Manitoba (MMSM) residential Packaging and Printed Paper (PPP) Program Plan to continue operations until June 30, 2023. The approval letter included a directive requiring MMSM to develop a plan for a 100% industry funded model for the residential PPP recycling system. MMSM undertook the development of a draft Transition Plan to full EPR in consultation with interested stakeholders. This Consultation Report outlines the process by which MMSM consulted with stakeholders, the feedback received, and the way in which the feedback was incorporated into the draft Transition Plan. In conducting its consultation, MMSM followed the guidelines provided in the Manitoba government's [Guideline for Packaging and Printed Paper Stewardship](#) document which outlines the requirements for an effective public consultation process.

The process of consultation centred around MMSM hosted webinars and workshops where information was presented to participants and feedback and questions were invited. The purpose of these webinars was to ensure that all interested parties understood the process and implications of transitioning the current shared-cost model for funding the residential PPP recycling system to a model fully operated and financed by stewards.

The series of webinars and workshops held throughout the summer included both sector-specific sessions allowing for focused discussion on issues of interest to specific stakeholder groups, and two webinars in September where all stakeholder groups were invited for a presentation of the draft Transition Plan. This was followed by a 30-day consultation period where stakeholders were invited to submit their comments or complete a consultation survey.

The consultation process was supported by a dedicated webpage on the MMSM website where interested parties could find all the presentation materials, session recordings, Q&A documents, and the 'Feedback and Questions' button making it easy to raise questions or concerns.

MMSM received good engagement throughout this process primarily from municipal and Indigenous community representatives and MMSM stewards. The input received from municipal and Indigenous community representatives centred around their ongoing role in the delivery of recycling services to residents, the transition from funding to financing and associated timeframe, and how continued, uninterrupted service to residents would be achieved during and after transition.

The MMSM steward community was most interested in the proposed definition of obligated party including the small business exemption, the proposed definition of designated materials and the expansion to include packaging like products, the establishment of recovery targets and interest in the creation of a producer advisory committee.

All the input from municipal and Indigenous communities and stewards was given full consideration when finalizing the draft Transition Plan. The ways in which this input was considered is described in section 4 of this Consultation Report.



MMSM looks forward to further discussions with the Ministry of Conservation and Climate about the transition of the Manitoba residential PPP recycling system to full EPR including a review of the regulatory amendments which will be required in order to implement the draft Transition Plan.

1. Consultation and Engagement Approach

1.1 Background & Regulatory Context

In 2018, Multi-Material Stewardship Manitoba's (MMSM) Packaging and Printed Paper Program (PPP) Plan received renewed approval by the Minister of Sustainable Development (now Conservation & Climate) to continue operations until June 30, 2023. The Minister's approval of the MMSM's Program Plan was accompanied by a series of directives including a request that MMSM develop a plan for a 100% industry funded model'. MMSM was given an extension on the development of the Transition Plan to mid-November 2021.

The Packaging and Printed Paper Regulation 195/2008 ('the Regulation'), enacted in December 2008 under the Waste Reduction and Prevention (WRAP) Act ('the Act'), established requirements for a residential stewardship program for PPP made from paper, plastic, metal or glass, supplied for use in the Province of Manitoba. An accompanying Guideline for Packaging and Printed Paper Stewardship sets out components to be addressed in a Program Plan.

MMSM is a not-for-profit, industry-funded organization that was formed by representatives of obligated stewards to fund and provide support for the province's residential recycling programs for designated PPP in the province of Manitoba. MMSM works on behalf of manufacturers, retailers, and other organizations, with a goal of promoting the reduction, reuse, and recycling of designated PPP, and to sustainably increase recovery rates of the designated materials.

Since 2010, MMSM has partnered with participating communities and stewards and has diverted over 900,000 tonnes of material from landfills greatly reducing greenhouse gas emissions. During this period, stewards have contributed \$140 million towards the costs incurred by participating communities. An additional \$20 million will be funded in 2021. In 2019, the program achieved an 80.3% recovery rate of the materials managed in its program.

1.2 Report Purpose and Overview of Consultation Process

1.2.1 Report Purpose

The purpose of this consultation report is to describe the process undertaken by MMSM to consult with key stakeholders on the draft Transition Plan to full EPR, the details of the process and the ways in which consultation was undertaken in a way that ensured open, two-way dialogue with all stakeholders and ensured that feedback received was considered in full. In addition, this report summarizes the views and concerns received by MMSM and how that input was reflected in the draft Transition Plan submitted to the government.

1.2.2 Overview of Consultation Process

1.2.2.1 Guiding Principles for Engagement

MMSM committed to conducting a stakeholder engagement process that would result in meaningful dialogue and discussions with all stakeholders with an interest in the transition of the current MMSM program to full EPR. All consultations with stakeholders adhered to the following principles:

- Engage and consult with stakeholders in a meaningful way
- Provide stakeholders with accurate, clear, and timely information
- Be open, transparent, and accountable in communications
- Actively engage in a manner that builds trust and fosters interactive communication

By following these principles of engagement, MMSM ensured that:

- Stakeholder input would be carefully considered and incorporated into the draft Transition Plan
- MMSM’s decision-making process meets the needs of MMSM and its stakeholders
- Diversity and equity would be key components of the engagement approach
- Clear deadlines for solicited feedback would be provided
- A final consultation report documenting stakeholder feedback would be shared with all stakeholders.

1.2.2.2 Engagement Process, Timing and Highlights

MMSM created a new landing page on the stewardshipmanitoba.org website dedicated to housing all information related to the development of the MMSM draft Transition Plan. This dedicated site was used to collect contact information from new and interested stakeholders, to provide regular updates on the transition planning and for posting all presentation materials, webinar, workshop recordings and Q&A documents. In addition, this dedicated page featured a “Feedback Button” providing an opportunity for stakeholders to submit their questions or input to MMSM at any time. Steward, Municipal and Indigenous communities, Trade Association contacts and all other stakeholders that expressed an interest in the Transition Plan were included in communication distribution.

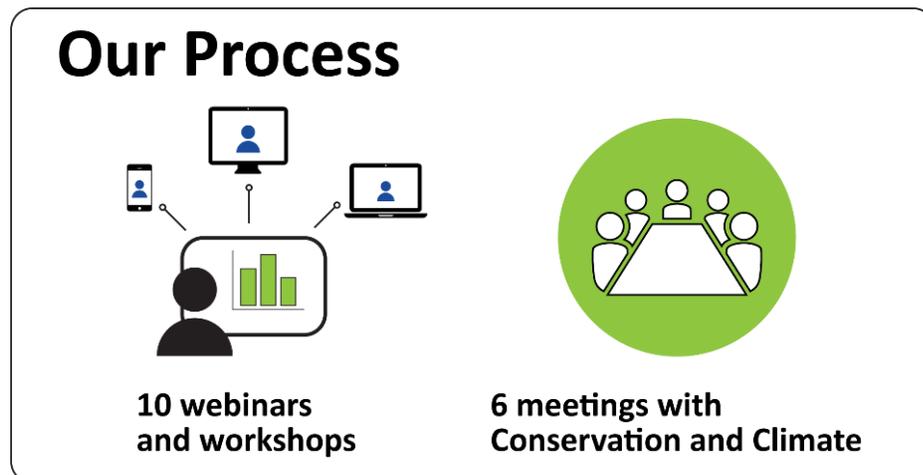
Over the consultation period, MMSM hosted a series of webinars and workshops tailored to specific stakeholder groups. An overview of these sessions is provided in the table below. Initially webinars were held with specific stakeholder groups, such as stewards or Municipal and Indigenous communities, allowing MMSM to address their particular areas of interest. Poll questions were used during the webinars to gain real time feedback to ensure that MMSM was addressing the issues of importance to the specific stakeholder groups. Each webinar included a Q&A session allowing ample time for questions and comments from participants. In some cases, the webinars were followed up by small group or one-on-one meetings to facilitate more focused discussion. MMSM staff also reached out by phone or by email to individuals to ensure they were fully aware of the consultations taking place and to encourage attendance and participation in the discussions.

Having sought input through the sector-specific webinars and workshops held over the summer, MMSM released the draft Transition Plan to all stakeholders on August 26, 2021, and then conducted two webinars on September 2, 2021, and September 8, 2021, where the highlights of the draft Transition Plan were presented.

The presentations of the draft Transition Plan initiated a 30-day consultation feedback period ending October 1, 2021. MMSM helped facilitate the submission of feedback by distributing a survey to all stakeholders asking for input on specific aspects of the draft Transition Plan while also allowing for any other input. MMSM invited interested stakeholders to complete the survey, provide feedback through the Submit Feedback and Questions link on the dedicated webpage or by sending feedback via email.

MMSM received 44 submissions from stakeholders, the specifics of which are provided in Section 3 of this report.

Through this proactive approach to consultation on the draft Transition Plan, MMSM successfully engaged a broad cross-section of stakeholders in the discussion on how MMSM proposed to carry out the transition to full EPR for residential PPP in Manitoba. The following graphics highlight the level of interest in MMSM’s Transition Plan consultations:



Stakeholders

Attendance by the numbers

375



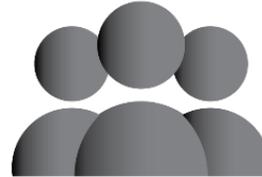
Stewards

166



Municipal and Indigenous
Communities

73



Additional stakeholders

Results



24 Surveys
completed



14 Submissions
received

This high level of engagement resulted from the following sessions hosted by MMSM designed specifically to invite input and discussion on the development of the draft Transition Plan:

Date	Event
June 8	Webinar for Municipal and Indigenous Communities on EPR
June 9	Webinar for Municipal and Indigenous Communities on EPR
June 28	Webinar for Municipal and Indigenous Communities on elements of the transition plan
June 29	Webinar for Municipal and Indigenous communities on elements of the transition plan
July 13	Workshop with Municipal and Indigenous Communities to discuss specific elements of the Transition plan of interest to them
July 14	Webinar for stewards on components of the transition plan
July 15	Workshop with Municipal and Indigenous Communities to discuss specific elements of the Transition plan of interest to them
July 20	Webinar for stewards on components of the transition plan

September 2	Webinar for all stakeholder to present draft transition plan and seek feedback
September 8	Webinar for all stakeholder to present draft transition plan and seek feedback
September 2 to October 1	Consultation feedback period

2. Sector Specific Stakeholder Engagement

MMSM sought input and feedback on the draft Transition Plan from two primary stakeholder groups:

- 1) Municipal and Indigenous communities
- 2) MMSM Stewards

The following section 2.1 summarizes the specific strategies and tactics used to engage municipal and Indigenous communities. Section 2.2 below outlines how MMSM consulted with stewards.

2.1 Process for Consultation with Municipalities and Indigenous Communities

MMSM has been working alongside municipal and Indigenous communities since 2010 supporting the delivery of residential recycling services to Manitoba households. Since the launch of the MMSM program, MMSM has reimbursed participating communities for up to 80% of the net cost of their residential recycling programs. In addition, MMSM supports those communities with technical assistance helping them in the delivery of recycling services to Manitoba residents. In the current shared responsibility model, a participating community manages the operation of its program, is responsible for promotion and education, and ensures the proper recycling of all the material it collects under the terms of a service agreement with MMSM.

During the municipal and Indigenous community webinars held on June 28 and 29, participants were asked if they were interested in further in-depth discussions on specific aspects of the draft Transition Plan related to the ways in which the transition would impact them and the role they would play in the delivery of recycling services under full EPR. Using a live poll feature, participants were asked if they felt further discussions were warranted on the following specific topics, with the following results:

Topic for further discussion:	June 28 Webinar		June 29 Webinar	
	Yes	No	Yes	No
Is an exploration on the definition of full EPR required?	85%	15%	91%	9%
Do you agree that the transition from funding to financing is a topic for discussion?	100%	-	97%	3%
Do you agree that a discussion about community participation in the delivery of residential recycling services is important?	100%	-	94%	6%
Do you agree it is important to understand what will happen if you	98%	2%	100%	-

opt-out of delivering collection and post-collection services in the future?				
Do you agree it is important to provide input into the process for determining how prices will be established?	100%	-	97%	3%
Do you agree it is important now to know what information will be required to prepare for transition?	94%	6%	100%	-
Do you agree the principles for determining sequencing are important?	96%	4%	97%	3%
Do you agree your input is needed on program scope changes?	96%	4%	100%	-

Based on these responses, MMSM hosted two additional small-group workshops to engage in deeper discussions on these topics with representatives of the following municipal and Indigenous communities and government departments:

Rural Municipality of St. Clements & Winnipeg Metro Region (WMR)	City of Winnipeg	Assoc. Of Manitoba Municipalities (AMM)	City of Thompson & Association of Manitoba Municipalities
City of Steinbach & Manitoba Association of Regional Recyclers (MARR)	City of Brandon & Manitoba Association of Regional Recyclers (MARR)	Rural Municipality of Tache	Indigenous Services Canada
Winnipeg Metro Region (WMR)	Manitoba Department of Conservation & Climate, Waste Diversion & Recycling Branch	Manitoba Department of Municipal Relations	Manitoba Indigenous & Northern Affairs

Specifically, these workshops allowed for a fulsome discussion on the following eight topics related to municipal and Indigenous communities' role before, during and after transition to full EPR:

- The meaning and significance of full EPR
- Transitioning from funding to financing
- Service delivery options for communities
- Service delivery in communities that opt out
- Payment for service
- Preparing for transition
- Transition sequence for municipal and Indigenous communities

- Potential MMSM program changes

The two small group discussions provided MMSM with the opportunity for meaningful and open dialogue with representatives of the municipal and Indigenous communities on these and other topics. MMSM summarized the feedback received on these eight topics and shared it with the participants, asking for their review to ensure that MMSM had captured their input accurately. A summary of these discussions and the feedback MMSM received can be found on the MMSM website [here](#).

Amongst other input, MMSM heard from participants that they would benefit by being provided with a communications tool that would assist them in explaining the transition to colleagues, council members, and other community representatives. MMSM responded to that request by preparing a document called [What You Need to Know](#), a two page, high-level overview of full EPR and what the transition means for Manitoba municipal and Indigenous communities. This document was shared with all workshop participants and its wide distribution was encouraged as a tool for informing more communities about MMSM’s draft Transition Plan to full EPR.

In continuing with its collaborative approach to the drafting of the Transition Plan, MMSM invited workshop participants to review specific sections of the draft Transition Plan of most interest to them. Specifically, MMSM asked for their review and feedback on parts 6 and 7 of the draft Transition Plan which focused on: the status and funding of communities during transition, the six transition phases, the timeline associated with the six transition phases and the process by which communities would move from the current shared responsibility model to full EPR financing. Of the municipal and Indigenous communities with whom draft language was shared, four provided MMSM with feedback which was largely supportive of the way in which these sections were presented in the draft Plan.

A key recommendation MMSM received was the need for a specific outreach strategy targeted at Indigenous communities. This was particularly important considering the December 31, 2021, proposed deadline for non-participating communities to indicate their interest in joining the MMSM program. MMSM worked with Indigenous Services Canada (ISC) and Indigenous Reconciliation and Northern Affairs (IRNR) to provide each of their communities with specific information about the draft Transition Plan. The purpose was to reach all communities not yet registered with MMSM and provide them with the opportunity to review and familiarize themselves with the MMSM program and inform them of the opportunity to indicate to MMSM their interest in implementing a residential recycling program before the proposed December 31, 2021, deadline. ISC officers emailed their communities directly on behalf of MMSM to inform them that in the upcoming weeks they would be receiving an information bulletin in the mail regarding MMSM and the Transition Plan. MMSM was provided contacts for Chief and Council for all 63 ISC communities. Each community was sent a 4-page document titled “What you Need to Know”, with information that was relevant to Indigenous communities.

IRNR addressed MMSM and the draft Transition Plan through their Town Hall meeting on September 17, 2021. IRNR also forwarded the “What you Need to Know” document through a follow up email and developed a targeted and proactive approach to deliver information about the draft Transition Plan to Indigenous communities. The information and letters sent by ISC and MMSM can be found in Appendix D.

MMSM continued with proactive outreach to key stakeholders in the lead up to the September 2 and 8 webinars. Initial registrations indicated minimal attendance by municipal and Indigenous representatives leading MMSM to reach out to 105 community staff informing them of the webinars, the importance of the information that would be delivered, and the importance of their attendance. As a result, 49 communities were represented at the September webinars.

During the consultation period, MMSM received written submissions from 3 municipal and Indigenous Communities or their representative organizations and 17 completed consultation surveys. Their input is summarized in Section 3.1, their written submissions and their input through the consultation survey can be found in Appendix C.

2.2 Process for Consultation with Stewards

Stewards (manufacturers, brand owners, retailers) currently pay up to 80% of the eligible net costs of a participating community’s residential PPP recycling program. With the transition to full EPR they will assume full operational and financial responsibility for the residential PPP recycling system in Manitoba. Stewards’ points of view were represented by individual companies, their trade associations and/or trade associations that represent packaging manufacturers. Throughout the draft Transition Plan development and consultation process, MMSM included 1,493 steward and steward representative organizations on its distribution list ensuring a wide cross-section of steward interests were involved in the consultation process. MMSM was also able to broaden its reach to the steward community through the assistance of several MMSM board members who sent notifications of the MMSM transition plan to their trade association members.

MMSM held two sector-specific webinars focused on issues of interest to stewards on July 14, and July 20. Over 150 organizations were represented at these webinars. MMSM presented the following elements of the draft Transition Plan on which questions and discussion were welcomed:

- Regulatory context for the development of a transition plan to full EPR in Manitoba
- What it means to assume full operational and financial responsibility for the Manitoba residential recycling system
- What stewards can expect to see in the draft Transition Plan
- Obligated parties
- Designated materials
- Performance targets
- Greenhouse gas reporting.

Using a live poll during these webinars, MMSM asked participants if they agreed or disagreed with the way in which MMSM proposed to address these issues in the draft Transition Plan. As illustrated in the table below, the poll results indicated strong support for MMSM’s approach and MMSM used this feedback to inform the ongoing drafting of the Plan.

Steward Webinars, Poll Questions	July 14 Webinar		July 20 Webinar	
	Agree	Disagree	Agree	Disagree
Do you agree with the proposed definition of steward with respect to e-commerce businesses?	98%	2%	96%	4%

Do you agree with the proposed small business exemption threshold?	80%	20%	93%	7%
Do you agree with proposal to include material supplied to the residential consumer only?	98%	2%	90%	10%
Do you agree with the proposal to expand scope to include packaging like products?	80%	20%	68%	32%
Do you agree with the proposal to expand scope to include paper products and paper for general use?	80%	20%	78%	22%
Do you agree with the establishment of material-specific recovery targets consistent with those of Recycle BC?	80%	20%	87%	13%
Do you agree with the establishment of accessibility targets?	78%	22%	89%	11%
Do you agree with committing to tracking and reporting on the program’s greenhouse gas emissions once all communities have transitioned to full EPR?	68%	32%	73%	27%

The webinar recordings, presentations and Q&As were posted on the MMSM website shortly after the July 20 webinar and can be found [here](#).

1,493 stewards were invited to the September 2 and 8 webinars for the presentation of the draft Plan. 108 steward representatives joined the September 2 webinar and 98 joined on September 8. MMSM received written submissions from 11 members of the steward community, 12 completed the consultation survey, and 7 reached out with specific questions on the draft Transition Plan. A summary of their input can be found in Section 3 and their submissions and completed consultation surveys can be found in Appendix C:

3. Stakeholder Feedback

3.1 Feedback from Municipal and Indigenous Communities During July Workshops

The following is a summary of the feedback MMSM received on the 8 topics discussed at the July 13 and 15 municipal workshops:

3.1.1 Definition of full EPR and meaning of industry managed and industry financed:

- Overall agreement with MMSM’s definition of EPR and acknowledgement that the definition aligns with that of the CCME.
- Communities agree with how MMSM interprets full EPR to be a system fully operated and financed by industry with the expectation that when industry assumes responsibility for the system, residents will continue to receive the same level of service as they current enjoy.

3.1.2 Transition from funding to full financing

- Communities are aware of the current 80% funding model and how the application of three-year rolling average for each population category is calculated and that funding is 80% of the rolling average and paid out quarterly the year following.
- Communities understand that with the transition to full EPR, this funding model would be phased out and, in its place, MMSM would ask service providers to enter into contractual arrangements where they would be paid a fair and competitive price to deliver a set of services against a service standard and that industry will pay for services as delivered.
- General agreement with the approach proposed by MMSM that during a planned three-year transition period, some communities would be paid on the current 80% funding basis while those communities that had transitioned to full EPR would be paid on the new contractual basis and that by the end of the three-year transition period all communities would have transitioned to the new contractual arrangement.
- The issue of eligibility of multi-family buildings in the full EPR funding model was raised. MMSM's proposed definition of multi-family buildings eligible for funding is those with seven units or fewer. If the draft Transition Plan is approved, MMSM committed to working with municipal and Indigenous community partners to understand the extent to which multi-family buildings are part of the current shared responsibility model.

3.1.3 Service delivery options for communities

- MMSM sought feedback from communities on the MMSM proposal to provide communities with the first right of refusal to continue to deliver collection services to their residents.
- Community representatives agreed with this approach but indicated the need to understand more about the terms of the new contract and service standards in order to make a decision on participation. They also indicated that they would need adequate time to consider the contract terms and service standards.
- Communities agreed with MMSM's proposed date of December 31, 2021, for indicating an interest in transitioning to full EPR (separate from decision around delivering services) was reasonable. It was confirmed that communities eligible for transition include both those that are currently participating in the MMSM program as well as those that are not currently part of the program on the condition that those not currently participating advising MMSM of their interest by December 31, 2021. In addition, communities indicated their understanding that any plans by current participating communities to expand or change their program should work with MMSM staff now to determine eligibility of that program expansion or change to ensure it was viable and would meet MMSM's current definition of efficient and effective.

3.1.4 Service delivery in communities that opt-out of providing services

- Representatives agreed with the approach proposed by MMSM on how it would provide services to those communities that chose to opt out of participating in the delivery of collection services under contract to MMSM.
- MMSM explained that it would strive for no disruption from current services and answered questions on how resident complaints or calls would be managed if there was a separate service provider for recycling and garbage/organics collection.

- A concern was raised about how MMSM would ensure steward compliance to guarantee adequate levels of funding for the program – particularly in those communities where MMSM was providing service to residents and suggested that compliance be part of the Transition Plan.

3.1.5 Payment for service

- Communities indicated agreement with MMSM’s proposal to establish a set of prices to be paid for the delivery of collection service and proposed a per household payment for curbside delivery and a per tonne price for depot service.
- MMSM will seek to set prices that fairly compensate municipal and Indigenous communities for delivering collection to a common set of service standards yet differentiate the price paid when considering factors such as population density, drive time to deliver PPP to a designated receiving facility.
- Communities also agreed in MMSM’s proposal to utilize 10+ years of CMS data as a strong basis for developing prices-for-service along with third party support in isolating the collection costs and to consider other data sources to address differences related to varying service standards.

3.1.6 Preparing for transition

- Communities expressed the need for MMSM to ensure the draft Transition Plan reflects the time needed by communities to assess whether they will participate with MMSM in service delivery; and decision-making could take communities anywhere from 3-12 months.
- For the Transition Plan to fairly reflect an appropriate transition timeframe, communities agreed to share their existing contract details with MMSM so there is clarity on when contracts expire to assist MMSM to plan for a smooth transition.
- Communities agreed with the three-year transition timeframe proposed by MMSM and the notion of a catchment area transition approach to optimize material flow and cost-effectiveness of the system.
- Communities expressed agreement with the logic of considering the phasing of each community in the context of factors such as physical geography, volumes of PPP available, existing infrastructure, and proximity of a community to other communities that have declared their intention to transition.
- Communities agreed with an approach that makes logistical sense and minimizes duplication in routes travelled by collection vehicles.
- Community representatives also support that the Plan provide for the opportunity to collaborate with surrounding municipalities on the procurement of collection services to take advantage of the economies of scale available through larger collection areas.

3.1.7 Transition sequencing

- Municipal representatives agreed with the factors MMSM put forward in considering the sequencing of the transition of communities including contract expiration dates, opportunities to create scale to advance cost-efficiency, minimal disruption in services and opportunities to improve environmental performance.
- Municipalities asked that MMSM also allow those communities that are prepared and keen to transition to do so, while allowing others to complete their existing contracts.
- MMSM agreed that the ‘readiness’ of a community to transition would be addressed in the Transition Plan.

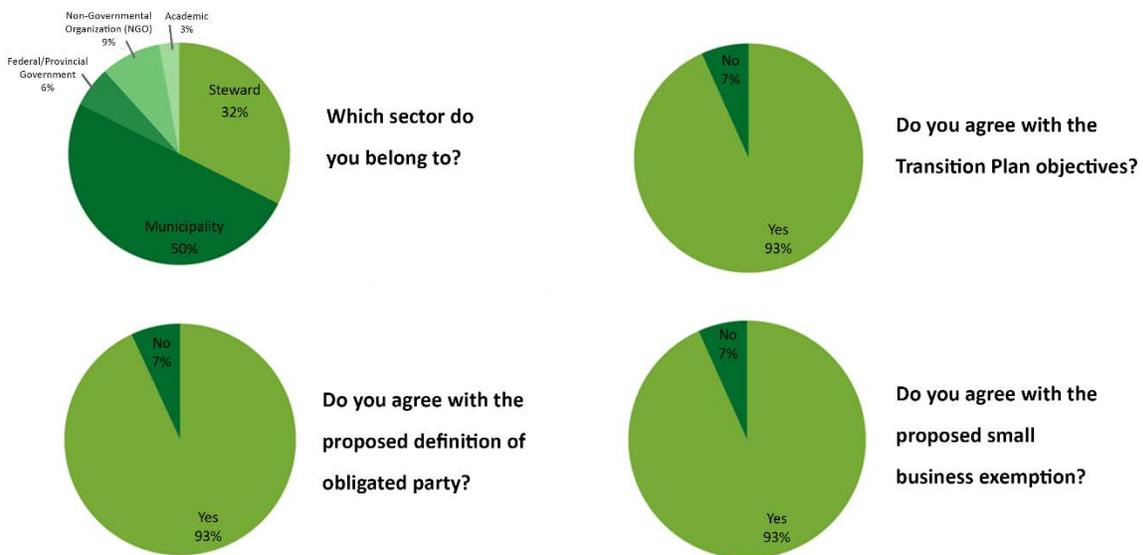
- Communities agreed with a four-year transition timeframe with one year for planning and three years of phased transition based on a regional/catchment approach.

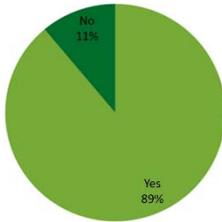
3.1.8 Program changes and changes in reporting

- Communities agreed with MMSM’s proposal to standardize and expand the list of materials for collection across all transitioned communities on the condition that any increase in cost associated with expanding material collection was covered.
- It was also confirmed that any expansion of materials for collection would only be materials coming from residential households and would not include any ICI materials, including material generated from commercial farms.
- With respect to the proposal to report on the GHG emissions some communities are already collecting data to understand the GHG emissions associated with their services but acknowledged that this is a complex exercise. Understanding that the collection of this data would not take place for 4+ years, communities were in general agreement that this is the way of the future, and they would be willing to participate in providing this data to MMSM.
- With respect to the evolution in reporting requirements, communities understood how reporting would evolve.
- Communities were in general agreement that they would prefer payments from MMSM on a quarterly basis.

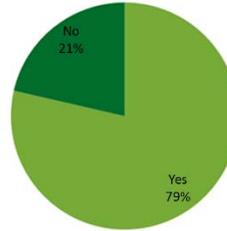
3.2 Summary of Feedback from Consultation Surveys (All Respondents):

The following pie charts illustrate the feedback received from both municipal and steward representatives to the questions asked in the Consultation Survey:

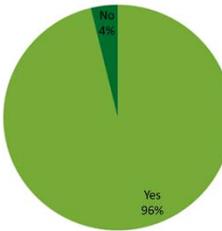




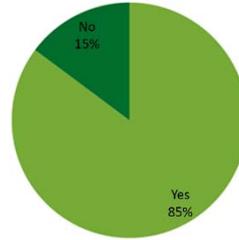
Do you agree with the proposal to commit to reporting on the greenhouse gas impact of the program once all communities have transitioned?



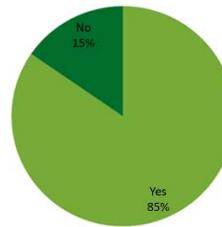
Do you agree with the proposed definition of designated materials?



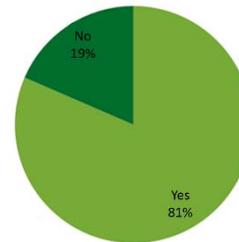
Do you support the proposed six-phased approach to transition?



Do you agree with the proposal to establish a new program recovery target and material specific recovery targets to be achieved after transition?



Do you support the timeline proposed for the six phases of transition?



Do you agree with the proposed process and timing proposed for establishing those targets?

3.3 Feedback on Draft Transition Plan from Municipal and Indigenous Communities

In addition to feedback provided during the targeted workshops, MMSM received written submissions or completed consultation surveys from 20 municipalities or associations representing communities during the 30 day consultation period in September. Submissions were received from:

Rural Municipality of St. Andrews	Rural Municipality of Dufferin	Rural Municipality of Pipestone	Rural Municipality of West Interlake
Rural Municipality of Stuartburn	Eastman Regional Municipal Committee	Town of Altona	Town of Churchill
City of Selkirk	City of Dauphin	Rural Municipality of Cartier	Town of Neepawa
Rural Municipality of St. Anne's	Association of Manitoba Municipalities	City of Winnipeg	Rural Municipality of Mountain

Indigenous Reconciliation & Northern Relations	Riding Mountain National Park	Rural Municipality of Gimli	Rural Municipality of Reynolds
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The following is a summary of their feedback:

3.3.1 *Transition Plan Objectives*

- Plan objectives should include effective diversion of recyclables from landfill including a responsibility for businesses to improve the environmental profile of the packaging and products to make them more easily recycled.
- Plan objectives should also include the development of a domestic end-market for Manitoba's recyclables.
- Agreement with the objective of minimizing disruption in service to residents throughout the transition period.

3.3.2 *Definition of Obligated Party and Proposed Small Business Exemption*

- Questions about how the costs of full EPR will be borne and seeking assurance that communities will not be burdened with additional costs.
- Also, questions asked about whether costs will be passed along to consumers and who will pay for the costs avoided by exempt or non-compliant businesses.

3.3.3 *Definition of Designated Materials*

- Widespread concern about the exclusion of IC&I materials from the draft Transition Plan particularly in those northern and remote communities which rely on the combined residential and ICI volume to warrant the delivery of services to their community.

3.3.4 *Program and Material Specific Recovery Targets*

- Suggestion that the timeframe for recovery targets be accelerated
- Alternatively, a suggestion that the proposed timeframe is too aggressive for northern communities to achieve.

3.3.5 *Commitment to Report on Greenhouse Gases:*

- MMSM received very little input during this phase of the consultation on its proposal to report on GHG emissions associated with the program but the few comments received were supportive.

3.3.6 *Six-phased Approach to Transition and Timelines:*

- There was broad support for the proposed six-phase approach to transition with suggestions that MMSM engage in close consultation with communities through the planning process including regular updates at the AMM-MMSM Municipal Industry Program Committee (MIPC).
- As noted above, MMSM received differing viewpoints on the proposed timeline for transition with some agreeing to the timeline proposed, some seeing it as too slow and some suggesting that that timeframe is too aggressive particularly for northern communities.
- Overall support expressed for the timeframe provided for municipal and Indigenous communities to review service standards and price being offered to decide on participating in providing collection services under contract to MMSM.

3.3.7 *Proposed Post-Collection Procurement Approach:*

- Questions raised about the inclusion of social purpose/non-profit organizations as part of the service provider network and the feasibility of engaging with these organizations under a full EPR model.
- Northern and remote communities concerned about ability to engage with service providers given small volume of residential materials if ICI materials are excluded.

3.3.8 *Proposed Objectives and Activities for Communication, Promotion and Education*

- Overall support for MMSM’s proposed approach and tactics for resident communication and promotion and education with suggestions on how to leverage other organizations to assist in providing clear communication to residents.

3.4 Feedback on Draft Transition Plan from MMSM Stewards

There were 206 steward organizations represented at the September 2 and 8 consultation webinars. During the consultation period, MMSM received 11 written submissions and 12 partial or completed consultation surveys from the steward community from the following organizations:

Bee Maid Honey	The Hartz Mountain Company	Aviva Canada	Walmart Canada
Molson Coors	W.H. Escott	Church & Dwight Canada	Ferring Inc.
Lacoste Canada Inc.	Canadian Bottled Water Association	Clorox Canada Inc. (completed a consultation survey and provided a written submission)	Food, Health and Consumer Products of Canada
SC Johnson	Scotts	Fertilizer Canada	Chemistry Industry Association of Canada – Plastics Division
Retail Council of Canada	Carton Council of Canada	Canadian Beverage Association	Paper and Paperboard Packaging Environment Council
Premier Tech Home and Garden			

The following is a summary of their feedback:

3.4.1 *Transition Plan Objectives*

- There was general agreement with the draft Transition Plan’s proposed program objectives, but additional objectives were suggested to ensure the program delivers strong environmental outcomes while achieving financial stability, cost efficiency and program transparency and accountability.

3.4.2 *Definition of Obligated Party & Proposed Small Business Exemption*

- Overall support for the expanded definition of obligated party to include all businesses with residency in Canada and all e-commerce sellers regardless of residency in Canada. Some stewards noted that this will result in current MMSM stewards no longer being obligated while obligating

others currently exempt and the need for MMSM to assist in ensuring that all obligated parties are captured while avoiding double reporting.

- Several respondents expressed opposition to the proposed small business exemption suggesting that all businesses that supply designated PPP in Manitoba be required to register with MMSM and/or the implementation of a small business flat fee. In addition, it was suggested that MMSM have the ability to request a report from a registered steward at any time demonstrating that they continue to qualify for the small business exemption.

3.4.3 Definition of Designated Materials

- Support was expressed for the Plan to target residential PPP only.
- A number of respondents asked that the definition of designated materials align with that of the Ontario Blue Box Regulation by exempting flexible plastic film products used to contain, protect or handle food.
- One respondent suggested that criteria in determining the designation of packaging-like products be added to include the following from the EU Single-Use Plastics Directive “exclude from the definition of packaging-like product any product that can be reused multiple times for the same purpose for which it was originally conceived”.
- There was a suggestion that designated materials should focus on those typically used outside the home or on-the-go in a clearly single-use format where consumption/disposal occurs immediately after purchase.
- One respondent asked for the exclusion of corrugate paper products from the definition of packaging-like products.

3.4.4 Program and Material Specific Recovery Targets

- Overall support for the establishment of measurable and achievable material-specific recovery targets for paper, plastic metal and glass and that they be established in consultation with stewards.
- Targets be set in the context of current diversion and recycling infrastructure as well as expected changes to the province’s collection capacity.
- Input received recommending that rather than setting recovery or collection targets, MMSM establish diversion targets which would be based on the rate at which materials are collected, sorted and sold to end markets.
- Proposal to establish material specific recovery targets that align with those of other western provinces allowing collaboration across provincial programs for third party auditing and verification.

3.4.5 Commitment to Report on Greenhouse Gases

- MMSM received mixed responses to the commitment to report on greenhouse gas emissions following transition of all communities with some respondents suggesting that reporting on GHGs is not very meaningful to stakeholders.

3.4.6 Six-Phased Approach to Transition

- Steward respondents support the six-phased approach to transition as proposed in the draft Transition Plan

3.4.7 *Timelines for the Six-Phased Approach to Transition*

- Steward respondent acknowledged the time required for municipalities to consider their role in providing collection services.
- It was noted that the transition needs to be done over a reasonable timeframe that also allows adequate time for stewards to make budget adjustments and allows for cost predictability. In addition, the transition should be done in a way that does not disrupt recycling services being provided to Manitoba residents.

3.4.8 *Proposed Objectives for the Procurement of Services*

- General support was expressed for the objectives identified in the procurement of services with support for municipalities being provided with the first right of refusal for collection services

3.4.9 *Proposed Post-Collection Procurement Approach*

- Support expressed for the approach proposed for the procurement of post-collection services including support for the catchment area approach and for the competitive procurement of these services.

3.4.10 *Proposed Objectives and Activities for Communication, Promotion and Education*

- Overall support expressed for the objectives and activities proposed for communication, promotion and education noting MMSM's successful communications achievements to date.
- Some respondents noted the importance of effective consumer P&E to achieve a successful recycling system in Manitoba.
- Support expressed for conducting research to determine awareness levels of MMSM's communications programs to inform any future adjustments or refinements to ensure ongoing effectiveness.

3.4.11 *Other Feedback:*

In addition to the above-noted feedback, MMSM received the following input from the steward community:

- A suggestion that MMSM create a steward advisory committee to allow for ongoing steward engagement with MMSM during and following the transition to full EPR.
- Support for a single PRO model in Manitoba which differs from the recommendation for a competitive multi-PRO framework in the *Waste Diversion and Recycling Framework Review* conducted by Dillon Consulting on behalf of the Manitoba Ministry of Conservation and Climate.
- A suggestion that MMSM seek to harmonize definitions of designated materials, designated party across provinces.
- Harmonization and collaboration across western provinces to allow for the evolution of a regional supply chain for recyclables management.

4. How stakeholder Input is Reflected in the Draft Transition Plan

4.1: Municipal and Indigenous Communities:

As outlined above, MMSM worked with municipal and Indigenous communities throughout the summer seeking their input and feedback during the drafting of the Transition Plan including their involvement in the review of specific sections of the draft Transition Plan as it was being written. This collaborative approach to the development of the draft Transition Plan resulted in MMSM receiving fairly broad support from municipal representatives when it was released for the 30-day consultation period.

The following elements were incorporated into the draft Transition Plan as a direct result of input received from municipal and Indigenous communities throughout the summer:

- The development of a specific and focused outreach campaign carried out in collaboration with Indigenous Services Canada (ISC) and Indigenous Reconciliation and Northern Affairs (IRNR) to ensure widespread awareness and understanding of the MMSM program and the transition to EPR by northern and Indigenous communities. (Part 3.1.1)
- Inclusion of a section on compliance and enforcement which underscores the importance of effective compliance to ensure full involvement in supporting full EPR for the PPP recycling program in Manitoba (Part 5.6)
- A commitment to work with municipal and Indigenous communities to understand the extent to which multi-family buildings are part of the current shared responsibility model. (Part 7.2.2)
- A phased approach to transition that allows for the collection services contracts and collection service payment proposals be developed and provided to communities equipping them with all the information needed to make an informed decision about participating as collection service providers to MMSM. (Part 7.2.2)
- A timeline allowing the time required for municipal and Indigenous community staff, Councils, and Chief and Councils to fully consider the option to participate in service delivery on under contract with MMSM including the opportunity to review service standards and price being offered by MMSM for collection services (Part 7.2.3)
- An assurance that MMSM will work with municipal representatives in the development and sequencing of catchment areas in a way that acknowledges the needs and timing required by individual municipalities. (Part 7.2.4)

One suggestion received during the 30-day consultation period which was incorporated into the Plan was the addition of Service Provider to the Glossary to ensure a common understanding of this term.

4.2 Stewards

Based on the feedback received from stewards during the 30-day consultation period, MMSM made the following updates to the draft Transition Plan:

- Harmonized language with other EPR programs in Canada by replacing 'steward' with 'producer' and defining this term in the Glossary
- The commitment to create a producer advisory committee (Part 7.1).
- Draft Transition Plan Objectives expanded to include the promotion of efficiency, transparency, and accountability and to support the achievement of a circular economy for PPP. (Part 2.3).
- Rewording of how Stewards for Transport Packaging and Convenience Packaging are defined to ensure it clearly expresses where responsibility lies for transport packaging under different e-commerce business models. (Part 5.2).

4.3 Regulatory Amendments Required to Implement the Draft Transition Plan

If the Minister of Conservation and Climate approves the draft Transition Plan as written following consultations in 2022, amendments to both the Packaging and Printed Paper Stewardship Regulation and the Guidelines for Packaging and Printed Paper Stewardship would be required for its implementation. These include:

Regulatory amendments:

- Amendment to update obligated party from ‘designated steward’ to ‘producer’.
- Amendment to the definition and interpretation of designated materials to include packaging like products.
- Amendment to the definition of steward of designated materials to include brand owners resident in Canada and e-commerce marketplace facilitators.

Guideline amendment:

- Remove the reference to 80% funding.
- The Required Program Plan Components would need to be updated to allow for a residential recycling system fully operated and financed by stewards.

5 Conclusion and Next Steps

This report outlines the open, collaborative, and comprehensive consultation process undertaken by MMSM over the past five months. MMSM feels confident that it carried out an approach to consultation that aligned with the Guiding Principles for Engagement as outlined in section 1.2.2.1 which resulted in:

- Careful consideration of stakeholder input in development of the draft Transition Plan.
- A decision-making process that met the needs of MMSM and its stakeholders.
- A commitment to diversity and equity through the engagement of a wide spectrum of stakeholders.
- Clear communication and clear deadlines for feedback.
- Open, two-way dialogue with significant opportunity for engagement and feedback during the drafting of the Transition Plan.

MMSM appreciates the time and effort made by many individuals and organizations throughout the consultation period. The interest shown and contributions made have helped MMSM develop a draft plan for transition to full EPR that builds upon the successes of the current program, leverages the roles played by communities in the delivery of recycling services providing for their ongoing involvement, and meets stewards’ needs for efficient and widespread recovery of their materials from residents across Manitoba.

MMSM is pleased to submit this Consultation Report and draft Transition Plan to the Minister and looks forward to feedback and further discussions through the consultation process that will be conducted by the Ministry of Conservation and Climate in 2022.

Appendix A Presentations from webinars and workshops

The following are links to the slide decks or notes from webinars and workshops held with stakeholders during the consultation on the development of the draft Transition Plan:

[Municipal and Indigenous Communities EPR Information Webinar Slides](#) (June 8 and 9)

[Municipal and Indigenous Communities Developing a Transition Plan Webinar slides](#) (June 28 and 29)

[Summary Notes from Municipal and Indigenous Communities Workshops](#) (July 13 and 15)

[MMSM Steward Webinars](#) (July 14 and 20)

[Presentation of Draft Transition Plan to Stakeholders](#) (September 2 and 8)

Appendix B Q&A documents from webinars and workshops

The following are the Q&A documents from the webinars and workshops held with stakeholders during the consultation on the development of the draft Transition Plan:

[Municipal and Indigenous Communities EPR Information Webinars \(June 8 and 9\)](#)

[Municipal and Indigenous Communities Developing a Transition Plan webinars \(June 28 and 29\)](#)

[Municipal and Indigenous Communities Workshops \(July 13 and 15\)](#)

[MMSM Steward Webinars \(July 14 and 20\)](#)

[Presentation of Draft Transition Plan Webinars \(September 2 and 8\)](#)

Appendix C Written Submissions Received on the Draft Transition Plan and Completed Consultation Surveys



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September 28, 2021

Multi-Material Stewardship Manitoba (MMSM)
Draft MMSM Transition Plan Consultation
Via email: transitionfeedback@stewardshipmanitoba.org

To Whom It May Concern,

On behalf of the Association of Manitoba Municipalities (AMM), I am writing to provide some comments related to MMSM's draft Transition Plan.

Firstly, the AMM wishes to thank MMSM for hosting several informational webinars and workshops since June 2021 to engage with municipal officials and local communities to support the development of the full EPR draft Transition Plan. We encourage MMSM to continue holding these sessions moving forward so that municipal feedback is continually incorporated, and the Plan is responsive to local needs as it progresses.

In regard to the proposed Transition Plan specifically, the AMM appreciates the commitment confirming participating communities can voluntarily choose to enter into a contract with MMSM to directly deliver or manage collection and other residential recycling services. Moreover, the AMM supports eligible communities being given the first right of refusal to participate in the delivery of collection and post-collection services since local Councils know their communities best and they are fully capable of determining whether to enter into voluntary agreements.

Overall, it is imperative that no new administrative or financial burdens be created for municipalities while MMSM should strive to minimize any potential disruption to services throughout the transition to full EPR. The AMM also agrees that MMSM must provide adequate time for municipal staff and Councils to fully consider the option to participate in service delivery, including the opportunity to review service standards and price being offered by MMSM for collection services.

For those municipalities wishing to transition to full EPR and enter into an agreement with MMSM, the development of the phased, catchment area approach must be done in close consultation with local Councils and staff to ensure full transparency while recognizing varying capacity levels at the local level. Community transition plans should be tailored to individual municipalities given their unique needs and local priorities. The AMM also encourages MMSM to meet with these municipalities one-on-one, particularly with larger municipalities to discuss operational impacts given their size and scope of services.

Additionally, as mentioned in previous AMM submissions, municipalities have often expressed frustrations about the existing overall funding formula as well as clarity about eligible and ineligible costs. Ensuring municipalities understand the current formula when considering the option to transition to full EPR will be key to help Councils make fully informed decisions. Moreover, the AMM



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requests that more information be provided in the Plan as to why costs of any study or audit undertaken by a municipality is considered an ineligible administration cost since these are regular activities associated with administering community recycling services.

Lastly, the AMM suggests that a mandatory review period and accompanying process be incorporated into the Plan to ensure community needs and priorities are being addressed and operations are running smoothly. For example, the AMM would appreciate receiving regular updates on the roll-out and implementation of the Plan via the AMM-MMSM Municipal Industry Program Committee (MIPC).

Thank you for the opportunity to provide these comments.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Denys Volkov", with a long horizontal flourish extending to the right.

Denys Volkov
Executive Director

cc: Karen Melnychuk, MMSM Executive Director

October 1st, 2021

Karen Melnychuk, Executive Director
Multi-Material Stewardship Manitoba (MMSM)
7th Floor, 259 Portage Avenue
Winnipeg, Manitoba
R3B 2A8

Sent via email to transitionfeedback@stewardshipmanitoba.org

Dear Karen:

[Carton Council Canada](#) (CCC) is a not-for-profit industry association working to deliver long-term solutions to help increase carton recovery and recycling in Canada.

Thank you for the opportunity to provide comments on the transition draft Plan to full extended producer responsibility (EPR) for the Manitoba residential recycling system. We would like to make the following comments regarding the draft plan.

- **Design of collection services:** we support providing communities with the first right of refusal to act as collection contract management agents on behalf of MMSM. This will ensure that at least some of the knowledge and know-how of municipalities and other current collection agents is leveraged in delivering the service.
- **Design of post-collection services:** Similarly, we support the catchment design & sequencing approach for the competitive procurement of post-collection services, which is to be based on the aggregation of communities into catchment/logical clusters in order to create scale and advance cost-efficiency and improve environmental performance.
- **Standardized List of Materials Collected:** we strongly support the concept of a standardized list and we are delighted to see that gable top containers and aseptic packaging are part of the list. As you know, cartons are recycled into new paper-based products such as tissue and toweling, writing paper, and packaging. They can also be turned into sustainable building materials, such as roof cover and wallboard. [Refer to our web site for more information on the carton recycling process and for a list of carton recyclers in North America.](#)

Follow us on [LinkedIn](#)™ for news and information about carton recycling and our activities.

- **Tracking performance:** We agree with the general approach towards tracking performance, as presented in the draft plan. However, we would like to make the following recommendations:
 - Currently, MMSM uses the term “recovery rate” to refer to what is in actual fact a “collection rate” (Tonnes of PPP collected ÷ Tonnes of PPP Supplied), as per section 10.2. For greater clarity, we recommend that MMSM change its terminology to “collection rate” accordingly.
 - Section 10.3 refers to MMSM achieving “the aggregate province-wide recovery rate two years following the transition of all communities”. This province-wide target is not known. We recommend that this information be added to the plan.
 - Section 10.4 refers to “Material-management targets” but does not define the term. Throughout this section, the term is used interchangeably with “material-specific recovery targets”. It is our understanding that what is being referred to are actual material-specific diversion targets (tonnes of PPP sold for recycling ÷ Tonnes of PPP Supplied), but we are unsure if our understanding is correct. In that sense, we strongly recommend that MMSM provide a definition for “Material-management targets”, including whether and how they differ from “material-specific recovery targets”.
 - We agree with the proposed categories for the material-specific targets (paper, plastic, metal, glass). However, it is of critical importance for CCC to retain the current material-specific recovery (i.e. collection) performance for gable top and aseptic cartons. This information allows us to measure progress towards our goal¹. Ideally, the material-specific information would also be available for the management performance.
- **Communications, Promotion and Education:** CCC agrees with the proposed objectives, techniques, and principles presented in the draft plan. We would like to take this opportunity to commend MMSM for the excellent promotion and education initiatives it has deployed over the years. We were delighted to support the 2016 and 2018 province-wide awareness campaigns, as well as MMSM’s school programming through the development of curriculum tools focused on carton recycling. We look forward to continuing our collaboration on this front in the future.
- **Maintaining collaboration with CBCRA program:** CCC is a strong supporter of the Canadian Beverage Container Recycling Association’s (CBCRA) Recycle Everywhere program, Manitoba’s successful away-from-home beverage container recycling program, which works collaboratively and in complement to MMSM’s residential recycling program. We encourage MMSM to continue to work in close collaboration with CBCRA under the transition plan and beyond.

¹ In 2019, CCC members agreed to adopt a 70 per cent carton recycling target by 2025

- **Creation of advisory council:** CCC recommends the establishment of an advisory council by MMSM to provide it with expert and technical counsel. Such a measure should specifically enable the participation of packaging suppliers, thereby leveraging our high level of experience and technical expertise pertaining to the operation of recycling systems for packaging, in particular with regards to end-markets for our respective commodities.

In closing, we thank MMSM for the opportunity to provide comments on its draft transition plan and we look forward to our continued collaboration towards furthering the circularity of packaging and paper in Manitoba.

Sincerely,



Isabelle Faucher

Managing Director, Carton Council Canada



Canadian Beverage Association
Association canadienne des boissons

October 1, 2021

Via email: transitionfeedback@stewardshipmanitoba.org

Re: Draft MMSM Transition Plan – Full Extended Producer Responsibility

I am writing to provide comments on behalf of the Canadian Beverage Association (CBA) members regarding Multi-Material Stewardship Manitoba's (MMSM) Draft Transition Plan - Full Extended Producer Responsibility, which was released on August 26, 2021.

CBA represents the majority of non-alcoholic beverage brands and companies in Canada, many of which have operations based in Manitoba. Our members directly employ more than 20,000 Canadians and operate production facilities and distribution centers throughout the country. We have a strong record of accomplishment on environmental stewardship across Canada, primarily through our sector's participation in provincial recycling programs and our members' sustainability initiatives, including EPR programs. CBA is very closely involved with the Canadian Beverage Container Recycling Association (CBCRA) in operating a common collection system for registered beverage containers and supporting MMSM in beverage container collection.

In this extraordinary and challenging time, we appreciate the work the government is doing to manage the COVID-19 pandemic. We stand together with government as an essential service, ensuring grocery store shelves are stocked with water, juice, milk, still and sparkling beverages.

We share MMSM's commitment to achieving better social, economic, and environmental recycling outcomes and a circular economy through the introduction of an extended producer responsibility (EPR) model where producer's responsibility for products they put on the market is extended to the post-consumer stage of the product's life cycle. We welcome the opportunity to provide our comments on the organization's proposed transition plan and highlight the importance of government and industry collaboration.

We thank MMSM for this valuable opportunity. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Jim Goetz
President, Canadian Beverage Association
jim@canadianbeverage.ca

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October 1, 2021

Canada's beverage industry strongly believes that producers should have full operational responsibility for collection, post-collection, and marketing of designated materials under Manitoba's EPR program. Establishing a common collection system for packaging and paper products with a standardized list of materials that will be collected in all Manitoba municipalities is a key component of environmental stewardship in the province and will ultimately reduce the presence of litter in the environment. Gradually transitioning existing collection programs over a reasonable timeline that provides cost-predictability for producers and prevents service disruptions for Manitobans is crucial to accomplishing this. An industry-led EPR model which incorporates the following recommendations into a transition plan will pave the way for a successful and well-performing material recovery system.

Extended Producer Responsibility

- CBA members support the development of Extended Producer Responsibility systems in all jurisdictions across Canada;
- EPR models should closely resemble the British Columbia model and be industry-led or allow for industry input;
- Establish measurable and achievable performance targets based on the way materials are sorted, baled and marketed from material recovery facilities, and measured by the diversion of packaging;
- Allow for a producer responsibility organization (PRO) to manage both producers' supply and performance reporting to a regulator, in an aggregated form, for reduced administrative burden on Manitoba companies and better protection of commercially sensitive supply information;
- Enable the creation of pro-active education and awareness campaigns for consumers, as well as a convenience-focused network for material recovery; and
- Maintain collaboration with Manitoba's successful away-from-home beverage container recycling program through CBCRA, which has achieved a return rate of 71 per cent.

Harmonization

- CBA members emphasize the importance of regional harmonization across prairie provinces that provides the consistency that producers need, including common definitions and standardized reporting;
- Work with the federal government, and the Canadian Council of Ministers of Environment (CCME) on harmonizing EPR frameworks through such standardization;
- Explore further opportunities for cross-jurisdictional collaboration in order to increase program efficiency, while respecting and supporting the role of provinces and territories to develop and regulate recycling programs.

The Canadian Beverage Container Recycling Association (CBCRA) and EPR in Manitoba

CBCRA operates an away-from-home collection system in Manitoba and is responsible for recycling used, non-refillable beverage containers. Its primary goals include ensuring high standards of transparency and accountability; ensuring each container type is self-funded; and striving for continuous improvements in operations. CBCRA's recycling program is a supplementary beverage container

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recovery program supporting MMSM and the blue box system in recovery. CBA believes that both a 100% producer-led MMSM program and CBCRA continue to operate in their respective domains (i.e., residential and away-from-home beverage container collection, respectively), in order to maximize the recovery of beverage containers in Manitoba and reduce the presence of such packaging in the environment. Continuing to work closely with each other towards meeting beverage container recovery targets will ensure less litter is created and more valuable materials are recovered.

MMSM as a Producer Responsibility Organization (PRO)

CBA advocates for outcomes-based EPR frameworks that provide producers with the flexibility to implement the most effective recycling programs and recycling supply chains for empty beverage containers and packaging. We believe industry-led EPR programs are the most cost-effective means to collect, recycle and reincorporate recycled material into packaging. MMSM, acting as the single PRO on behalf of stewards of packaging and printed paper products, will ensure fair cost allocation with each material stream paying its share of system costs (with no cross subsidization). CBA supports MMSM's robust implementation plan for taking control of curbside recycling system operation and ensuring a smooth transition from local government responsibility to industry responsibility.

A single PRO is the favourable option for establishing a province-wide blue box collection system in Manitoba. This option is the most efficient and productive approach to arranging the establishment and operation of a material collection or management system. This way, confusion, lack of coordination, and possible difficulties in reaching EPR program targets can be avoided. The goal of Manitoba's approach should be to create unity and consistency in EPR across the prairie provinces in the collection of recyclable and recoverable materials. In achieving this, effective and industry-led governance of a single PRO for blue box systems is crucial. A process to provide equitable access to materials, once recovered and recycled, is also vital to a fair and transparent EPR program for blue box recycling. Additionally, in order to ensure fairness, transparency, and to reduce conflicts of interest, CBA believes it is best that the Ministry of Conservation and Climate acts as the regulator for Manitoba's EPR program.

Education and Consumer Convenience

CBA shares MMSM's priority to educate consumers about their role in supporting higher collection rates of recyclable materials. A successful EPR program ultimately rests on consumer awareness of recycling and recovery avenues for materials. When it comes to beverage container packaging, it is essential that consumers are aware that they are recyclable and can be remade into another container, if recovered/recycled. CBA supports that a pro-active education and awareness campaign in Manitoba be established by the final Transition Plan, as is the case in British Columbia where a description of educational materials and education strategies is an annual report requirement for the British Columbia Recycling Regulation's report to the BC government.

CBA supports MMSM's proposition of a communication strategy that is reviewed and updated annually. The development of the Recyclepedia web tool and mobile app developed for use by participating communities will allow Manitobans to have access to critical information recycling while at home and

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while away from home. This ensures that consumers are provided with the information necessary to make the right recycling choices when it comes to their beverage containers, wherever they may be. With increased access to promotion and education materials, the probability of an increased recovery rate grows as well. Reinforcing and rewarding the newly adopted behaviour by providing information about the result of their action, as a key feature and technique of MMSM's communications strategy, is also critical in this respect. CBA supports MMSM's commitment to conducting research during the year following approval of the Transition Plan to establish benchmark awareness levels. This research will provide indicators for areas of growth and refinement, to ensure an even more effective of the communications strategy.

Exceptional consumer convenience goes hand in hand with education about residential recycling services when it comes to creating a successful EPR program. CBA supports MMSM's commitment to accessibility and service standards in reference to how producers will provide a convenient and free collection network to Manitobans across the province for their materials. This includes convenient access to a collection system based mostly on curbside collection and clear information on collection operations (e.g., materials accepted, collection frequency).

Harmonization: Program Performance and Reporting

We share MMSM's desire to include effective performance measurements and believe that a reporting system (including planning, targets, and result verification) in the Transition Plan is crucial to EPR program success. A Transition Plan accounting for possible regional harmonization of blue box recycling reporting requirements between jurisdictions through established common material definitions and categories, will enable Manitoba's EPR program to be cohesive and consistent with others across Western Canada. This is especially true in terms of environmental performance and success definitions, and product standards and expectations. Given the alignment of waste management review timings in Alberta, Saskatchewan, and Manitoba, collaboration between provinces would increase efficiency in developing advanced EPR programs, as well as allow for regional harmonization. Some program coordination across provinces will also serve to reduce red tape for producers participating in EPR programs across jurisdictions.

CBA supports the establishment of measurable and achievable targets, measured by the diversion of packaging, is critical to providing producers with guidelines for success within the EPR program. Transparency and access to performance data should be available on a material-specific level, as opposed to on a broad level. MMSM's proposed material-specific management targets, and the objectives outlined for the targets are aligned with CBA's recommendations. In ensuring effective program performance and achievement of desired outcomes, targets and performance measures that can be accurately verified in an audit conducted by a third-party are needed. Establishing targets and measures that align with those of neighbouring or regional programs (i.e., Western Canada) could allow for PROs in different jurisdictions to collaborate on requirements such as third-party verification/auditing.

Timely and aggressive response to non-compliant and fraudulent behaviour by the Ministry of Conservation and Climate as the EPR program regulator is an important part of maintaining EPR program integrity. The regulating body will also need to hold all operators and service providers in the

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October 1, 2021

recycling system accountable for service delivery, reporting and record-keeping requirements, including producers, haulers and processors.

In conclusion, CBA strongly believes that producers should have full operational responsibility for collection, post-collection, and marketing of designated materials under Manitoba's EPR program. An industry-led EPR model which incorporates the recommendations outline above into MMSM's Transition Plan will pave the way for a successful and well-performing material recovery system.

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CHEMISTRY INDUSTRY
ASSOCIATION OF CANADA
PLASTICS DIVISION

ASSOCIATION CANADIENNE DE
L'INDUSTRIE DE LA CHIMIE
DIVISION DES PLASTIQUES

Oct 1, 2021

The Honourable Sarah Guillemard, Minister of Conservation and Climate
Room 344 Legislative Building
450 Broadway
Winnipeg, MB, R3C 0V8

Sent by email to: transitionfeedback@stewardshipmanitoba.org

We appreciate the opportunity to provide comments on the Draft Multi-Material Stewardship Manitoba Full EPR Transition Plan Development.

The Chemistry Industry Association of Canada (CIAC) represents the country's leading chemicals and plastics companies, which transform raw materials like natural gas liquids, oil, minerals and biomass into the building blocks needed to manufacture about 70,000 products. The chemistry and plastics industry jointly contribute \$80 billion annually to the Canadian economy and support approximately 200,000 jobs.

The CIAC Plastics Division represents Canada's leaders in plastics industry sustainability – a \$35-billion sector that directly employs over 93,000 Canadians. The Plastics Division encompasses the full plastics value chain, including resin and raw material suppliers, processors/converters, equipment suppliers, recyclers and brand owners.

The CIAC Plastics Division members have set ambitious goals to eliminate plastic waste and achieve circularity for plastic packaging in Canada. These include:

1. By 2022, implementation of Operation Clean Sweep™ – an international plastic stewardship program aimed at eliminating the escape of plastic pellets from industry operations into the environment.
2. By 2030, 100 per cent of plastic packaging used in Canada will be recyclable or recoverable.
3. By 2040, 100 per cent of plastic packaging will be reused, recycled or recovered.

Meeting these goals requires moving away from the old linear economic model, where post-consumer plastics are treated as waste, to a circular economic model where these materials are recovered as a resource and recycled into new products and feedstocks that can be reutilized in the economy. A key building block of the circular economy is extended producer responsibility (EPR). Making producers responsible for the end-of-life management of their products and packaging is the most effective way to create a province-wide recycling system for packaging and printed paper.

In the attached submission, we have outlined our organization's EPR policy. We look forward to working with you and the Manitoba government to make EPR in the province a reality.

Sincerely,

Elena Mantagaris
Vice President, CIAC Plastics Division

Proposed EPR Model for Manitoba

The following principles outline the CIAC Plastics Division's recommended approach to extended producer responsibility (EPR) in Manitoba.

EPR Framework

- Designate residential packaging and printed paper (i.e., blue box materials), but design the EPR framework to allow for more plastic products to be designated over time.
- Include agricultural plastics in the initial phase of regulatory development and work closely with affected stakeholders to determine the scope of materials for designation.
- Ensure producers have full operational responsibility for collection, post-collection and marketing of designated materials.
- Set measurable and achievable targets based on the way materials are sorted, baled and marketed from material recovery facilities.
- Establish a common collection system for packaging and printed paper with a standardized list of materials that will be collected in all municipalities.
- Gradually transition municipal blue box programs over a reasonable timeline that provides cost-predictability for producers and prevents service disruptions for residents.

Enforcement

- Hold all operators and service providers in the recycling system accountable for service delivery, reporting and record-keeping requirements, including producers, haulers and processors.
- Allow for MMSM to manage both producers' supply and performance reporting, in an aggregated form, for reduced administrative burden on companies and better protection of commercially sensitive supply information.
- Require MMSM to submit an EPR plan and enter into an agreement with the regulator to receive approval for establishing collection systems.

Harmonization and Innovation

- Ensure the regulatory framework allows for regional harmonization of blue box recycling requirements across Western Canada, including both Alberta and British Columbia.

Assigning Responsibility

We support making producers, supplying designated products in Manitoba, 100 per cent responsible for funding and operating EPR programs. EPR is a key policy tool that helps ensure producers account for the entire lifecycle management of their products and packaging from product design to collection and recycling. As a result, it creates a financial incentive for producers to develop packaging that can be collected, sorted and marketed for recycling more efficiently. An essential component of EPR is ensuring producers have the freedom to design recycling systems for effective operation and environmental performance.

Producer Organization

To provide choice while maintaining an orderly transition to EPR, Manitoba should adopt British Columbia's regulatory requirements for producers (under section 2 of the Recycling Regulation).¹ In BC, producers of designated materials must have an EPR plan approved by the Ministry of the Environment. They can choose to develop and submit an EPR plan to the Ministry for approval, or they can appoint "an agency" to do so on their behalf.

EPR Plans

Using EPR plans for the organization of producers is a tested and proven method for transitioning the management of materials to a producer-responsibility regulatory framework. In 2011, British Columbia amended the Recycling Regulation to require producers to assume responsibility for funding and operating the collection and post-collection system for blue box materials. In 2014, Multi-Material BC (now Recycle BC) submitted an EPR plan for blue box materials on behalf of producers. The program launched that year and Recycle BC now services more than 98 per cent of the province's households (1.8 million).

Ontario's individual producer responsibility (IPR) approach to blue box recycling is unique and untested. Although delivering province-wide blue box collection services requires collective action from producers, Ontario has proposed to give individual producers the ability to sign up with different PROs. Instead of an EPR plan, multiple PROs would then negotiate and establish a set of rules for the operation of the CCS and submit an allocation table to the Resource Productivity and Recovery Authority (RPRA) each year to allocate sources of materials, such as single-family homes, multi-residential buildings, schools and public spaces.

Ontario started discussions about its blue box regulation two years ago during the Blue Box Mediation process led by Special Advisor David Lindsay. This recent regulatory work builds on nearly a decade of discussions about transitioning Ontario's blue box programs to EPR, following the previous government's attempt to pass the *Waste Reduction Act* in 2013 and then the passage of the *Waste-Free Ontario Act* in 2016.

Manitoba requires a more streamlined regulatory process to start the transition to EPR sooner. As such, the province should align with BC's regulatory requirement for EPR plans, which is a proven and orderly method of transitioning the management of materials to producers. EPR plans allow governments or regulators to work with PROs to establish measurable and achievable targets while making adjustments to account for

¹ https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/449_2004

changes in the collection or post-collection system. Taking this approach, along with a requirement for a CCS for blue box materials, would avoid the complexity associated with Ontario's unproven system of IPR for blue box collection while starting the transition to EPR more quickly. Wherever possible, Manitoba should work with Alberta, which is currently also transitioning to full EPR, as well as British Columbia to develop harmonized regulatory approaches.

Reporting and Enforcement

To avoid the introduction of unnecessary red tape, Manitoba should harmonize its reporting requirements with BC and Alberta and allow MMSM to manage both producer supply and performance reporting to the regulator using aggregated data.

EPR systems suffer financially from free riders. Some producers fail to register with a PRO or do not report the full number of products they supply into a jurisdiction. A successful EPR system requires a strong regulator to identify free riders and enforce the rules. To support this enforcement, all producers should be required to register with the province's regulator and MMSM should then be able to manage the producers' reporting obligations.

Municipal/Local Government Role

In moving to EPR, producers must have autonomy in designing and operating new recycling systems. The role of municipalities in EPR programs should be left to the determination of producers and whether municipal collection or post-collection services would support efficient operation of the recycling system and deliver improved environmental outcomes.

The transition of municipal blue box programs to a common collection system funded and operated by producers must be done over a reasonable timeline that provides cost-predictability for producers and prevents service disruptions for residents in Manitoba. The regulation must provide sufficient time for the necessary transition planning and contracting for collection and post-collection services.

To support the transition, Manitoba should take Québec's approach of compiling data to inform the regulatory development process. We recommend that the provincial government collect the following information to provide to producers:

- Municipal blue box programs and collection methods (bin versus cart; single versus multi-stream).
- Rural collection programs and depot service.
- Populations serviced by municipal blue box programs.
- Municipal collection and post-collection contracts and expiry dates, as well as any contract bundling for integrated waste management services.
- Location and lifespan of municipal transfer stations and material recovery facilities (MRFs).
- Processing capacity of MRFs in the province.
- Total supplied, collected and marketed tonnes of blue box materials in Manitoba.
- Number of multi-residential units currently serviced by municipalities and the number not serviced.

We would strongly encourage the Government of Manitoba to start compiling this information following the EPR consultation.

Competition: Collection Producer Responsibility Organizations

As a matter of principle, the CIAC Plastics Division members support open competition for services. A competitive procurement process ensures that high value services are obtained at the best possible price. However, what has happened during certain EPR discussions is the emphasis has been placed on competition at the wrong point in the framework.

Blue box collection systems necessitate a collaborative approach among producers. The regulation should encourage producer collaboration and accountability through EPR plans. From there, the province should ensure that all services are competitively procured, including collection and post-collection. The greatest value from competition will be derived from waste management companies competing to offer these services.

EPR for Packaging and Printed Paper

Harmonization of regulatory frameworks, not necessarily programs, is how governments can support industry. With common definitions, uniform standards and consistent reporting, producers will have the tools they need to build more effective systems to scale up efforts and achieve cost-efficiency. We would encourage the Government of Manitoba to consider aligning the definitions of packaging and paper products with British Columbia and Alberta.

Targets

In 2018, CIAC Plastics Division members committed to the goal of ensuring 100 per cent of plastic packaging is recyclable or recoverable by 2030 and 100 per cent of plastic packaging is reused, recycled or recovered by 2040. We know achieving this goal requires significant improvements to the national recycling network so that more plastics can be collected. We believe EPR, combined with ambitious, material-specific targets, is the most effective policy tool to reuse, recycle and recover all post-consumer plastic packaging.

Manitoba should measure environmental performance based on the diversion of materials. In other words, to count towards targets, producers must collect, sort and market materials for recycling. Establishing diversion targets in EPR regulations ensures that it is in producers' interest to not only collect more materials but also process and market those materials efficiently.

IC&I

No provinces currently have EPR for non-residential packaging and printed paper. The reason for this situation is extending producer responsibility to the industrial, commercial and institutional (ICI) is far more complicated than developing a stewardship program to reimburse municipalities or an EPR program to provide blue box services to the residential sector. ICI EPR would require intervening in existing commercial arrangements between landlords, businesses and waste management service providers.

Given the complexity and unique circumstances of different material management, as well as different institutions, businesses and industry, we recommend deconstructing the ICI sector into its constituent parts: institutions, commercial businesses and industry. The Government of Manitoba should then identify areas where EPR could be applicable and where a facility-based or generator approach would be more effective.

For example, EPR is a specific policy tool that could be used to address agricultural waste in Manitoba. A successful pilot project has been undertaken in Alberta with producers of twine and grain bags. The project, Recycle It!, has 32 collection sites and, in its first 18 months, more than 1,100 tonnes of grain bags and twine were collected for recycling. We encourage Manitoba to work with Alberta on exploring the scope of agricultural materials to designate for EPR.

More broadly, however, EPR would be too challenging to implement across the commercial and industrial sectors. Industrial facilities have their own waste diversion measures and service providers, and commercial operations, shopping malls and small businesses have longstanding commercial arrangements with waste management companies. Regulating these commercial relationships in a different way and renegotiating contracts across the province would be impractical. In most circumstances, it would be more effective to have waste diversion requirements for facility and business owners. This approach is sometimes referred to as generator responsibility. Ontario currently has the 3Rs Regulations, which require ICI establishments to reduce and divert waste. Ontario has committed to review and strengthen these regulations. We encourage Manitoba to explore similar policies.

Again, regulating ICI sources of materials is exceptionally complex and requires significantly more research, along with a more targeted approach. We would welcome the opportunity to discuss this issue with you in more detail.



The Clorox Company of Canada A Subsidiary of The Clorox Company



October 1, 2021

Multi-Material Stewardship Manitoba
Paris Building,
259 Portage Ave 7th Floor,
Winnipeg, MB
R3B 2A8

Re: Clorox submission to MMSM Draft Transition Plan

We welcome the opportunity to respond to this Government of Manitoba, and MMSM initiative. The objective of our submission is to comment and provide background reflective of our experience with the transition to EPR in other jurisdictions. The Clorox Company of Canada, the brand owner of Glad®, is a long-time steward and participant in EPR programs throughout Canada. We look forward to working with the Government of Manitoba on the transition to full EPR program.

We support EPR programs in general; however, the transition to full producer responsibility needs to be executed properly. We are encouraged by the statements in your Paper and in consultations about the need to harmonize material definitions for Blue Box collection and the pledge to achieve national alignment in EPR program, and further by the proposed emphasis on environmental outcomes including measuring GHG impacts of MMSM programs.

Our comments here focus on answering questions within the Paper on **Designated Materials** (with details from our response to the Ontario EPR regulation), as well as comments on the **Implementation of Full EPR in Manitoba**.

The Clorox Company is a recognized leader in sustainability and a proud signatory of the Ellen MacArthur Foundation's New Plastics Economy Global Commitment: a vision of a circular economy for plastic in which it never becomes waste or pollution. Clorox's new plastics-related Environmental Social Governance (ESG) goals announced as part of its new integrated corporate strategy called IGNITE. ESG goals include

- 1) 50% combined reduction in virgin plastic and fiber packaging by 2030,
- 2) 100% recyclable, reusable or compostable packaging by 2025, and
- 3) Double post-consumer recycled plastic in packaging by 2030 (+50% by 2025)

Clorox also pledged to continue the following initiatives as part of its signatory status in the New Plastics Economy Global Commitment:

- 1) No polyvinyl chloride (PVC) in packaging, and
- 2) Pilot new business models and solutions that enable consumers to refill and reuse primary packaging

Taking action on waste diversion is of national importance. Clorox works with all levels of government to help develop sustainable practices and create effective public policy

EPR Programs

Successful EPR programs mandate packaging material producers take end-of-life responsibility for the packaging of their respective products by funding the collection and processing of the material.

The proposed MMSM program is to transition from 80% cost share to 100% producer funded. We recommend a transition time to allow stewards to adjust to the new obligations as the successful MMSM shared programs are applied across varied streams (E-waste, Blue Box, etc.) .

This allows for an orderly transition to full EPR. It enables municipalities to clarify their role before full funding by producers, and for wide consultation with producers. The regulation should include a fair transition time with clear roles and obligations for producers, the provincial government, and municipalities.

Municipal collection contracts and programs for blue box materials are the foundation of the program and the role for cities and towns needs clarification in the regulation. We are concerned that the Province will allow municipalities, cities and towns to opt in or set materials for collection as this will not work. Further, asking producers to engage in a negotiation with such important stakeholders as municipalities for basic participation agreement is an administrative burden not found in any other jurisdiction with EPR.

There is an opportunity for MMSM to learn from other EPR programs: the Paper and consultation process stakeholders were asked for such suggestions on the governance of the program.

We believe the Ontario program is unnecessarily complex with too many obligations for organizing and reporting by producers and should not be replicated. We recommend a single oversight organization managed by the producers should be part of the regulation

The B.C. model, while simpler in producer organization, fails in that while the producers provide full payment, materials additions and service expansions are added by government regulation and not through consultation with the paying producers. We ask for a cooperative model where oversight be added to the Alberta regulation. Producers, by paying the full bill, should influence standardizing Blue Box material for collection and approval of any expansion of permitted materials.

Designated Materials

The MSMM consultation paper asks about additions to designated materials for Blue Box collection of packaging-like and single use products.

The review suggests Blue Box will have “packaging-like” products such as food protection (bags and film) as designated materials for collection. Clorox is the brand owner of Glad® products and is opposed to adding packaging-like material that includes food protection products to any EPR program.

Inclusion of food protection products (film and food bags) as designated materials within the definition of packaging-like is unproductive and unfair. This scope creep into identified product categories undermines the basic purpose of EPR – to take end-of-life responsibilities for packaging, not products. We ask the definition of packaging-like exclude food protection products and recommend the definition of “Packaging Like “from Ontario from Ontario Regulation 392/21 June 4, 2021 be used in the regulation.

“packaging-like product” means a product such as aluminum foil, a metal tray, plastic film, plastic wrap, wrapping paper, a paper bag, beverage cup, plastic bag, cardboard box or envelope, that has all of the following characteristics, but does not include a product made from flexible plastic that is ordinarily used for the containment, protection, or handling of food, such as cling wrap, sandwich bags, or freezer bags:

- 1. The product is ordinarily used for the containment, protection, handling, delivery, presentation or transportation of a thing or things,***
- 2. The product is ordinarily disposed of after a single use, whether or not it could be reused.***
- 3. The product is not used as packaging when it is supplied to the end use***

To support our request for exemption of food protection products from inclusion in the definition of packaging-like within any MMSM regulation, we have outlined the cost to the program and costs to end user consumers resulting from applying fees to food protection products.

Earlier this year, the Government of Canada released a plan on plastic waste and included a ban on items such as grocery bags, and plastic cutlery. We recommend MMSM await the results of that process before specifying inclusion of such materials in the Blue Box program. The policy of including food protection products in this packaging-like category is justified by equating them with single use products like those in the Federal plastic waste ban. We disagree with the assertion our protection products are single use items.

Glad® food protection products fulfill the hierarchy of *reduce reuse recycle*. These products are used to preserve food for future consumption by preventing food from spoiling prematurely and therefore preventing waste. Consumer behavior with food protection is radically different. Our consumer research has shown the frequency of reuse of wraps and bags by consumers: 66% reuse bags and 40% reuse wrap). This clearly dispels the idea such products are single use like straws and grocery bags. The research slide deck with findings are included as an attachment to the submission.

We believe food protection productions to be an important tool in reducing organic waste and are willing to work on policy and public education to help people keep food long enough for consumption before spoiling.

Further, to reinforce the commitment to a positive environmental outcomes and the waste manage diversion hierarchy we add our research on product performance.

“If food waste were a country, it would be the third highest greenhouse gas emitter in the World”
- UN Food and Agriculture Organization

Reducing the amount of food going to landfill is critical if we are to reduce the amounts of greenhouse gasses, particularly methane from landfills, released into the atmosphere. Conclusions from Glad® Brand research on the Life Cycle Analysis (LCA) of this product line shows that due to the reduction in food waste they abate 12x more carbon than Blue Box collection.

Potential costs to EPR program and consumers

Food protection products, food storage bags, and film wraps are difficult materials to collect and process. The cost of collecting per tonne is \$2,700 compared to the average cost of \$346 for core Blue Box materials¹. These excess costs are then distributed throughout the program, which increases the total cost for consumers, (particularly low-income consumers who pay a larger percentage of their income for groceries) and for all stewards.

Lightweight and usually contaminated with food, the management of this stream is difficult at the best of times. Manitoba’s dispersed population and geographic size compounds this challenge. Further, the Ontario Continuous Improvement Fund Program (CIF) monitoring of Blue Box commodity prices has current yearly average prices of this film at -\$21/tonne². In a small market like Manitoba, these costs are not helpful in a diversion program when applied to a stream representing 1.4% of total waste volume.

However noble the initiatives may be, trying to solve all waste diversion issues through the Blue Box can lead to unintended consequences. Materials added to the Blue Box should be tested for recyclability before collected.

To demonstrate the likely impact to consumers, we share an exercise we undertook with the Retail Council of Canada (RCC) and other manufacturers and importers of food protection products such as Costco, Walmart, S.C. Johnson, and ourselves, presented to Ontario government officials to demonstrate the retail impact for consumers if EPR fees were applied to these products.

Under the current Ontario fee schedule (\$.3113/kg), a 90m roll of plastic food wrap is subject to a 3¢ fee per unit and has MRSP at \$4.99.

At full EPR, the fee rises to 6¢ per unit³; adding packaging-like fees brings the total obligation to 50¢ per unit.

For Clorox/Glad® and retailers to realize the same profit margin, MSRP rises from \$4.99 to \$6.78, representing an increase of 38%.

Sandwich and Freezer storage bags would experience a similar increase in price, likely putting all products in Food Protection category out of reach for people who need them the most.

We welcome an opportunity to discuss positioning of this product category as part of an organic waste diversion policy in Manitoba rather than unnecessary inclusion in a Blue Box regulation.

Clorox is currently working with both the Federal Government and Province of Ontario to develop an expanded organic diversion polices which will help develop regulations to divert food waste from landfill. Through our Glad® division, we have supported green bin programs across Canada with samples and public education material. Glad® has also developed but not yet released a compostable sandwich bag a picture is included in the attachments.

Again, thank you for taking the time to read our comments. We look forward to working with MMSM on the coming negotiations during the transition to full EPR.

Sincerely,

A handwritten signature in black ink that reads "Paul Grenier". The signature is written in a cursive style with a large initial "P" and "G".

Paul Grenier
Manager Government Affairs
Clorox Canada

Endnotes

- ¹ Dr. Calvin Lakhan. (August 2020). Economic Analysis of including “Packaging Like” Products in the Blue Box. Faculty of Environmental Studies. York University.
- ² Continuous Improvement Fund (CIF). Price Sheet. <http://www.thecif.ca>
- ³ In Ontario, current steward contribution by Stewards is 50% of the program costs; Full EPR would double the base cost of EPR per unit.

Attachments

Overview of British Columbia and Ontario Producer Responsibility Studies Calvin Lakhan York University May 2021
Glad® Consumer Research Food Protection Product Use.
Glad® Compostable Sandwich Bags



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October 1, 2021

Multi-Material Stewardship Manitoba
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Via email: transitionfeedback@stewardshipmanitoba.org

Re: MMSM Draft Full EPR Transition Plan

On behalf of our member companies, Fertilizer Canada would like to thank Multi-Material Stewardship Manitoba (MMSM) for this opportunity to provide feedback on the Draft Full EPR Transition Plan. As various jurisdictions in Canada move to manage packaging and plastic waste in different ways, we know that cooperation and transparency between stakeholders is essential to achieving shared goals for environmental and economic sustainability.

Fertilizer Canada represents manufacturers, wholesale and retail distributors of nitrogen, phosphate, potash, and sulphur fertilizers used in both the production of agricultural crops and residential applications such as for lawns and greenspaces. Through advocacy and programming, our association aims to advance the safe, secure, and sustainable use of both urban and agricultural fertilizer products to support national economic, environmental, and social priorities.

Fertilizer products used for agricultural or commercial purposes are generally sold in bulk with no packaging to be recycled or disposed of. While bulk products make up the majority of fertilizer products sold in Canada, some products (e.g. fertilizers for residential use) are sold in plastic bags or jugs. For fertilizer products intended for residential or non-commercial applications, plastic packaging is incredibly important as it contributes to the overall integrity, safety, and quality of these products.

Alignment with Other Provincial EPR Programs

Recently, several provinces have implemented or have begun to consider implementing EPR programs for consumer products and packaging. However, existing and proposed EPR programs tend to vary greatly across provinces in terms of obligated materials and stewards, steward requirements, and administrative requirements (including registration, reporting, etc.). Because of this, our industry is concerned about the potential impacts, including the additional administrative burden, to our member companies if EPR programs in different provinces have widely varying requirements and expectations. Harmonizing EPR requirements across provincial programs is crucial to minimizing red tape and regulatory burden on industry.



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For example, Fertilizer Canada and our member companies support MMSM's proposed definitions and hierarchy for determining the obligated steward, as we believe that primary responsibility for waste management should be assigned to the party with the closest connection to the product. A similar approach has been adopted in Ontario and has been proposed in Alberta. Fertilizer Canada strongly encourages this alignment between provincial programs, not only on obligated stewards but on all key program features.

After reviewing the September 2, 2021 presentation and the information on slide 23 indicating that e-commerce "marketplace facilitators" would be considered stewards, we would also appreciate clarification on section 5.2 of the Draft Full EPR Transition Plan as the intent of slide 23 does not appear to be reflected in the section 5.2 definition of stewards for transport packaging and convenience packaging. We ask for clarification of this section to determine whether it would address transport packaging under different e-commerce business models.

Fertilizer Canada recommends aligning Manitoba's EPR program with programs in other provinces where possible on key program features, including definitions for obligated materials and stewards as well as reporting requirements. Harmonizing with other provincial programs will help improve efficiency and simplify regulatory requirements for industries, like ours, that operate across Canada.

Industry Representation

As the proposed EPR program will be entirely producer-funded, it is imperative that all industry stakeholders, particularly stewards, have a voice in the operation of the program, promotion and education, and any potential changes. We are pleased to see the range of industry representation on MMSM's Board of Directors; however, **we encourage MMSM to continue strong and collaborative engagement with all industry stakeholders as the transition to full EPR takes place and ensure that obligated stewards have ample opportunity to provide input on program developments going forward, including fee setting. We suggest that the Transition Plan Objectives should include a reference to the establishment of a steward advisory committee in recognition of the importance of this engagement and exchange of ideas for the success of the transition to 100% EPR.**

Small Business Exemptions

Waste reduction and pollution prevention are a collective responsibility, and everyone should pay their fair share. We understand that, for small businesses, stewardship can be a complicated and burdensome activity. MMSM recognized this amplified regulatory burden for small producers with the recent introduction of a two-tiered flat fee option for stewards supplying 5,000 kilograms or less of paper or packaging material under the current system. However, the proposed full EPR program would exempt stewards who have under \$1 million in gross revenue or who supply less than 1 tonne of obligated materials from filing and paying fees. This would place additional, unfair burden on non-



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exempt stewards, who would become responsible for bearing the waste management costs of materials that they did not supply in the province and thus have no control over. It is also notable that the expansion of the definition of stewards to include brand owners resident in Canada could have the result that some of the currently obligated small businesses will no longer be the obligated steward for those materials, reducing the regulatory burden for some small businesses.

Because of this, Fertilizer Canada opposes the approach of full exemption for small producers. Instead, **we strongly suggest that a flat fee system be developed for small producers within the proposed full EPR program.** In that way, all businesses are taking responsibility for the products and packaging that they put into the marketplace, and larger producers are not paying for waste management of products that do not belong to them. This will also help address the challenge of bringing non-compliant stewards (free-riders) into compliance. All stewards supplying obligated materials into the Manitoba should take financial responsibility for the management of those materials.

Therefore, as we transition to full EPR, **ensuring that all obligated stewards appropriately contribute towards the cost of managing obligated materials should be included as part of the Transition Plan Objectives.**

Concluding Remarks

Thank you again for the opportunity to submit comments on MMSM's draft Full EPR Transition Plan. Our industry supports policy that achieves science-based environmental objectives while also protecting our competitiveness, and we stand ready to work with MMSM and the Government of Manitoba to ensure that the transition to full EPR meets the needs and expectations of both government and industry.

Sincerely,

Catherine King, Vice President, Public Affairs
Fertilizer Canada



PAPER AND PAPERBOARD PACKAGING ENVIRONMENTAL COUNCIL (PPEC)
CONSEIL DE L'ENVIRONNEMENT DES EMBALLAGES DE PAPIER ET DE CARTON (CEEPC)

October 1, 2021

Multi-Material Stewardship Manitoba (MMSM)
259 Portage Ave., 7th Floor
Winnipeg, MB R3B 2A9
Via E-mail: transitionfeedback@stewardshipmanitoba.org

RE: Stakeholder Consultation on Multi-Material Stewardship Manitoba's Draft Transition Plan

To Whom It May Concern:

Thank you for the opportunity to provide comments on Multi-Material Stewardship Manitoba's (MMSM) Draft Transition Plan (dated August 26, 2021), which was developed in response to the Minister of Conservation and Climate's request for a plan to transition to Extended Producer Responsibility (EPR) for Manitoba's residential packaging and printed paper (PPP) recycling program.

The Draft Transition Plan outlines how industry will assume full operational and financial responsibility for the program, designed as a single Producer Responsibility Organization model, where MMSM will be the only residential PPP program in Manitoba, with a phased-in approach to transition.

The Paper and Paperboard Packaging Environmental Council (PPEC) is the national voice for the Canadian paper packaging industry on environmental issues. PPEC is proud of our industry's circular economy approach to managing paper packaging products, which are continually collected and recycled through residential and business recycling programs across Canada, allowing them to be remade into new paper-based packaging again and again.

Proposed Expanded Definition of Packaging

The Draft Transition Plan proposes to expand the definition of designated blue box materials to include packaging-like products¹: "These materials would be defined as "packaging" that is typically purchased as a product and is often indistinguishable from packaging when recycled."

PPEC is concerned that the addition of packaging-like products – such as corrugate moving boxes, which were identified as an example of a packaging-like product in an MMSM steward consultation presentation² – may cause some confusion related to the obligated party for these products; as such, we would like to provide clarity on how our members manufacture corrugated and containerboard.

¹ MMSM Draft Transition Plan, page 10. <https://stewardshipmanitoba.org/wp-content/uploads/2021/09/MMSM-DRAFT-Transition-Plan-August-26-2021-FOR-RELEASE.pdf>

² Stakeholder Consultation on MMSM's Draft Transition Plan (September 2 & 8, 2021), Slide 28.

<https://stewardshipmanitoba.org/wp-content/uploads/2021/09/September-Stakeholder-Consultation-Deck-FINAL-2.pdf>

Our manufacturing is based on customer contracting of the production of a custom design from corrugated cardboard materials with customer-owned tooling for cutting and printing as they require. The business relationships are essentially all business-to-business. We are held accountable for the accuracy of the size, strength, and effective engineering in the product we supply.

The business-to-business structure of our clients includes manufacturers, distributors, industrial & institutional sectors, and clients that further process our products based on their customer requirements. Quantity output from our plants preclude effective supply direct to a consumer. This demand is typically served by the distributor network.

We have no control over what a client may label, print, ink-jet, or add to the items we produce, and therefore we have no influence over our products once shipped from our premises. We have no control to whom distributors sell products and have no way of understanding which companies who are obligated (ie. those that sell products to residential consumers) have purchased unbranded products.

Targets

PPEC understands that MMSM will aim to maintain the current recovery rate of 70% through the transition, but plans to consult in 2024 on establishing a new program recovery target to be achieved two years after transition.

MMSM’s Draft Transition Plan also proposes to establish material-specific targets once the Transition Plan is approved and post-collection network design is completed, which is expected in 2024.

Material	Target	Current Performance (2020)	Improvement Percentage
Paper	TBD	98.8%	TBD
Plastic	TBD	50.8%	TBD
Metal	TBD	59.2%	TBD
Glass	TBD	73.4%	TBD

While PPEC supports efforts to increase the diversion and recycling of paper-based packaging materials in Manitoba – which are already performing strongly with a 98.8% recovery rate³ – we believe that both overall and material-specific targets must be based on sound data, including the current state of diversion and recycling in the province; as well as on any expected changes to the province’s collection and processing capacity, which is expected to occur with a transition to a more harmonized, province-wide approach to managing residential PPP under an EPR model.

PPEC understands that MMSM will require access to material composition audits to establish targets, and we strongly support collecting the necessary and up-to-date data to make informed and evidenced-based decisions.

³ Stakeholder Consultation on MMSM’s Draft Transition Plan (September 2 & 8, 2021), Slide 33.

With regards to material-specific targets, it is also important to consider how the composition of each material group impacts diversion rates and targets. For example, the paper category is proposed to include newspapers, which will impact targets as newspapers have seen an overall decline in generation over the last several years due to changing consumer behaviour (ie. reading online instead of in print) and would likely not contribute to overall paper diversion in future years.

Promotion and Education and the Consumer Role

PPEC supports MMSM's plans to design and deliver a resident education program aimed at increasing PPP recovery rates, raising consumer awareness of the program, and ultimately encouraging consumers "to make appropriate decisions about the preparation of PPP to increase the amount of targeted PPP collected and reduce contamination."⁴ And we further support the proposed principles guiding the development of the communication and P&E plan, as laid out in the Draft Transition Plan.

While PPEC understands that EPR involves producers taking responsibility for end-of-life management for the products and packaging they put on the market, it is critical to acknowledge that waste management is a shared responsibility, and we all have an important role to play, especially consumers.

It cannot be overstated how important the consumer role is to the success of EPR and recycling programs, which will only be successful if they are aware of, and understand their role to actively and properly source separate their waste and recyclables.

Conclusion

Thank you for the opportunity to provide comments on MMSM's Draft Transition Plan. If you have any questions or require additional information, please don't hesitate to contact us.

Sincerely,



Rachel Kagan
Executive Director, PPEC

⁴ Stakeholder Consultation on MMSM's Draft Transition Plan (September 2 & 8, 2021), Slide 63.

October 1, 2021

Multi-Material Stewardship Manitoba
7th Floor, 259 Portage Avenue
Winnipeg, Manitoba
R3B 2A8

Via e-mail: transitionfeedback@stewardshipmanitoba.org

Subject: Full EPR Transition Plan Development – Multi-Material Stewardship Manitoba

Premier Tech Home & Garden (PTHG) is one of the leading Canadian manufacturers of lawn and garden products, including pesticides, fertilizers, soils, grass seed, and ice melt. Our world headquarters is in Rivière-du-Loup, Québec. With production facilities and offices across Canada, PTHG offers consumers well known brands such as PRO Mix, C-I-L, Wilson and Alaskan. We are stewards in post-consumer packaging and paper waste diversion programs in Quebec, Ontario, Manitoba, Saskatchewan and British Columbia and actively take part in provincial regulatory and program consultations.

On July 14 and 20, 2021, at the direction of the Minister of Climate and Conservation and in accordance with the Packaging and Printed Paper Stewardship Regulation, Multi-Material Stewardship Manitoba (MMSM) held webinars to provide background and solicit feedback from stewards with respect to the development of a plan to transition to a 100% Extended Producer Responsibility (EPR) model for managing designated materials in a packaging and paper products recycling program. We would like to acknowledge the efforts that MMSM has made during this development phase of the transition plan to engage and consult with various stakeholders, in addition to stewards, to ensure that all stakeholders were informed and that their perspectives were heard and considered. MMSM also held webinars on September 2nd and 8th to present their proposed plan to all stakeholders.

PTHG attended the sessions in July and September and found them to be informative and organized in a way the allowed for stewards to ask questions and provide feedback. We appreciate this opportunity to provide comments on the proposed plan within the consultation 30-day consultation period.

Transition Plan Objectives

We support the transition plan objectives as outlined in the proposal, namely,

- Preserve the integrity of residential recycling while ensuring uninterrupted collection service to residents
- Seek to minimize disruption of existing municipal contracts with third parties
- Ensure an open and competitive market for future collection and processing of materials, including the ability for municipalities to bid on services
- Define standards, definitions, and service responsibilities
- Minimize disruption to municipalities' capital assets where possible
- Provide for continuous improvement of environmental outcomes

However, we believe that the transition to 100% EPR model provides an opportunity to ensure that all stewards contribute towards the financial and operational responsibilities associated with managing their obligated packaging and paper products. Currently, in accordance with Subsection 4.5.1 of the MMSM Program Plan, MMSM does not accept financial responsibility for materials collected by municipalities that belong to exempted stewards or non-compliant stewards (free-riders). Those costs must be absorbed by the municipalities in addition to their 20/80 split with MMSM for obligated materials

supplied into the Manitoba market by its stewards. These municipal costs are passed on to taxpayers who, under 100% EPR will no longer factor as financial contributors.

With its current program the MMSM position regarding exempt stewards and free-riders, is clear: Stewards meeting their obligations should not have to pay for materials supplied into the market by other obligated stewards. We believe that under 100% EPR, that position should be maintained and included in the transition objectives.

Further, we believe that direct steward engagement will continue to be important not only for meeting the objective of continuous improvement in environmental outcomes but also to provide an opportunity for MMSM to engage directly with its members. In certain provinces, the distinction and role of the provincial program management and contracted service providers has been blurred, resulting in a lack of transparency and responsiveness to steward concerns. We would suggest that the objectives also include recognition of the importance of engaging stewards in meeting the transition objectives and the resultant 100% EPR program. A structure that facilitates transparent and open exchange of information, concerns and solutions, such as an MMSM steward advisory committee with clear terms of reference, would facilitate communication and provide MMSM with valuable business context as we move forward in this transition.

Recommendation:

- a) Add an objective to the transition plan is to ensure that all stewards meet their obligation to fulfill financial and operational responsibility for the designated blue box materials they supply into the market under a 100% EPR program.
- b) Add an objective to the transition plan that recognizes the importance of ongoing engagement of stewards during the transition and implementation of a 100% EPR model.

Definition of the obligated party

We welcome the MMSM proposal to amend the definition of steward to include brand holders resident to Canada, and to clarify the brand holder's obligation within the definition hierarchy. As a blue box material steward in Manitoba and other provinces for many years, we and our retail customers have had to address the potential for reporting and payment confusion, which can result from the "resident to the province" definition of obligated stewards. As brand owners, we want to take responsibility for our products supplied into provincial markets, regardless whether we hold a provincial residence. In provinces where the regulations did not already identify non-resident brand owners as obligated persons, we have assumed the reporting obligations for our brands through agreements and documentation between ourselves and our customers and as allowed by provincial blue box material programs. In the current program, MMSM provides for voluntary stewards (non-residents) to report and pay fees with certain requirements. However, that approach adds a layer of unnecessary administrative burden, monitoring and updating to ensure there are no reporting or payment of fees duplications. The proposed definition will simplify the process of identifying the obligated steward in the distribution chain.

During the September 8, 2021, presentation, slide 23 states *E-commerce sellers, that act as "marketplace facilitators" and perform a fulfilment function in supplying designated materials to Manitoba residents would be obligated regardless of whether they have residency in Canada.* We support the MMSM recognition of the growing impact of e-commerce on both residential blue box programs as well as the composition of the materials supplied to residents. However, we do not believe the "resident to Manitoba" limitation on the steward for transport packaging and convenience packaging in Section 5.2 will adequately capture all transport and convenience packaging, especially in the context of e-commerce sales. A company that facilitates sales on behalf of a brand owner or marketplace seller through e-commerce channels may not necessarily reside in Manitoba and yet could be adding transportation or

convenience packaging to products being delivered to consumers. The EPR transition plan should include a hierarchical definition of stewards for transportation and convenience packaging that will take into consideration all e-commerce models for stewards who are resident to Canada or who facilitate the supply of blue box materials to residences within the scope of the program.

Recommendation:

- a) Expand the definition of transportation and convenience packaging steward to include residents of Canada rather than just residents of Manitoba.
- b) Create a hierarchical definition of transportation and convenience packaging stewards to identify a steward for e-commerce sales transactions originating inside or outside Manitoba that is clear and enforceable.
- c) Coordinate the definition of transportation and convenience packaging stewards with other provinces to simplify the process for stewards across Canada.

Small Business Exemptions

MMSM has proposed to align some elements of small business exemptions with Recycle BC. While some provinces have implemented or propose to implement small business exemptions, the value and relevance of alignment between provinces is not clear. All stewards, obligated by the regulations should pay their fair share to manage the materials they supply into the Manitoba residential market.

The current MMSM program includes reporting exemptions for stewards whose gross revenues were less than \$750,000. Stewards whose aggregate quantity of supplied designated blue box materials amounts to fees less than \$250 are exempted from paying fees. The current MMSM program plan, Section 4.5.1 states that MMSM does not pay municipalities who collect obligated materials supplied by exempt or non-compliant stewards. Given that under a 100% EPR model there will no longer be a municipality/taxpayer option for absorbing these costs, MMSM should strive to ensure that all stewards take responsibility for the materials they supply into the market. .

Exclusions are contrary to many of the assumed beneficial outcomes of shifting operational and financial responsibility of waste diversion programs to producers; stewards paying for the program would not have any ability to change or influence the packaging design or materials originating from exempted stewards, including those importing products from outside of Canada from sources that do not contribute to the cost of managing post consumer waste in Manitoba. Likewise, without a regulatory obligation, exempted stewards have no incentive to change packaging or use suppliers who contribute to the EPR program. Therefore, these exemptions should not exist in a 100% EPR model. Likewise, we support efforts to identify and educate non-compliant stewards, so that all stewards pay their fair share of program costs.

MMSM recently approved reducing the regulatory and administrative burden for producers of 1000 kg - <5000 kg of packaging and paper by introducing a two-tiered flat fee option. MMSM recognized and addressed the burden for those stewards by providing the flat fee option. We believe that in a 100% EPR model, regulatory burden for small businesses who meet the definition of an obligated steward, could be alleviated with a flat fee tiered option rather than the exemptions as proposed. Neither the Act nor the Regulations specify exemptions for small businesses that meet the definition of a steward, so other options can be explored.

We would also like to note that small Manitoba business owners could benefit from the proposed inclusion of brand owners “resident to Canada” in the definition of steward. In other words, small business stewards who would currently import product from a brand owner “resident to Canada” would no longer be the obligated steward under the proposed 100% EPR plan and would no longer report or pay fees for those obligated materials.

Subsection 5.1 (d) requires some clarification or further discussion to ensure that it clearly identifies the obligated steward within different marketplace facilitator/marketplace seller relationships.

Recommendation:

- a) Require all obligated stewards to, at minimum, register with MMSM (the exclusive producer responsibility organization).
- b) Implement a tiered flat fee system for stewards to reduce the administrative burden of reporting for small business. This could include registration fees and/or tiered flat fees.
- c) Maintain the option for MMSM to request a report from any registered steward as per the current program.
- d) Clarify the intent of Subsection 5.1(d).

Designated materials definition

We support the efforts of MMSM to achieve a level playing field for stewards as well as harmonize materials lists with other provinces where this makes sense. We support the proposal to only include designated materials supplied to the residential consumer; Industrial, Commercial, Institutional material should not be designated. We also support the inclusion of transportation and convenience packaging in the program including that used in various e-commerce business models. Further comments on transportation and convenience packaging have been provided earlier in this letter as it pertains to the definition of steward. Standardized lists of materials to be collected across all communities should improve compliance and reduce confusion as well as facilitate the opportunity for clear and consistent promotion and education messages and materials.

Program and material specific recovery targets

We support further consultation on establishing appropriate recovery targets for the program and specific obligated materials following the transition.

Transition and timeline

The transition phases, order and timeline appear to be appropriate.

In closing, PTHG appreciates this opportunity to provide input into the Manitoba plan to transition the current packaging and paper products program to 100% operational and financial EPR. We would be happy to discuss our comments further to provide our company perspective and experiences as a steward. Should you have any questions or require clarification on any of our comments, please feel free to contact me by phone, 416-432-5508 or e-mail, beas4@premiertech.com.

Sincerely,



Suzanne Beattie
Regulatory Director

October 1, 2021

Submitted via: transitionfeedback@stewardshipmanitoba.org

Karen Melnychuk
Executive Director
Multi-Material Stewardship Manitoba
7th Floor 259 Portage Avenue, Winnipeg, MB R3B 2A9

Re: Draft Transition Plan to Full Extended Producer Responsibility (EPR) in Manitoba

Dear Ms. Melnychuk,

On behalf of Retail Council of Canada (RCC) and our members operating in Manitoba, I would like to thank Multi-Material Stewardship Manitoba (MMSM) for giving producers the opportunity to comment on the draft transition plan to full extended producer responsibility in Manitoba.

RCC members represent more than two thirds of retail sales across Manitoba, and with nearly one in every ten jobs in the province in the retail sector, over 70,000 Manitobans work in the more than 4,700 stores located in all communities across the province. RCC is a not-for-profit, industry-funded association, and as the Voice of Retail™ represents small, medium and large retail businesses of every format, who collectively make up the majority of obligated producers in most EPR programs.

RCC and our members applaud the process that MMSM undertook to develop the draft plan, including consultation with our members throughout the process. As a result, we are pleased to express our support as you prepare to make your submission to Manitoba's Minister of Conservation and Climate.

While we believe the plan is thorough and well presented, we would like to add additional emphasis to some of the key areas of importance to our members.

MMSM as single PRO:

RCC fully supports that the transition plan has been developed on the assumption that MMSM will be the only producer responsibility organization (PRO) for packaging and printed paper in the Manitoba, following the transition to full EPR.

RCC is alarmed that the Province of Manitoba's Waste Diversion and Recycling Framework Review features an interest in a competitive multi-PRO framework for managing paper products and

packaging. Ontario's IPR model is widely considered by the producer community to be overly complex, costly, and less transparent than the BC model for example. Further, when you consider in managing paper products and packaging that 90% of costs are associated to supply chain (collection, sorting, processing), a competitive waste management landscape already exists under a single PRO structure, without the added complexity and added costs, especially in smaller province such as Manitoba.

Support for Residential Recycling Only

RCC supports that the MMSM draft plan is for the transition of residential recycling of packaging and printed paper only. We do not support the inclusion of non-residential waste in the scope of the program. Many companies already have existing waste management arrangements and systems in place to effectively manage, minimize and safely handle their own industrial, commercial and institutional (ICI) waste streams.

Such arrangements are often customized to the business' specific operations and/or to the materials it generates. While small businesses may generate similar materials to residential recycling programs, large distribution centers, office buildings, etc. often generate different material types and in much larger quantities. Therefore, it would not make sense to move these into an EPR system that is centrally managed, such as the proposed MMSM transition plan.

General Agreement for Definitions

RCC would like to recognize MMSM's efforts to contribute towards greater alignment amongst jurisdictions in its definitions, including its definition of a Producer, obligated materials, and de minimus thresholds. However, to provide comment on a few:

Use of term Producer: For consistency of language, RCC would recommend that references to "Stewards" to be updated to "Producer" before submission to the government, to support the use of common vernacular.

Definition of Producer: RCC supports the plan's definition of the producer (defined as Steward in this plan), including a hierarchy to capture different types of producers (brand holder, importer, marketer, etc.) to ensure a level playing field. We support that at the top of the hierarchy, should be a brand holder in Canada, and an obligated party extend to e-commerce and online marketplace sellers, regardless of whether they reside in Canada, or not.

Scope of Designated Materials: With respect to the scope of designated printed paper and packaging materials, ultimately, RCC and its members believe that what's included in the scope of designated materials needs to match what consumers think to recycle.

For example, it is intuitive for a customer to recycle a pie plate that is bought in a multi-pack for home cooking and a pie plate that comes with a pot pie from a grocery store. In comparison, food storage containers and sandwich bags do not have an equivalent when it comes to packaged products and are

not necessarily intuitive for customers to recycle.

Therefore, when defining the scope of designated paper products and packaging materials, there needs to be consideration for customer behaviour. RCC supports the Ontario definition for packaging-like products where “packaging-like product” means a product such as aluminum foil, a metal tray, plastic film, plastic wrap, wrapping paper, a paper bag, beverage cup, plastic bag, cardboard box or envelope, but does not include a product made from flexible plastic such as cling wrap, sandwich bags, or freezer bags.

Small Business Exemptions: RCC supports the small producer exemption threshold proposed in the draft plan, as it will reduce cost and the administrative burden for producers (e.g., reporting requirements) who are over the revenue threshold but only supply a limited amount of materials into the province.

Closing Remarks:

Thank you again for allowing RCC and our members to participate in the consultation process. As stated, we support the plan, and look forward to our ongoing discussions as you move forward. Should you have further questions, please don’t hesitate to contact us at jgraham@retailcouncil.org or by phone at (204) 918-3353.

Best regards,



John Graham
Director of Government Relations (Prairies)
Retail Council of Canada



October 1, 2021

By email: transitionfeedback@stewardshipmanitoba.org

Multi-Material Stewardship Manitoba
7th Floor, 259 Portage Avenue
Winnipeg, Manitoba
R3B 2A8
Canada

Subject: Draft MMSM Transition Plan – August 26, 2021

To Multi-Material Stewardship Manitoba:

S. C. Johnson & Son, Limited (SC Johnson) is pleased to submit these comments on select issues in the Draft MMSM Transition Plan, dated August 26, 2021. As an industry steward who participates in producer responsibility programs across Canada, we share MMSM's goal of ensuring a modern Extended Producer Responsibility (EPR) program that will provide consistent and measurable province-wide recovery and recycling of designate materials, thus contributing to a more circular economy for products and packaging.

We hope our views and recommendations will be helpful as MMSM and the Ministry of Conservation and Climate look to expand Manitoba's current EPR framework in a way that will meet stakeholder needs, keep pace with changes over time, and lead to positive environmental, social, and economic outcomes—including addressing the need to reduce plastic pollution and encourage less plastic consumption overall.

Summary

SC Johnson recognizes Extended Producer Responsibility programs are an important mechanism to promote a circular economy for packaging and printed paper. While we believe an optimal EPR framework should be based on shared responsibility among municipalities, manufacturers, brand owners, and consumers, we do not oppose Manitoba's plan to transition the current program to full producer responsibility. We support the transition plan's stated objectives and also encourage MMSM to ensure the program incorporates other key criteria—including strong environmental outcomes; efficiency, transparency, and accountability; long-term financial stability; convenience for consumers; and access for manufacturers and brand owners to materials for closed-loop recycling. However, we are very concerned about the scope of the proposed new "packaging-like product" category and the potential for the new definition to inadvertently and inappropriately capture products that may have the appearance of being short-term packaging, but in reality are carefully designed and marketed to be reused multiple times by Canadian consumers and their families. To this end, we offer recommendations related to key criteria in the transition plan for determining whether a product will be considered "packaging-like." Specifically, we recommend (1) excluding from the definition of "packaging-like product" any product that can be reused multiple times for the same purpose for which it was originally conceived, consistent with the approach taken in the EU Single-Use Plastics Directive; and (2) harmonizing program requirements between provinces by exempting flexible plastic products ordinarily used for the containment, protection, or handling of food, such as cling-wraps, sandwich bags, or freezer bags from the definition of "packaging-like product", as the Ontario Government recently did in its revised blue box regulation. Lastly, SC Johnson believes the private sector has an important role to play in reducing plastic pollution, and has made several commitments as a signatory to the New Plastics Economy Global Commitment led by the Ellen MacArthur Foundation toward creating a circular economy for plastics—including making 100% of our plastic packaging recyclable, reusable, or compostable by 2025 and increasing the amount of post-consumer recycled plastic content in our packaging, also by 2025.

About SC Johnson

SC Johnson is a family company dedicated to innovative, high-quality products, excellence in the workplace and a long-term commitment to the environment and the communities in which it operates. Based in the United States, the company is one of the world's leading manufacturers of household cleaning products and products for home storage, air care, pest control and shoe care, as well as professional products. It markets such well-known brands as GLADE®, KIWI®, OFF!®, PLEDGE®, RAID®, SCRUBBING BUBBLES®, SHOUT®, WINDEX® and ZIPLOC® in the U.S. and beyond, with brands marketed outside the U.S. including AUTAN®, BAYGON®, BRISE®, KABIKILLER®, KLEAR®, MR MUSCLE® and RIDSECT®. The 135-year-old company, which generates \$10 billion in sales, employs approximately 13,000 people globally and sells products in virtually every country around the world.

SC Johnson Canada was established in 1920. We proudly celebrated our 100th anniversary last year. We have manufacturing operations in Brantford, ON, and Varennes, QC, where we make a number of iconic SC Johnson brands that are enjoyed by families throughout Canada and around the world. Additionally, SC Johnson Professional, which makes cleaning and related products for the institutional, commercial and industrial sectors, also produces alcohol-based hand sanitizers in Brantford for the Canadian and U.S. markets.

Reducing Our Plastic Footprint

At SC Johnson, we firmly believe the private sector has an important role to play in reducing plastic waste and pollution. As a brand owner, we are very familiar with producer responsibility programs across Canada where we contribute financially to the end-of-life management of designated products and packaging that we place onto the market. While such product stewardship programs are a vital and proven component of the effort to reduce plastic pollution, we believe more can and should be done to protect the environment from plastic pollution.

In 2019, SC Johnson became an inaugural signatory of The New Plastics Economy Global Commitment led by the Ellen MacArthur Foundation—an initiative to help create a circular economy for plastics. Our commitment as a Global Partner includes several proactive steps aimed at reducing the use of plastic in consumer products:

- **Make 100% of SC Johnson plastic packaging recyclable, reusable, or compostable by 2025.** Currently, 65% of the company's plastic packaging is being designed to be recyclable or reusable.
- **Triple the amount of post-consumer recycled (PCR) plastic content in SC Johnson packaging by 2025.** We will increase the use of PCR plastic in packaging from 10 million kg to more than 30 million kg. As part of this effort, we will increase the percentage of PCR plastic we use in our North American and European bottles from 20% today to 40%.
- **Expand the number of concentrated refill options for SC Johnson products by 2025.** We believe reusability presents a significant opportunity to innovate and drive transformative change. Since the unveiling of Windex® concentrates in 2010, we've expanded our refill options to other popular brands, including Pledge®, Scrubbing Bubbles®, Shout®, fantastik®, and Mr. Muscle®. Every time a consumer chooses a concentrate product, they use nearly 80% less plastic compared to a typical trigger bottle.
- **Continue to remove excess plastics wherever possible.** SC Johnson has been focused on designing unnecessary packaging out of its products. The company has eliminated more than 6.1 million kilograms of unnecessary or problematic plastic packaging since 2018.

SC Johnson and *Plastic Bank*

In 2018, SC Johnson teamed up with the **Vancouver-based organization *Plastic Bank*** to open recycling centers in Indonesia to help keep plastic out of the ocean, while at the same time providing income to local families. According to a 2015 report by Ocean Conservancy and the McKinsey Center for Business and Environment, five Asian countries—China, Indonesia, the Philippines, Vietnam and Thailand—accounted for more than 55 percent of the plastic waste leaking into the ocean. Raising collection rates to an average of approximately 80 percent across those five countries would reduce plastic waste leakage into the ocean by nearly 23 percent.

Under the *Plastic Bank* model, local waste collectors can bring the plastic they collect to any center where they can exchange it for digital tokens. Using innovative Blockchain technology, they can then use the tokens to buy needed goods and services—reducing the risk of loss or theft. Our company was an early supporter of *Plastic Bank's* unique model that tackles ocean-bound plastic at its source, while also helping create opportunities for people living in poverty.

Since that time, we have expanded our partnership with *Plastic Bank* through a new three-year agreement with the goal of collecting 30 million kilograms of plastic waste through the partnership by 2022, the equivalent of stopping more than 1.5 billion plastic bottles from entering waterways and the ocean, from more than 500 collection points across Indonesia, the Philippines, Thailand, Vietnam, and Brazil. In 2019, SC Johnson launched the industry's first product using 100% recycled ocean-bound plastic in a major home cleaning brand, Windex®, and has since expanded its 100% recycled ocean-bound plastic bottles to its Mr. Muscle® brand in the UK and Ireland.

Additional steps we are taking in Canada to promote reuse and recycling include the following:

- **Consumer Communication:** Focused on driving home the message of durable (re)use on current Ziploc® product packaging—for example, our cartons include the messaging “Strong enough to USE AGAIN” and “Fill, Use, Repeat.” We have included two images at the end of our comments showing how this message is communicated directly on product packaging.
- **Product Innovation:** In 2021, SC Johnson will be launching two innovative product lines that offer Canadian consumers alternatives to plastic—commercially compostable Ziploc® bags and a new line of paper bags. The zero-wax paper bags allows for 100% recyclability, while still keeping food fresh for at least six hours. Future innovation plans include additional innovative product lines using new durable/reusable substrates, such as premium silicone.
- **3rd Party Partnerships:** SC Johnson has entered 3rd party partnerships to fill gaps where recycling is not available to consumers—including a partnership with TerraCycle that would allow consumers to collect used Ziploc® bag products and send them in to TerraCycle free of charge. TerraCycle works with recycling partners to recycle the collected waste into a format that is used to make durable new products (e.g., playground equipment and park benches). Program participants could earn points for recycling and redeem them in the form of charitable donations to non-profit organizations or schools of their choice. As an initial step, we are in discussions with a major Canadian retailer to offer this recycling points program and will launch this partnership in calendar 2021.

General Comments on the Draft Transition Plan

Currently in Manitoba, stewards (manufacturers, brand owners, and retailers) pay up to 80% of the eligible net costs of participating communities' residential packaging and printed paper (PPP) recycling programs. Although SC Johnson believes an optimal EPR program ideally should be a shared responsibility among municipalities and consumers, so that overall costs of municipal waste management are not borne disproportionately by producers, we do not oppose the transition of MMSM's program to full producer responsibility. We support the stated objectives of the transition plan, as stated on page 7:

- Preserve the integrity of residential recycling while ensuring uninterrupted collection service to residents
- Seek to minimize disruption of existing municipal contracts with third parties
- Ensure an open and competitive market for future collection and processing of materials, including the ability of municipalities to bid on services
- Define standards, definitions, and service responsibilities
- Minimize disruption to municipalities' capital assets where possible
- Provide for continuous improvement of environmental outcomes

SC Johnson recognizes that EPR programs are one of the most effective mechanisms to support a circular economy. They are known to improve recycling rates, reduce litter, and create conditions that incentivize efficiency, while reducing costs for end-of-life management of designated materials. As a competitive, market-based approach to manage the reuse, recycling, and safe disposal of waste products and packaging, EPR is seen as a leading approach for reducing plastic waste in a cost-efficient and responsible manner.

As provinces consider proposals to establish new EPR frameworks or to enhance programs already in place, SC Johnson encourages policymakers to keep the following general principles in mind when designing or updating an EPR program:

- Strong environmental outcomes;
- Efficient, cost-effective, transparent, and accountable;
- Convenient for consumers;
- Long-term financial sustainability;
- Allow producers to secure material for closed-loop recycling; and
- Social inclusiveness and fairness, especially in transitional markets with informal waste sector involvement.

Of particular importance to brand owners and manufacturers that participate in producer responsibility programs is the need for consistent and harmonized program requirements across provinces. These include common material categories and product definitions, performance standards to guide recycling and reuse programs, options to drive innovation in product and packaging design, ease of administration and accountability, and clear monitoring and verification approaches.

Defining "Packaging-Like Product" and Understanding Single-Use

In Section 4, the transition plan calls for expanding the scope of designated Blue Box materials to include a new "packaging-like products" category, which is defined to mean the following:

"... products that are indistinguishable from packaging when discarded by residential consumers and includes but is not limited to aluminum pie plates, aluminum foil, plastic or paper-based beverage cups, kraft paper bags, re-sealable plastic bags, and all other packaging-like products that are indistinguishable from packaging when discarded by consumers."

The document goes on to explain that three key criteria will be used to determine if a product will be considered "packaging-like." SC Johnson makes the following recommendations on the second and third criteria listed in Section 4:

Criteria #2 – *How did the producer intend for the product to be used by consumers? If the product has a function similar to packaging and is intended to have a relatively short lifespan, it is more likely to be included.*

We believe this definition will inadvertently and inappropriately capture products that may have the appearance of short-term packaging, but in reality are carefully designed and marketed to be reused multiple times by consumers, *including plastic storage bags and containers, and cling wraps that are essential for food protection, storage, and preservation*. Accordingly, we urge MMSM to think differently when determining if a product “is intended to have a relatively short lifespan.”

For example, consider the European Union’s 2019 Single-Use Plastics Directive.¹ A key indicator of whether a plastic product is considered single-use is whether that product is typically intended to be used just once or for a short period of time before being disposed of. Article 3(2) of the Directive defines a “single-use plastic product” to mean “a product that is made wholly or partly from plastic and that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived.” (emphasis added)

Examples given of common “nuisance plastics” covered by the Directive include cotton bud sticks, cutlery, plates, straws, beverage stirrers, balloon sticks, and food and beverage containers made from expanded polystyrene. Implementation guidelines also make it clear that products conceived or designed to be reused multiple times to continue fulfilling the product’s original purpose are intended to be *excluded* from the scope of the directive:

“Product design characteristics can help to determine whether a product should be considered as single- or multiple-use. Whether a product is conceived, designed and placed on the market for reuse, can be assessed by considering the product’s expected functional life, i.e. whether it is intended and designed to be used several times before final disposal, without losing product functionality, physical capacity or quality, and whether consumers typically conceive, perceive and use it as a reusable product. Relevant product design characteristics include material composition, washability and reparability, which would allow multiple trips and rotations for the same purpose as for which the product was originally conceived.”²

Additionally, we recommend considering certain *use-related criteria* to clearly deem a product as single-use, rather than “defining by example,” such as:

- Usage pattern: This would include items not designed for reuse and items typically used by a consumer for one-off use prior to disposal.
- Usage period: This would cover items whose consumption often occurs immediately after purchase, typically consumed from the receptacle, or items normally intended to be used within a short period of time, often outside the home.
- Principal locality: Regulation should focus on items typically used *outside the home* or on-the-go in a clear single-use format, such as take-away food and beverage containers.

Criteria #3 – *How can MMSM harmonize its definitions of designated materials with other provincial stewardship programs to provide consistency of obligations for stewards across programs?*

Industry stewards can benefit from the harmonized application of EPR policies and consistent program operations across provinces through such things as standardized product lists and reporting requirements, driving efficiency and cost-effectiveness. Such harmonization can help simplify program operations and will assist in reducing administrative burdens within programs and within participating steward companies.

One area where we strongly encourage harmonization is in the scope of designated materials. For example, the Ontario Government recently recognized the unique nature and purpose of consumer products that

¹ See <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0904&from=EN>

² See [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021XC0607\(03\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021XC0607(03)&from=EN)

promote food preservation by exempting flexible plastic film products used to contain, protect, or handle food from the expanded scope of designated materials in their final Blue Box regulation published in June 2021. Excerpted below, with emphasis added, is the wording from the definition of “packaging-like product” in Ontario’s final regulation³:

“packaging-like product” means a product such as aluminum foil, a metal tray, plastic film, plastic wrap, wrapping paper, a paper bag, beverage cup, plastic bag, cardboard box or envelope, that has all the following characteristics, **but does not include a product made from flexible plastic that is ordinarily used for the containment, protection, or handling of food, such as cling-wrap, sandwich bags, or freezer bags:**

1. The product is ordinarily used for the containment, protection, handling, delivery, presentation or transportation of a thing or things
2. The product is ordinarily disposed of after a single use, whether or not it can be reused
3. The product is not used as packaging when it is supplied to the end user; (“produit assimilable a un emballage”)

To promote harmonization and consistency of product definitions across provincial EPR programs, we respectfully urge you to adopt a similar definition of “packaging-like product” that appropriately exempts reusable plastic products that play an essential role in food preservation and avoiding food waste.

Design for Environment

SC Johnson supports incentivizing sustainable design of plastic products and packaging as a means of reducing plastic waste and creating opportunities for using recycled plastic, such as recycled content requirements for new packaging or end-use products. We believe a design-for-recycling and design-for-environment approach will help stimulate demand and market-creation for post-consumer recycled (PCR) materials—thereby contributing to a closed loop model where these materials are not lost, but rather kept in productive cycles of use and reuse.

SC Johnson can support reasonable PCR content requirement for certain plastic products, where it makes sense to do so and where it is clearly demonstrated that markets for recycled plastic content actually exist—for example, HDPE or PET trigger spray bottles. As noted earlier in our comments, we have committed to increase the percentage of PCR plastic we use in our North American and European bottles from 20% today to 40% by 2025.

We also recommend establishing credits toward reduced EPR fees for companies that place innovative and sustainable products and packaging on the market. For example, credits could be established for:

- Concentrated refills in bottles that lead to reduced overall plastic use. A new line of SC Johnson concentrates began rolling out in Canada and the U.S. in 2019. Every time a consumer uses a mini-concentrate bottle, they use nearly 80% less plastic.
- HDPE and PET bottles made with a high percentage of PCR content, including bottles made from 100% recycled ocean plastic. As previously mentioned, SC Johnson launched the first-ever industry product that uses 100% recycled ocean-bound plastic in a major home cleaning brand, Windex®. Also, our Windex® trigger spray bottles have been made with 100% PCR plastic in North America since 2015.
- Boxboard cartons made with 100 percent PCR content. For example, our Ziploc® line of reusable, resealable plastic storage bags are packaged in cartons made with 100% PCR content.

A similar approach is taken in Québec, where the Producer Responsibility Organization Éco Entreprises Québec (EEQ) offers a 20% credit to producers for the inclusion of recycled content in certain materials at

³ See <https://www.ontario.ca/laws/regulation/r21391>

specified thresholds.⁴ We would be pleased to work with MMSM to develop recommendations for how to structure such incentive credits in a meaningful way that drives innovation in eco-design without disproportionately shifting costs to other stewards.

Communication, Promotion and Education

An important goal of any waste diversion program should be to improve consumer understanding of what materials can and cannot go into curbside Blue Box receptacles, so as to minimize contamination in the recycling stream and prevent sending recyclable materials to landfill.

The growing number of new materials in the form of products and packaging reflects the evolving landscape of recyclables—underscoring the need to enhance education and outreach to consumers on the value of recycling and how to recycle properly. For these reasons, we agree that developing effective, adaptive, and coordinated education and outreach strategies for consumers is critical to promoting consistent and responsible consumer behaviors that improve the quality and quantity of recycled materials—and we support the primary objectives of an effective residential education program outlined in Section 8 of the draft transition plan.

We also believe this should be a shared responsibility—and shared cost—between product manufacturers, brand owners, and government. Promotion of consumer education should not be limited solely to EPR-based financing, and should be complemented by public agency programs and initiatives, which will help advance public understanding of, and drive greater participation in, province-wide recycling efforts.

Ideally, such education outreach initiatives could also encompass the following themes related to proper materials management, and we welcome the opportunity to collaborate with MMSM and the Ministry in their development:

- Communicating the importance and value of recycling, including the economic benefits associated with recycling;
- Improving consistency of labels, signage, symbols, and messaging for recyclable products, recycling bins, and trash bins;
- Proper end-of-life management of designated materials, in general;
- Location and availability of curbside and drop-off collection opportunities, if applicable;
- How to prevent litter of designated materials; and
- Recycling and composting instructions that are easy to understand, easily accessible, and consistent across provinces, taking into account differences among provincial or municipal laws and regulations.

Conclusion

SC Johnson appreciates MMSM's consideration of issues addressed in our comments, and we look forward to being an engaged stakeholder in the development of regulations to transition to full producer responsibility in Manitoba.

In the meantime, we encourage you to visit our company website's sustainability page for the latest information on actions we're taking to accelerate progress toward reducing plastic waste, as well as other key sustainability milestones—including achieving ahead of schedule our 2021 commitment of sending zero manufacturing waste to landfill and continuing to get more than one-third of the company's energy use globally from renewable sources. You can find the sustainability page at <https://www.scjohnson.com/en/a-more-sustainable-world>.

⁴ <https://www.eeq.ca/wp-content/uploads/2021-SoC-Draft-approved-by-EEQ-BOD.pdf>, page 21.

Please do not hesitate to contact me if you have questions about issues raised in these comments. I can be reached at (202) 331-1186 or by email at cppearce@scj.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher P. Pearce". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christopher P. Pearce
Director – Government Relations

cc: Josh Harrison, Executive Director and General Manager, SC Johnson Canada, Brantford, ON

Examples of Ziploc® Marketing Promoting Product Re-Use

Ziploc
with Zip Lock
with Barrieraque

STRONG ENOUGH TO USE AGAIN

fill, use, repeat
remplir, utiliser, répéter

ASSEZ SOLIDE POUR ÊTRE UTILISÉ À NOUVEAU

FREEZER CONGÉLATION LARGE/GRAND

100% RECYCLED POLYETHYLENE
100% MATIÈRE PLASTIQUE RECYCLÉE

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Ziploc
with Zip Lock
with Barrieraque

STRONG ENOUGH TO USE AGAIN

fill, use, repeat
remplir, utiliser, répéter

ASSEZ SOLIDE POUR ÊTRE UTILISÉ À NOUVEAU

STORAGE EMBALLAGE LARGE / GRAND

PRESS HERE TO OPEN
APPUYEZ ICI POUR OUVRIR

100% RECYCLED POLYETHYLENE
100% MATIÈRE PLASTIQUE RECYCLÉE



September 30, 2021

Multi-Material Stewardship Manitoba
7th Floor, 259 Portage Avenue
Winnipeg, Manitoba
R3B 2A8

Via email: transitionfeedback@stewardshipmanitoba.org

RE: MMSM Full EPR Transition Plan

Thank you for allowing us to participate in the consultation concerning MMSM's proposed Extended Producer Responsibility (EPR) Transition Plan. As a participant in paper and packaging stewardship across Canada, Scotts Canada values effective consultation as a means of achieving appropriate outcomes for all involved parties.

ScottsMiracle-Gro (SMG) is North America's leading marketer of branded consumer products for home, lawn, and garden care and serves both the retail and professional grower markets in Canada and the U.S. With a global investment in research, development, and innovation, in addition to industry leading stewardship initiatives and consumer education, Scotts is committed to developing and enhancing lawn and garden care practices in Canada. Headquartered in Mississauga, Ontario, Scotts Canada, ScottsMiracle-Gro's Canadian organization, provides lawn and garden enthusiasts with product choices and education "To help people of all ages express themselves on their own piece of the Earth".

At Scotts Canada, we are passionate about gardening and helping our consumers express themselves within their own space, whether that's indoor or outdoor. Our consumers trust us to provide gardening products with the highest levels of safety and sustainability – both for themselves and the environment. We offer products contained within a variety of packaging types, and in many cases that packaging also integrates dispensing features essential to responsible product use. This is one of many key factors which contribute to successful results for our consumers.

Throughout the product development process, we look for opportunities to maximize sustainably sourced content, eliminate unnecessary or problematic material and promote recovery, recycling and reuse. As part of the process, we engage with consumers and analyze their experience to ensure products are applied at the right rate, the right time and to the right location while minimizing either misapplication or contact with the formula. We design and test our products to withstand real-world environments, such as heat, cold and sun exposure, while still performing to a high standard. Our packaging engineers design applicators to reduce the risks of misapplication and unintended contact with the product.

With respect to the above noted consultation, we would like to bring to your attention our support for the submission of our industry association – Fertilizer Canada. Their views represent the collective opinions of the fertilizer industry, of which Scotts Canada is a part. Further, we wish to provide input to a number of key issues/questions which were highlighted in the Steward webinar held on July 14, 2021.

As a company that is a committed steward of our brands, it is our desire to ensure that any policy, legislation, regulation or program related to our products is based on sound science and

Scotts Canada Ltd.

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evidence-based decision making in line with environmental principles that are truly protective of the environment while also recognizing fiscal responsibility. We would like to comment on the key areas that specifically impact our business.

1. Objectives of the Plan

The MMSM plan states several objectives of the transition plan that address minimizing impact to residents, municipalities, and service providers. As the role of obligated parties/stewards increases because of EPR, there should also be an objective to minimize impact to the businesses that are funding the program to maintain their competitiveness. Cost benefit analysis should be part of the decision-making process in all segments of the plan from development to execution to continuous improvement.

Harmonization with other jurisdictions is a means improving efficiency and reducing red tape for businesses, especially when it comes to the definitions of obligated materials, reporting (what to report and when), promotion and education, the types of targets (not necessarily the numerical target to be achieved) and flexibility in the program design so that it can be adopted and adapted to fit provincial realities (eg. Population density, geography, available services, etc.). The more harmonized recycling frameworks can be among provinces the less red tape this represents for industry.

2. Designated Parties

Scotts Canada is a proponent of the mantra that everyone who puts paper and packaging into the marketplace should pay their fair share. The definition of e-commerce sellers is consistent with that philosophy and so we do support MMSM's definition. In keeping with that theme, Scotts Canada does not support full exemption from recycling obligations for anyone. Everyone who generates waste should pay their fair share. We recognize that for small producers, stewardship can represent a complicated and burdensome activity. However, if their waste is going to be collected then they should take some ownership of their products end-of-life management. As an alternative, exemption thresholds can be adopted under which a small producer would be eligible to pay a reduced flat fee rather than having to do complex reporting. They could attest to meeting the threshold and still participate in the management of their products. In this way non-exempt brand owners would not be paying for waste management of products that do not belong to them and all those putting products into the marketplace will have accountability for the end-of-life management of their products.

Brand owners have also fought for many years to be prioritized as a steward for their own brands. We are pleased to see that MMSM's proposed transition plan places business' with residence in Canada at the top of the obligated party hierarchy, ensuring that brand owners remain in control of their branded packaging.

3. Designated Materials

Scotts Canada supports the focus on residential materials. The issue of IC&I waste management is a complex issue with a much different supply chain than residential packaging.

4. Targets



The setting of targets and performance measures needs to be a collaborative process with key stakeholders to ensure that they are realistic, measurable, and achievable. Given the vastly different packaging materials, uses and technologies available for recycling them, we support the idea of material specific recovery targets. We would encourage MMSM to consult broadly with companies and industry groups when establishing these targets and key performance indicators, as not all packaging is created equal in terms of how and where it is used. For example, many products are used uniformly in most residential settings. However, some products such as lawn fertilizers are limited to single family dwellings. So, setting recovery or accessibility targets in geographies that are characterized primarily by multi-residential dwellings would not be appropriate. We also encourage MMSM to focus on environmental outcomes and not limit flexibility by proposing accessibility standards that cannot be tied to a specific environmental outcome.

5. Other Areas to Consider

Periodic review of product and packaging categories is another aspect of red tape reduction which could be considered. The composition of packaging and its existence in the marketplace can change over time impacting the environmental profile of a packaging category. In addition, as technologies and markets evolve, the environmental and financial impacts can also change. This can impact program performance, service standards, targets, and fees.

EPR squarely places financial and operational responsibility for paper and packaging programs on producers. It is, therefore, imperative that all industry stakeholders, particularly stewards, have a voice in the operation of the program, promotion and education, and any potential changes. We are pleased to see the range of industry representation on MMSM's Board of Directors; however, we encourage MMSM to continue strong and collaborative engagement with all industry stakeholders as the transition to full EPR takes place. Obligated stewards have significant input to offer on program developments going forward, including P&E, targets, and fee setting. As in other jurisdictions, we would like to see the establishment of a steward advisory committee to facilitate the exchange of ideas that will drive success during and following transition to full EPR.

In closing, Scotts Canada is committed to the responsible stewardship of its products and packaging under a paper and packaging program that is cost-effective and provides true environmental benefits. Sustainability is a key focus for our business, and we continue to make improvements to our products and packaging by setting challenging goals for ourselves based on input from our stakeholders. Thank you again for the opportunity to provide our input. We remain available to you should you require any additional background or further information regarding our feedback.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Stephenson", is positioned above the typed name.

Karen Stephenson
Director, Regulatory Affairs and Stakeholder Relations

Section of the draft Transition Plan	City of Winnipeg Comment	MMSM Response
<p>2.3 Objectives of the Transition Plan</p> <ul style="list-style-type: none"> • MMSM’s objectives for the Transition Plan include: • Preserve the integrity of residential recycling while ensuring uninterrupted collection service to residents • Seek to minimize disruption of existing municipal contracts with third parties • Ensure an open and competitive market for future collection and processing of materials, including the ability for municipalities to bid on services • Define standards, definitions, and service responsibilities • Minimize disruption to municipalities’ capital assets where possible • Provide for continuous improvement of environmental outcomes <p>This Plan outlines the transition for the management of PPP from shared responsibility to full extended producer responsibility. Specifically, this plan sets out the process by which MMSM will assume both operational and financial responsibility, as well as accountability, for PPP collection and management in</p>	<p>Shouldn't this sentence include post-collection to cover situations where participating community's operational responsibly won't change, just the compensation?</p>	<p>Stating ‘full operational responsibility along with accountability for PPP collection and management’ is meant to include post-collection responsibilities for collected materials. Under full EPR, communities will be provided with first right of refusal to continue to provide collection services but not post-collection services. Communities can however respond to the RFP that will be issued by MMSM and put forward a proposal to provide post-collection services. But all services, both collection and post-collection, will be done on behalf of MMSM and will be delivered in a way that meets the MMSM service standards.</p>

<p>Manitoba, or full extended producer responsibility, as it is known.</p>		
<p>Section 3.1 Addressing Stakeholder Consultation: Municipal and Indigenous Communities:</p> <ul style="list-style-type: none"> • MMSM should strive to minimize disruption to services throughout the transition to full EPR and there is an expectation that the system fully operated and financed by industry will deliver the same recycling services residents currently enjoy. • MMSM must provide adequate time for municipal and Indigenous community staff, Councils, and Chief and Councils to fully consider the option to participate in service delivery on behalf of MMSM including the opportunity to review service standards and price being offered by MMSM for collection services 	<p>Can you add 'and post-collection' with a statement covering whether the municipality or MMSM administers the services. Similar to the comment on page 8, this would cover the situations where communities will continue with the administration of their service contracts.</p>	<p>This section outlines what MMSM heard at the two-day workshops in July from municipal representatives who indicated that they needed adequate time to determine if they would continue to deliver collection services on behalf of MMSM. In the draft Transition Plan, MMSM is not proposing that municipalities be provided with the right of first refusal for post-collection services but rather just for collection services. This is because post-collection services will be carried out on a regional/catchment basis to provide for efficiencies in the movement of recyclables. Communities can however (individually or collectively) respond to the RFP that MMSM will issue and put forward a proposal to provide post-collection services on behalf of MMSM.</p>
<p>7.4 MMSM Program Funding: Implementation of the Transition Plan will require steward funding of two types of costs:</p>	<p>Will this involve the 3 year rolling average? If so, will there be consideration of having a shorter time frame to limit confusion and potential backlog of cost recovery? At this stage, can there be more explanation of what constitutes eligible costs for payments to communities administering/operating their recycling services? Notwithstanding the early stage this is at, we hope there will be an emphasis on no new administrative or financial burdens be created for municipalities from this potential change, with something covering a review of any existing</p>	<p>Section 7.4 is designed to outline how the transition to full EPR will be financed by the steward community from the planning phase through to the three-year transition of communities and how the increase in financial responsibility from 80% to full financial responsibility will be reflected in steward fees. This section is not designed to address eligible and ineligible costs for transitioned communities.</p>

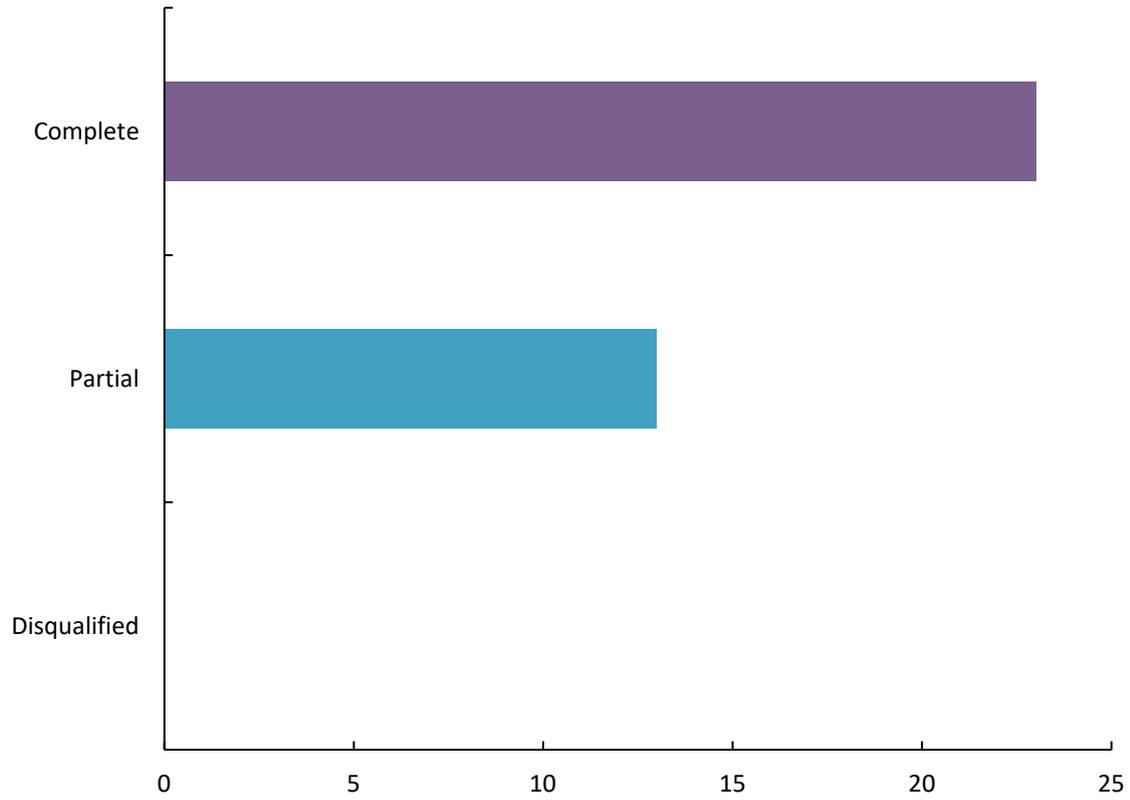
	financial burdens to see if they can be modernized, E.g. funding caps on Cardboard (OCC) and Residue.	
<p>7.7.1 Promoting Competition and Ensuring Market Fairness</p> <p>The size of catchment boundaries for post-collection procurement will be limited to provide opportunity for many post-collection service providers to deliver services (See Section 7.6).</p>	Please explain how this is different to multiple collection providers in Winnipeg.	MMSM will seek to find the most efficient and cost-effective post-collection services. The design will allow for multiple post-collection providers, however, it should not come at any additional and unnecessary cost to producers.
<p>APPENDIX A – PAYMENTS TO NON-TRANSITIONED COMMUNITIES Eligible Costs and Revenue Categories - MMSM 2018 Program Plan</p>	Will there be caps? If so, they should be explained. Same question for Transitioned communities, but I wasn't sure where to post it.	Appendix A is for reference to remind readers of the current funding model as outlined in the approved 2018 MMSM Program Plan. There are no revisions being made to the current funding model which will be phased out once all communities have transitioned. Non-transitioned communities will continue to receive payments based on the current model. Transitioned communities will have the option to provide collection services on behalf of MMSM in response to master services agreements, statements of work, and proposed payments. Communities that choose not to deliver collection services on behalf of MMSM will have the services financed by MMSM by the successful proponent of a competitive RFP process.
<p>Appendix A: Eligible Administration Costs:</p> <ul style="list-style-type: none"> Specifically excluded are costs associated with elected officials and corporate governance, or the cost of any study or audit required to be 	What is the reasoning for these exclusions? These are regular activities that are part of initiating, operating and administering PPP recycling programs.	Similar to the answer above, Appendix A is for reference and is the current shared cost funding formula which will not be revised as MMSM goes through transition to full EPR. These excluded costs are in the 2018 approved MMSM Program Plan.

<p>undertaken by the municipality as part of its services to MMSM.</p>		
<p>APPENDIX B - INITIAL LIST OF PPP TARGETED FOR COLLECTION IN TRANSITIONED COMMUNITIES</p> <p>Plastic Laminate – Beverage Plastic Laminate – Non-Beverage</p>	<p>What are examples of these material categories?</p>	<p>Plastic Laminate – Beverage material category includes: drink pouches for juice or milk beverages Plastic Laminate - Non-beverage material category includes packaging such as: chip bags, cheese wraps, cereal liner bags, shrink wrap, prepackaged deli meat pouches, yogurt stick packs, vacuum packaging, bubble wrap, stand up pouches</p>
<p>APPENDIX B - INITIAL LIST OF PPP TARGETED FOR COLLECTION IN TRANSITIONED COMMUNITIES</p> <ul style="list-style-type: none"> • Paint Cans – Non-HHW Related containers • Steel aerosol containers - non-HHW related containers • Aluminum aerosols – non-HHW related containers 	<p>How are these MMSM materials? No MRF wants this stuff.</p>	<p>Thank you for this comment. The list of materials in Appendix B are the materials on which stewards report and pay fees. This is not the list of materials targeted for collection in transitioned communities which is outlined in 7.8. We will change the title of this Appendix so it is clear the purpose of this list of material categories.</p>
<p>APPENDIX C - SAMPLE TERMS AND CONDITIONS</p> <p>Curbside Collection Services:</p> <ul style="list-style-type: none"> • Collector will collect all in-scope PPP from all customers that: (I) are placed in containers (including both collector-provided and customer-owned containers); and (II) any corrugated cardboard, tied securely and stacked by the customers' container (or stacked alone if no container is present). 	<p>Might want to reconsider with the challenges that tying materials (e.g. string, ropes, cords, etc) will present at automated MRFs.</p>	<p>Thank you for that insight. This was provided as a sample of the Terms and Conditions. We will work with municipal and Indigenous communities to develop the Terms and Conditions</p>

Report for Transition Plan Consultation

Transition Plan Consultation

Response Statistics



	Count	Percent
Complete	23	63.9
Partial	13	36.1
Disqualified	0	0
Totals	36	

1. Organization

Response ID	Response
20	RM of Mountain
22	Molson Coors Canada
24	Federated Co-operatives Limited
25	RM of St. Andrews
26	Indigenous Reconciliation & Northern Relations
27	W. H. Escott Co. Ltd.
28	RM of Dufferin
29	RM of Pipestone
30	RM of West Interlake
31	Walmart
32	Parks Canada, Riding Mountain National Park
34	Eastman Regional Municipal Committee
35	RM of Stuartburn
36	The Hartz Mountain Corporation
37	Eastman Regional Municipal Committee
38	Town of Altona
39	Ferring Inc.
40	Town of Churchill
41	City of Selkirk

42	City of Dauphin
43	d
44	BEE MAID HONEY
45	Canadian Bottled Water Association
46	RM of Gimli
47	Aviva Canada Inc
48	Clorox Canada
50	RM of Ste. Anne
53	cssa
54	Town of Neepawa
55	Green Action Centre
56	Church & Dwight Canada
57	RM of Cartier
58	RM of Ste. Anne
59	Lacoste Canada Inc
60	Green Action Centre
61	Green Action Centre

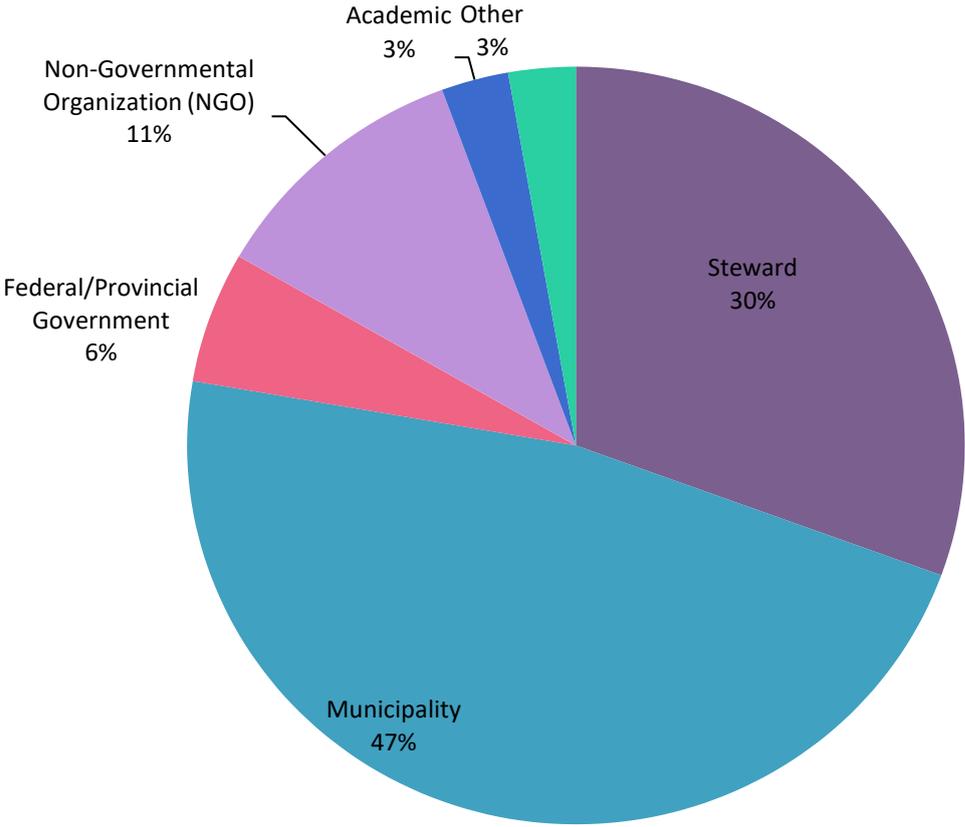
2.Province/State

Response ID	Response
20	Manitoba
22	Ontario
24	Saskatchewan
25	Manitoba
26	Manitoba
27	MB
28	Manitoba
29	Manitoba
30	MB
31	ON
32	Manitoba
34	Manitoba
35	Manitoba
36	NJ
37	Manitoba
38	Manitoba

39	Ontario
40	MB
41	MB
42	Manitoba
43	ON
44	MANITOBA
45	Ontario
46	Manitoba
47	Ontario
48	ON
50	MB
53	ontario
54	Manitoba
55	Manitoba
56	Ontario
57	MB
58	Manitoba
59	Quebec

60	Manitoba
61	Manitoba

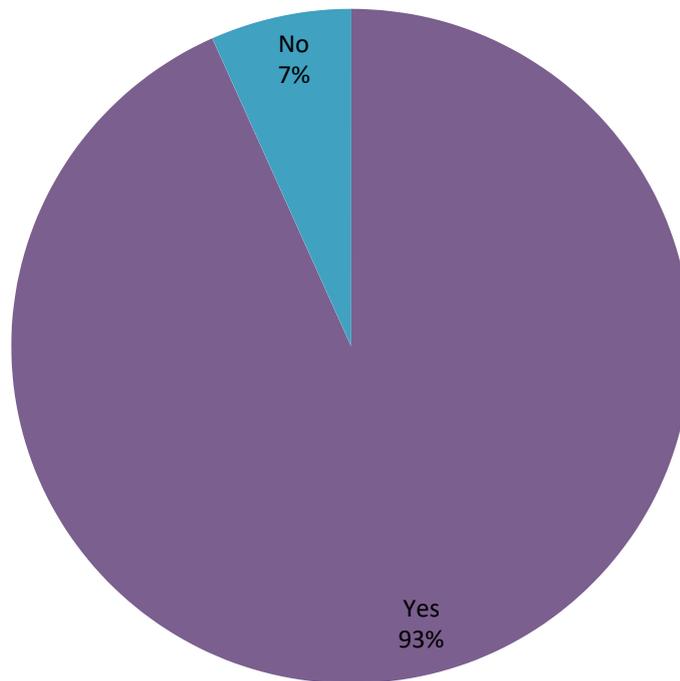
1.Sector



Value	Percent	Count
Steward	30.6%	11
Municipality	47.2%	17
Federal/Provincial Government	5.6%	2

Non-Governmental Organization (NGO)	11.1%	4
Academic	2.8%	1
Other	2.8%	1
	Totals	36

2. Do you agree with the Transition Plan objectives?



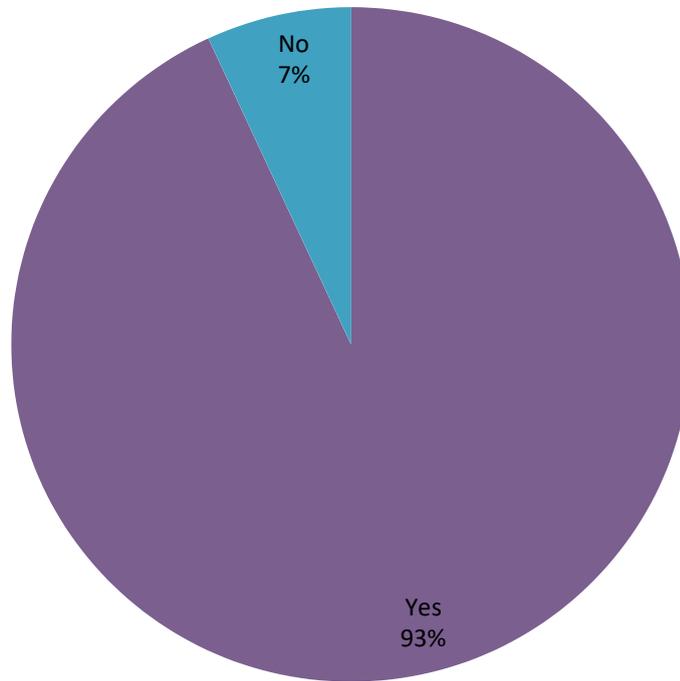
Value	Percent	Count
Yes	93.3%	28
No	6.7%	2
	Totals	30

3. Is there anything to be added or removed from the Transition Plan objectives?

ResponseID	Response
25	None.
27	Anything that is not part of normal recycling or that the current recycler is not interested in should not be considered part of the program and exempt from fees. I use LDPE packaging but according to the recycler Cascades the product is worthless and they do not want it. However, I still pay fees on it I am sure there isa lot of other items out there if you asked the other stewards.
34	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans,not just beer cans.
35	What does this actually mean for municipalities?Is there going to be a charge now or will we nowbe reimbursed for more items that can be recycled.
37	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans,not just beer cans.
38	Fostering an environment that creates market opportunities for PPP in Manitoba vs. having toship materials internationally or to other provinces for end processing
40	The objectives seem to be more about service than EPR. The last objective is weak and needs to place more responsibility on the producers. I would like to see more EPR outcomes with environmental impact, such as reduced packaging, the reduction of mixed product packaging, and packaging which is easier and cheaper to recycle. Maybe even incentives at the producer level.
47	No
48	A clear definition of Packaging Like excluding products for food protection.
54	Catchment design and sequencing should be drafted prior to expecting communities to decide on participation. We are a large partner in a multi-municipality Environmental Facility - if there is no room for them in this plan, there are potential financial implications for both the facility and the Town. We would need to know draft plans prior to deciding what method of participation

	we wish to be part of.
56	We will need some support on changes in detail when time comes
57	No
58	Increase volume of recyclable materials collected and processed.
60	Would like to see more specifics under the final bullet, i.e. "Provide for continuous improvement of environment". Such as...?
61	I would like to see more detail on which environmental outcomes will be improved. Potentially say, "Provide for continuous improvement of environmental outcomes, including..."

Do you agree with the proposed definition of obligated party?



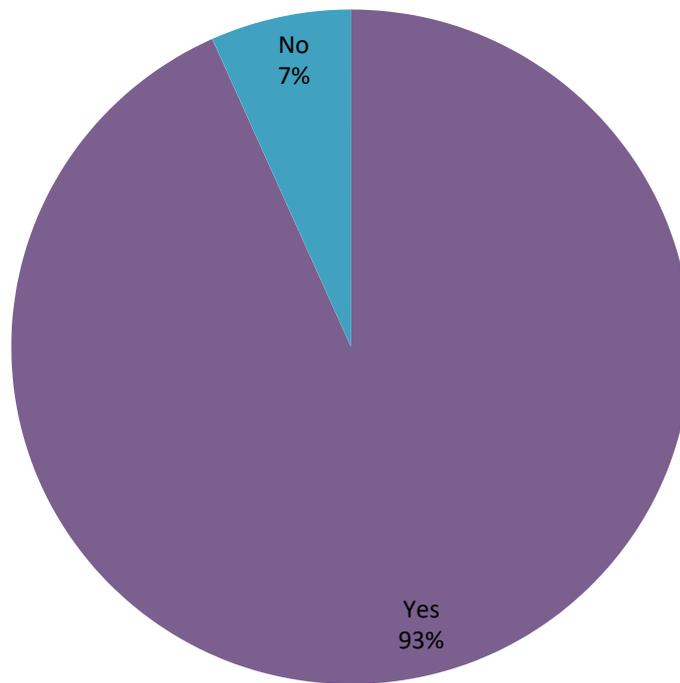
Value	Percent	Count
Yes	93.1%	27
No	6.9%	2
	Totals	29

4. Do you have any further comments on the proposed definition of obligated party?

Response ID	Response
25	None.
26	Will this increase costs to the consumer? will retailers pass on the extra costs?
27	Does this mean that the provincial government is no longer collecting eco fees once this is fully implemented?
30	I still do not fully understand what consequences there are for those defined as "Obligated Party", and what they are responsible for. At this point, commercial PPP is not even funded in the program, who is the obligation of those materials?
34	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans, not just beer cans.
37	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans, not just beer cans.
44	just hoping that there will be no double billing in the case of a deduction to supplier by the brand owner or the first importer
47	No
57	No

60	Very happy to see the inclusion of e-commerce located outside of Manitoba.
61	Glad to see the inclusion of e-commerce sellers as an obligated party.

Do you agree with the proposed small business exemption?

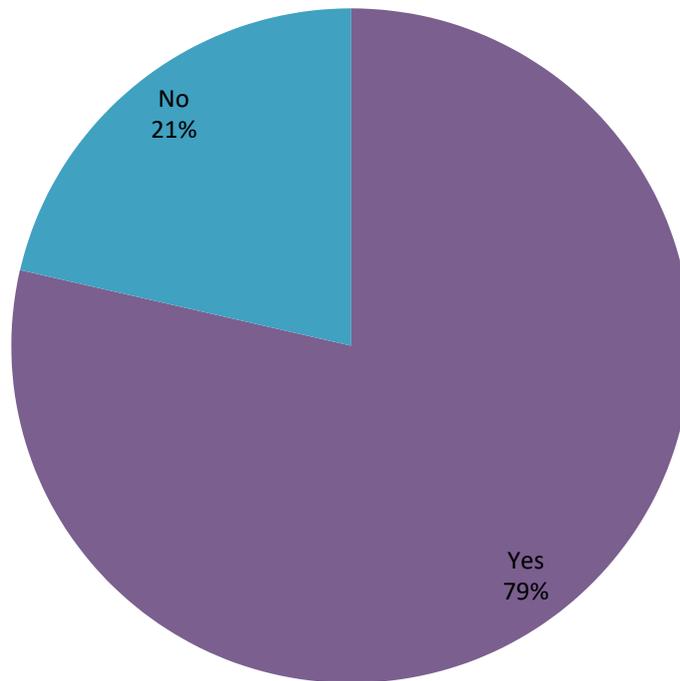


Value	Percent	Count
Yes	93.3%	28
No	6.7%	2
	Totals	30

5. Do you have any other feedback on the proposed small business exemptions?

Response ID	Response
25	None.
30	If they are exempt, do the larger companies pickup that cost of exemption?
37	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans, not just beer cans.
44	i would suggest a minimum standard fee for those small business and also please clarify if it is \$1M of the whole companies revenue versus the revenue for the province they are obligated to
45	Ontario Blue Box allows small businesses an exemption with less than \$2M in annual sales.
47	No
57	No
58	possible credits for businesses using recycled products

6. Do you agree with the proposed definition of designated materials?



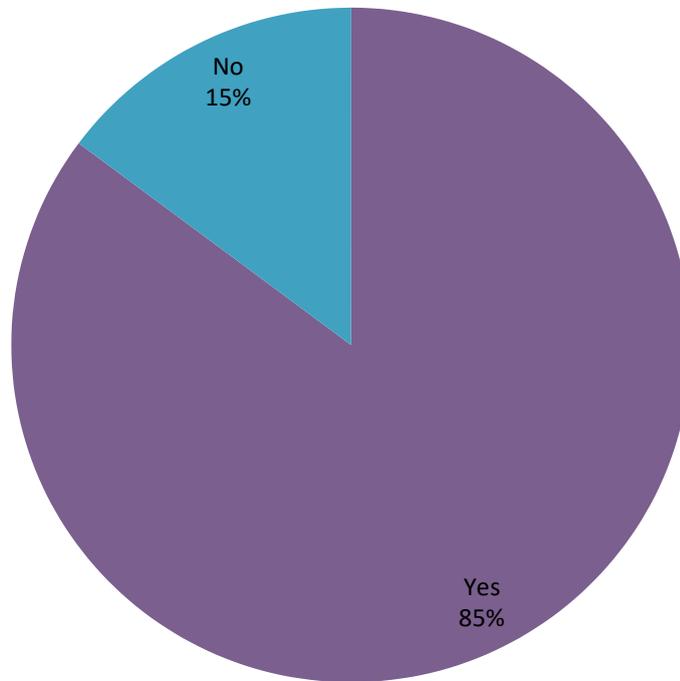
Value	Percent	Count
Yes	78.6%	22
No	21.4%	6
	Totals	28

7. Do you have any further comments on the proposed definition of designated materials?

Response ID	Response
25	None.
30	I would like to see ICI materials designated. It should not be the responsibility of Municipalities to pay for the recycling of these items. Not having designates for ICI materials also discourages the proper recycling of those materials.
35	Work should be done to include industrial, commercial and institutional recycling if we really want to make a difference on Green House Gas.
40	I think that this definition needs to be larger. Is styrofoam mentioned anywhere? I can imagine producers moving away from bubble wrap or anything that is included to materials that are not included. I realize that styrofoam is difficult to recycle. Putting packaging in that cannot be recycled while informing producers that using such materials is increasing their costs could have the effect of lowering the use of such products.
41	Should include ICI
47	No
48	EPR programs are intended for producers to pay the true cost of managing packaging of their

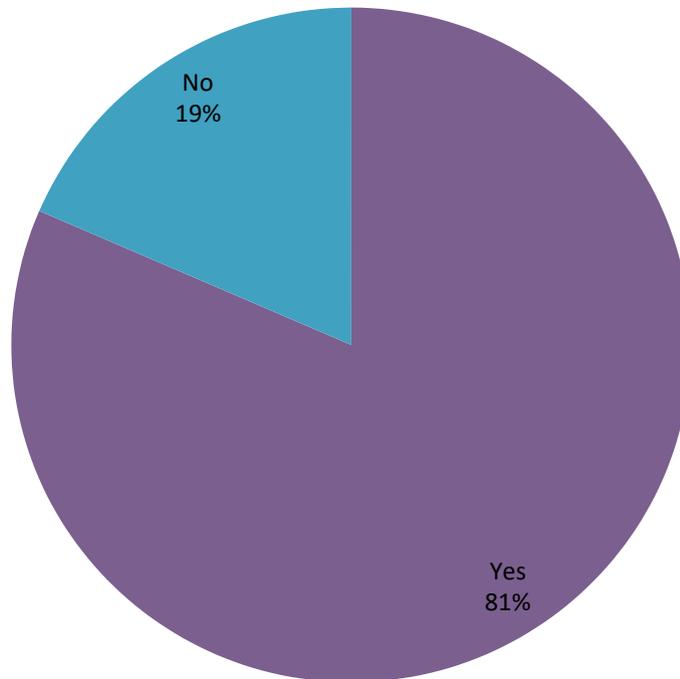
	<p>respective products. We are opposed to the inclusion of food protection products (Film andBags) in the list of designated materials.</p>
57	No
60	<p>I believe that ICI should be included. It seems contradictory to include packaging from e- commerce but not local retailers. This is especially true in remote, low population communities where the volumes are small. I would also like to see a stronger commitment around adding new materials for collection. The current wording says "MMSM will add new materials to the program as end markets are developed" without any indication of goals and targets to develop those end markets.</p>
61	<p>No, I do not agree with the definition of designated materials. I think that IC&I materials should be included in the designated materials definition. The same brand holders that are supplying residential consumer goods are often the ones supplying the IC&I sector as well. In addition, Most rural and Indigenous communities do not make the distinction between PPP generated by residential consumer goods and the IC&I sector. It all ends up at the same recycling depot without the community charging much for processing. Is it possible to include IC&I from communities under a certain size (e.g 5,000 and under) or distance from an urban centre? Furthermore, excluding the IC&I sector such as local businesses, schools and hospitals seems in conflict with including packing generated from E-commerce as a designated material.</p>

8. Do you agree with the proposal to establish a new program recovery target and material specific recovery targets to be achieved after transition?



Value	Percent	Count
Yes	85.2%	23
No	14.8%	4
	Totals	27

9. Do you agree with the proposed process and timing proposed for establishing those targets?



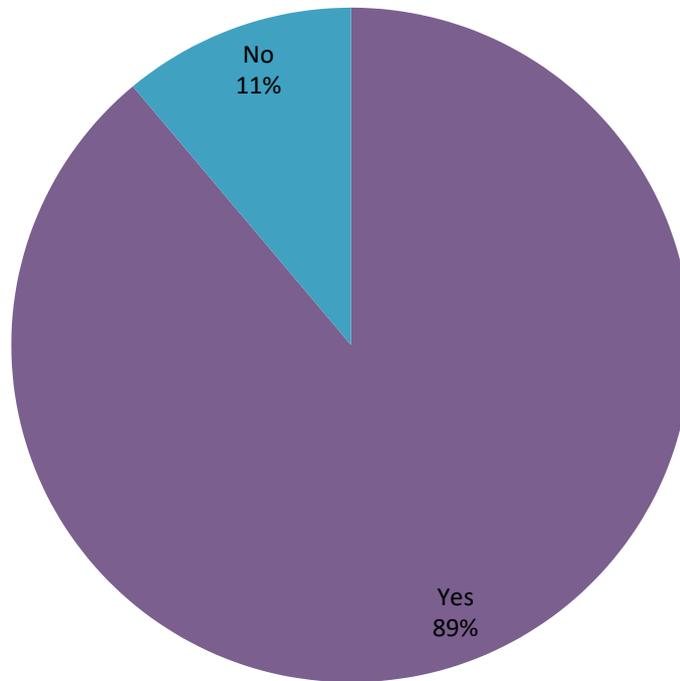
Value	Percent	Count
Yes	81.5%	22
No	18.5%	5
	Totals	27

10. Do you have any further comments on MMSM's proposed approach to establishing performance targets?

Response ID	Response
22	Implications of the target changes are not fully understood to have an educated opinion on this.
25	None.
27	I would like to see better usage/ recycling methods such as glass being melted and reused instead of becoming road fill.
34	The time is now!
37	The time is now.
40	As a northern community - I am wondering why glass is included in the new targets. It is not being recycled to any great degree. This seems wasteful through transporting such a heavy product. (Unless maybe you plan to reduce the target for glass)
47	No
54	What is the end plan for the materials? It feels like the cart is being put before the horse. Will there be a gasification unit, is there sale for all of the materials? Currently recycling has no end game and therefore, until the public has justification that recycling is going somewhere and not just a landfill, performance targets are meaningless.
57	No

60	<p>I would like to see specific recovery targets with the completion of a specified number of transitioned communities rather than waiting until all communities have transitioned. I would also like to see that recovery target apply to all packaging materials and not just those for which there are currently markets. If there isn't a market, it shouldn't be used. Setting 70% for those packaging materials that can be processed is not a true reflection of the recovery rate for all packaging. It's misleading to the public.</p>
61	<p>In the meantime, MMSM and brand owners need to begin addressing the fact that there is a lot of material used for PPP that is not accepted in recycling programs in Manitoba, such as flexible packing, Styrofoam, and mixed material packing. I would like to see brand owners move away from packaging that uses materials that remain in the environment for 1000s of years if there isn't a circular economy for the material. These packaging materials are not designated so are left out of the 70% recovery target calculation all together. In addition to tracking recovery rates for designated PPP, I would like to see reporting on recovery rates of all PPP, both designated and not yet designated.</p>

11. Do you agree with the proposal to commit to reporting on the greenhouse gas impact of the program once all communities have transitioned?

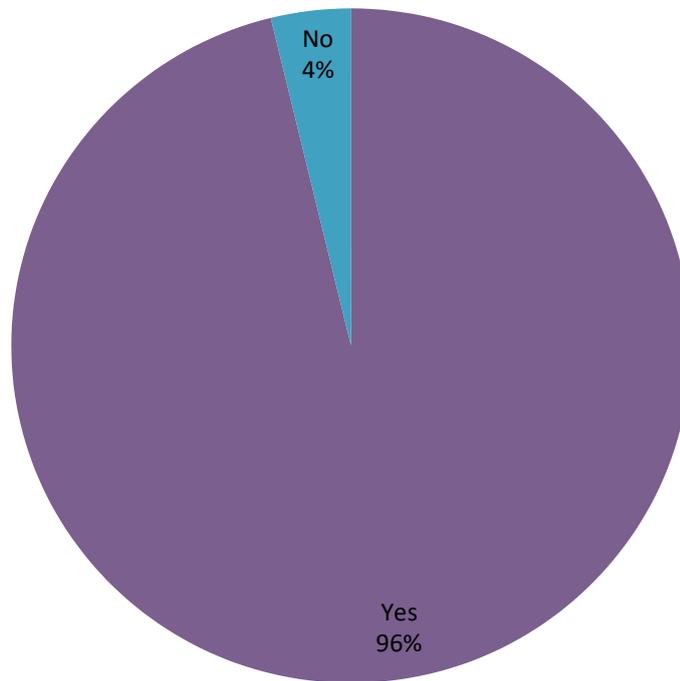


Value	Percent	Count
Yes	88.9%	24
No	11.1%	3
	Totals	27

12. Do you have any comments on the proposal to collect and report on greenhouse gas emissions?

Response ID	Response
22	Not enough clarity to estimate scope of effort/benefit in requiring parties to report on their GHG data. It might be more effective/efficient to calculate GHG on the aggregated data after being reported/collected.
25	None.
27	this data is too subjective to be properly quantified and too easy to skew to read what you want it to.
45	GHG emissions are an important piece of the "puzzle"
47	No
48	In our written response Clorox will share with MMSM evidence on GHG reduction resulting from consumers using food protection products to preserve food for future consumption.
56	I am not sure how this will affect our reporting obligation
57	No
60	I think the reporting should start with the first wave of transitioned communities rather than waiting until all communities have transitioned. I also think the GHG impact should reflect all packaging and identify what the reduction of the TOTAL emissions for all packaging is achieved.
61	In addition to reporting on greenhouse gas impact, I would like to see greenhouse gas reduction targets set.

13. Do you support the proposed six-phased approach to transition?

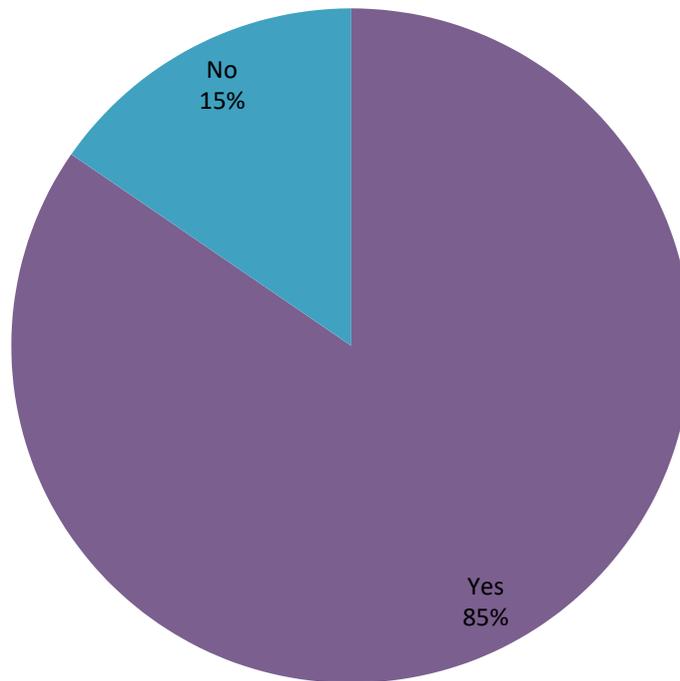


Value	Percent	Count
Yes	96.2%	25
No	3.8%	1
	Totals	26

14. Are there any other options you would like MMSM to consider? Do you have any further input on MMSM's proposed six phase approach to transition?

Response ID	Response
25	None.
40	I am still unsure how this would work in Churchill. We would need large capital expenditures in order to fully participate in the plan. Would these be covered by MMSM? Can we work within the plan but adapt it to northern conditions? How much flexibility is there?
47	No
54	Many questions need to be answered before our community can decide on its participation level: 1. What role will our current landfill and recycling collection facility have in this process? What opportunity will they have? 2. Is it expected that the collector will deliver all materials directly to a processor? 3. Should the community decide to transition as an "opt-out" community, we feel this transition does not give fair advantage to local, smaller collectors in the bid process.
57	No
60	I would like to see stronger wording for the inclusion of multi-residential buildings. The current wording -- "Understand the extent to which multi-family buildings are part of the current transfer payment model" -- appears to be a task rather than the action, which should be to include ALL multi-residential buildings.

15. Do you support the timeline proposed for the six phases of transition?



Value	Percent	Count
Yes	84.6%	22
No	15.4%	4
	Totals	26

16. Do you have any further comments on the timeline for the proposed transition?

Response ID	Response
22	Again, not enough background to have an educated opinion on timelines, but at glance,these look appropriate.
25	None.
34	The time is now.
37	The time is now.
40	I think that this would be optimistic for ourcommunity.
47	No
54	The timeline allowing for transition to be completed by December 31, 2026 is sufficienthowever, the phase timelines need some review in terms of order.
56	Does this mean that for Jan2022, will be basedon 2021 sales, for that first phase?
57	No
60	Three comments: I would prefer to see (1) the plan approval cut down to 6 months instead of ayear; (2) catchment design and sequencing reduced to 3 months; and (3) communities allowed to register until catchment design and sequencing, which would mean a deadline of December 2022 (rather than 2021).
61	I would like to see the process expedited by shortening the plan approval down to 6 months instead of a year, and catchment design and down to 3 months instead of 6. I also have concerns about the cut off December 2021 cut off date for communities to register with MMSM since many Indigenous communities are not registered. Is it possible to allow registration until December 2022 just before catchment design and sequencing is anticipated to start?

17. Do you agree with the proposed objectives for the procurement of services? Are there any other objectives you would like to see added or removed?

Response ID	Response
22	These look appropriate
25	Yes, I agree. No other objectives come to mind.
26	yes, no
34	Yes
36	Yes
37	Yes
38	Social objectives like providing employment to disadvantaged communities. Many processors rely on employing people with disabilities and it would be unfortunate if the transition made this impossible. We understand about cost effectiveness and efficiency but not all objectives should be financial.
40	The objectives are good. Working them out could be interesting.
44	yes
47	Yes, I agree.
48	We are aligned with MMSM transition plan.
54	This section is quite vague at this point and more information is needed to provide further feedback.
57	Yes No
58	agree

60	Yes, though I would yield to the knowledge and experience of communities.
61	Yes, with community consultation.

18. Do you support the proposed post-collection procurement approach? If not, what approach would you prefer we consider?

Response ID	Response
22	Not enough understanding of the implications of the proposed post-collection approach, particularly about not offering right of refusal to communities.
25	Yes.
26	yes
34	Yes
35	What does this actually mean for municipalities? Is there going to be a charge now or will we now be reimbursed for more items that can be recycled.
36	Yes
37	Yes
38	Yes.
40	Storage, Consolidation and Transfer- would need sizable capital expenditures and would be very costly for the small amount of household recycling. I would recommend adding the businesses, the school, hospital, and port to increase the quantity. Even with these, the cost could be high. If the cost is not reasonable, these entities will use the landfill.
44	yes
47	Yes, I support the proposed post-collection
48	We also believe in fair competition as proposed by the MMSM plan.
54	This section is quite vague at this point and more information is needed to provide further feedback.

57	Yes
58	we support
60	Again, I would yield to the knowledge and experience of communities. Not sure where this fits, but it would be useful to consider alternatives to shipping out materials for remote communities, e.g. consider setting up composting of cardboard.
61	Yes, with community input. I would like to see MMSM consider other post-collection options beyond hauling materials to a MRF. For example, 1) support for equipment to compost cardboard and paper in the north instead of hauling it back south; 2) working with brands to reduce the amount of packaging (especially for goods shipped to northern communities). These suggestions are also in anticipation of shorter winter road seasons as the impacts of climate change become more pronounced.

19. Do you agree with the proposed objectives and activities of MMSM's communications, promotion and education strategy? Are there other objectives and/or activities you would like to see added?

Response ID	Response
22	These look appropriate
25	Yes. Provide resource documents to municipalities to post on their websites and brochures to include as inserts to mail outs.
26	yes
29	We are extremely concerned with how this affects recycling outside of residential. We have an excellent program now that picks up all recyclables from every source in the community. No one has given a satisfactory answer yet as to what we are expected to do with the recyclables from businesses, hospitals, schools etc. My question was asked in a recent webinar and I was told to contact the province. I realize MMSM's role is in residential recycling but Municipalities have a responsibility for all recycling. Is this new approach going to massively increase costs for us? Who pays the contracts for the residential recycling going forward? If we don't have both commercial and residential, we are so small, no one is going to want to service our area. These are just some of the questions I feel are of interest and were not addressed.
30	I agree with the proposed objectives - education is key. As echoed from earlier responses, I still find it silly to have to separate cardboard from the local co-op business from the cardboard collected from residential pickup. Any recycling collected should be part of this program to ensure that the materials are being recycled appropriately.
34	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans, not just beer cans.
36	Yes
37	Learn from our neighboring Provinces, there should be a reimbursement on all liquor cans, not just beer cans.

38	Educating residents about the post-collection supply chain. There is a lot of information and disinformation about the destination of PPP post-collection. It would perhaps help to reinforce accountability of the system and help educate the public about how their efforts result in better outcomes for use of the PPP.
40	yes
44	yes
47	Yes, I agree.
48	We are looking forward to participating in these programs.
54	Our community has engaged in many methods of public education - from extensive social media campaigns, newspaper advertisements, inserts with water bills & tax notices, copies of the recycle everywhere magnet made to stickers for each recycling cart and even so far as regular cart inspections to remove contaminated carts from the stream. This has and continues to have little to no impact on the quality and quantity of recycling generated. We believe MMSM has the best intentions but many of these efforts have already been exhausted.
56	yes
57	Yes No
58	agree. Target businesses through the various chambers of commerce. Where recycling is available in the community, fines for larger events where it is not made available to the public.
60	Yes, as long as there is diversity in language, images and wording for First Nation and rural/northern communities.
61	Yes, I agree with the objectives. I would like to see an additional tactic of diversifying MMSM's public education strategy so that messaging is appropriate for a variety of population groups (e.g. Recycling Superhero Michael from a middle class white suburban family is not very relevant to Indigenous, rural, and lower income populations).



Hello/Boozhoo/Tansi,

Who is MMSM?

Multi-Material Stewardship Manitoba Inc. (MMSM) is the not-for-profit, industry-funded organization that funds and provides support for the province's residential recycling programs for packaging and printed paper (PPP). These materials include: paper, cardboard, tin cans, pop bottles, etc.

MMSM works on behalf of the manufacturers, retailers and other organizations that supply packaging and printed paper materials to Manitobans. These businesses pay fees on the materials to MMSM, which are then used to reimburse municipalities and Indigenous communities for up to 80% of the net cost of the residential recycling system.

What is Full Extended Producer Responsibility (EPR)?

It is an environmental/economic policy approach that requires producers to take responsibility for ensuring that a product of packaging is properly managed through the post-consumer stage of its life cycle. In Manitoba, there are 12 extended producer responsibility organizations, including MMSM, who each manage different materials. They include batteries, beverage containers, pesticide and fertilizer containers, electronics, mercury containing thermostats, medications, packaging and printed paper, mobile devices, oil and antifreeze containers, and tires.

MMSM currently funds up to 80% of the cost to manage residential recycling for PPP for those communities who deliver residential recycling services and have Funding Agreements with MMSM today. These communities fund the remaining 20% of the cost.



MMSM Transition Plan to Full Extended Producer Responsibility (EPR)

MMSM is responding to the Minister of Conservation and Climate direction to develop a Transition Plan to full EPR for packaging and printed paper (PPP). Full EPR will shift the costs and responsibility for the Manitoba residential recycling system from municipalities and Indigenous communities to the producers of PPP.



What is Full Extended Producer Responsibility for PPP?

A full EPR policy for PPP shifts full responsibility to producers making them operationally and financially responsible for establishing a province-wide reverse supply chain for the collection, transportation, consolidation, processing, and marketing of residential PPP. If you are currently active in the MMSM program and are considering expanding services or making changes to your program or wish to discuss implementation of future programs, please contact MMSM by December 31, 2021. If you are currently not part of the MMSM program and would like to join in the future, please contact one of MMSM Field Services representatives prior to December 31, 2021, to discuss.

Kristin Houle
Manager, Field Services
khoule@stewardshipmanitoba.org
(204) 953-2019

Martin Racicot
Director, Field Services
mracicot@stewardshipmanitoba.org
(204) 953-2016

Will communities have a role in providing residents with recycling under full EPR?

MMSM would like to work closely with communities as the program transitions to full EPR. The Transition Plan will provide communities with the 'right of first refusal' to continue to provide recycling collection services to their residents. Communities that choose to deliver collection services will enter into a contract with MMSM to deliver services on its behalf to a common provincial standard and to collect a standardized list of materials. As collectors, communities will be paid for their services based on an established price-for-service, such as a price per household, and the current shared funding model will be phased out.

Communities with existing collection contracts that choose to continue delivering services may want to consider how to meet the MMSM service standards if they differ from the standards followed by the community today. MMSM will provide municipal and Indigenous communities staff and officials with all the information they need, including the service standards and the price-for-service, to allow them to make an informed decision on their role going forward once the Plan is approved and the Packaging and Printed Paper Stewardship Regulation is amended.



**What if our community chooses not to deliver collection services for MMSM?
Will our residents still be provided with recycling services?**

Even if a community chooses to ‘opt-out’ of acting as a collection service provider its residents will continue to receive uninterrupted recycling services. MMSM will tender the work and contract with the successful bidder to provide recycling services to residents.

When will this transition take place?

MMSM has been asked to submit a Transition Plan to the Minister of Conservation and Climate by November 2021. Timing of the transition is dependent upon a series of events which must be completed before the transition can take place including:

- Minister’s approval of the Plan following government consultations,
- Amendment of the Packaging and Paper Stewardship Regulation,
- Adequate time to work with communities to prepare for the transition.

An ambitious but feasible timeframe for transition would be the following:





Why does it take three years for communities to transition?

To achieve a smooth transition with uninterrupted recycling services for residents, MMSM is proposing to transition groups of communities (or catchment areas) over a three-year period. MMSM will work with communities to understand their preferred timing for transition while also taking into consideration the readiness of surrounding communities. Sequencing the transition of communities or catchment areas will be done in a way that allows MMSM to design a province-wide recycling system that maximizes the efficient flow of recyclables in Manitoba.

Will the full costs of our recycling program be paid for by producers and what will we be paid?

MMSM is proposing that communities that choose to participate in delivering collection services on behalf of MMSM will enter into a service contract with MMSM and be paid a fair price for delivering services against a service standard. Communities will be paid by MMSM as services are delivered, likely on a quarterly basis. Since MMSM has a mandate to provide residential recycling only, MMSM will not pay for the collection of recyclables from some sources that are deemed institutional, commercial, and industrial (ICI) such as large multi-family buildings (specifics to be determined), hospitals or libraries. In addition, MMSM would not pay for any new or expanded services introduced after December 31, 2021, without prior notice or consultation with MMSM.

To establish a price for services, MMSM will refer to the 10+ years of Cost Monitoring Survey (CMS) data that communities have provided as part of the current MMSM program. MMSM will also undertake additional cost studies to further refine that data and isolate collection costs to arrive at a per household price for curbside collection and a per tonne price for depot materials. MMSM intends to provide a draft Statement of Work and Collection Qualifications Standards when it releases its draft Transition Plan at the end of August.

More information on the Transition Plan and what it means for your community can be found on MMSM's website, StewardshipManitoba.org. We welcome your feedback and questions through the Feedback Button or by emailing transitionfeedback@stewardshipmanitoba.org.

We look forward to hearing from you!

Thank you/Ekosani/Miigwech/Meegwetch!

Friendly Reminder - MMSM Transition Plan



Soulard, Manon <manon.soulard@sac-isc.gc.ca>

To BJK@mymts.net

Cc Kristin Houle; Martin Racicot; Johnson, Shelly



MMSM - What Need to Know - Bulletin.pdf
299 KB

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Fri 2021-10-08 1:36 PM

CAUTION: This email originated from outside of the organization.

Dear Chief & Council,

On behalf of Multi-Material Stewardship Manitoba (MMSM) I am writing to you as a friendly reminder that an important information bulletin about residential recycling was sent to you in the mail a couple of weeks ago.

Multi-Material Stewardship Manitoba is the not-for-profit, industry-funded organization that funds and provides support for the province's residential recycling programs for packaging and printed paper (e.g., pop bottles, cereal boxes, soup cans, paper).

The information contained in the bulletin explained the transition which will be taking place in how residential recycling in Manitoba will be managed and financed and the services which may be offered to communities over the next several years. It also identified the need for communities to register with MMSM in order to be considered in the transition planning process. **If you would like your community to be considered for residential recycling within the Transition Plan, registration must occur by December 31, 2021.**

A copy of the bulletin is attached for your reference. Please review the information contained within.

If you require further information or clarification, please do not hesitate to contact Shelly Johnson, Senior Environmental Specialist via email at shelly.johnson@sac-isc.gc.ca.

Thank you,
Manon

A/Environmental Specialist
Lands and Environment Directorate
Indigenous Services Canada / Government of Canada
manon.soulard@canada.ca / Tel: 431-276-4042

Spécialiste de L'Environnement
Direction des Terres et Environnement
Services aux Autochtones Canada / Gouvernement du Canada
manon.soulard@canada.ca / Tél: 431-276-4042



Indigenous Services
Canada

Services aux
Autochtones Canada

FW: MMSM Transition Plan



Soulard, Manon (AADNC/AANDC) <manon.soulard@canada.ca>
To: Kristin Houle, Martin Racicot

Reply Reply All Forward

Wed 2021-09-15 8:29 AM

Phish Alert

Get more add-ins

FYI.

From: Soulard, Manon (AADNC/AANDC)
Sent: Monday, September 13, 2021 10:16 AM
To: 'chiefcatcheway@icloud.com' <chiefcatcheway@icloud.com>
Cc: Mosala, Tebesi (AADNC/AANDC) <tebesi.mosala@canada.ca>
Subject: MMSM Transition Plan

Dear Chief & Council,

On behalf of Multi-Material Stewardship Manitoba (MMSM) I am writing to inform you that an important information bulletin about residential recycling will be sent in the mail to you over the coming weeks.

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The information contained in the bulletin explains the transition which will be taking place in how residential recycling in Manitoba will be managed and financed and the services which may be offered to communities over the next several years. It also identifies the need to for communities to register with MMSM in order to be considered in the transition planning process. Registration must occur by December 31, 2021.

Please take the time to look for the bulletin in your mail and review the information contained within.

If you require further information or clarification, please let me know.

Thanks,
Manon

A/Environmental Specialist
Lands and Environment Directorate
Indigenous Services Canada / Government of Canada
manon.soulard@canada.ca / Tel: 431-276-4042

Spécialiste de L'Environnement
Direction des Terres et Environnement
Services aux Autochtones Canada / Gouvernement du Canada
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Indigenous Services Canada Services aux Autochtones Canada