October 24, 2014

Attention: hilary.davies@csagroup.org

**Re: CSA Group – Technical Guide: Recycling process, audit and verification Guideline for Ontario**

Please find below comments on the Technical Guide: Recycling process, audit and verification Guideline for Ontario, signed by environmental and public interest NGOs.

The undersigned groups support the effort to provide consistent terminology and procedures for waste processors and recyclers. By using consistent terms and forms of measurement, there will be greater ability to compare different processes, processors and collection rates, with the ultimate goal of continual improvement of environmental outcomes.

The undersigned groups support the goal of shifting towards a more sustainable waste management model with full life cycle stewardship, and a 'cradle-to-cradle' perspective on resources. Life cycle approach (cradle to cradle) forms the foundation for good recycling practices that take into consideration the type of material for recycling and also its final destination (either for disposal or further processing).

**Definitions**
As a number of NGOs stated in a joint submission to the Ministry of the Environment regarding the proposed Waste Reduction Act of 2013, there is a need for clearer and consistent definition of 'recycling' and other waste management terms in Ontario.
We appreciate the steps the CSA Group has taken to define waste processing, however we believe that a clear definition needs to be set in regulation by the Ministry of the Environment and Climate Change that includes effective multi-stakeholder engagement, including environmental and health non-governmental organizations.

While we support the move towards consistent definitions, we have concerns with the language used in the draft. These concerns are outlined below.

**2.2.1 Sustainable Materials Management Hierarchy**
The undersigned groups strongly support a waste management hierarchy which favours the highest and best use of resources.
- Conceptually, the pyramid in the diagram should be an inverted pyramid, with the largest emphasis and volume of resources diverted by prevention, followed by reuse, down to the smallest amount being disposed. This sends a clear signal that the majority of waste and focus should be on higher levels.

*Recycling: Upcycling and Downcycling*
We strongly support the distinctions made between different types of Recycling - 'upcycling' and 'downcycling'. This distinction helps make it clear and consistent that there are some recycling processes which provide a higher environmental and human health benefit.
- The definitions refer to 'closed loop' and 'open loop' recycling, however these terms have not been defined in the guidelines. This is unclear.

*Beneficial Use*
We strongly support the inclusion of the concept of beneficial use in the hierarchy. This category of materials management helps to make a very clear distinction between the retention of raw materials in their original state and those used as merely a substitute for a lower value material. This is an important distinction not currently made in Ontario. Including beneficial uses will greatly assist recyclers and those sending waste for recycling to understand the real resource benefit of the chosen process.

- The definition should not include a location or rationale, but simply define what it is. The rationale for any level on the hierarchy is discussed later in 2.2.4. Specifically remove the words "...by a recycling program in a location where it is not environmentally and/or economically viable…". Including a reference to environmental and/or economic viability, may remove necessary triggers in the system to improve Extended Producer Responsibility program or siting facilities in underserviced regions in the province (e.g. remote regions).
- The definition includes the term 'functionally recycle' – using the term 'recycle' in a process that is not recycling is confusing. We suggest finding another way to say this.

**Inconsistent definitions**
There is inconsistency between terms and definitions used in this document that is unnecessary and causes confusion. Specifically, definitions around disposal and energy recovery in section 2.1, section 3.2 -Table 2, section 4 - Table 4, and in Appendix 1, should be consistent.

- Some definitions are unnecessary, or seem to just cause overlap. E.g. Waste-to-Energy overlaps with 'EFW' and 'incineration with energy recovery' or 'landfill with energy recovery' (Waste-to-Energy is mentioned in 2.2.2 and 3.2, EFW is mentioned in Tables 2 and 4). A consistent term should be used, such as 'energy recovery'.
- In Table 2, the Waste to Energy definition states that 'waste is effectively destroyed and no longer exists' – we disagree with this definition. The materials are converted to a different form, but waste is not destroyed.

**2.2.2 Defining Diversion**
As a group, we strongly believe that disposal with energy recovery should not be considered as a form of 'diversion', and should only be considered disposal. Similarly, energy recovery from incineration or thermal treatment should be considered at the same level as methane capture and energy recovery from landfill, as both are disposal methods. We disagree with the characterization of any waste as a 'renewable' energy source.

**2.2.3 Impact Considerations**
We strongly believe that the full environmental and health impact of any process or end use of a material must be considered when assessing the overall benefit, not just the replacement of virgin resources. As with all resource processing - from recycling, composting to 'beneficial use' - there is a need to consider the quality of the material, and the impact of the material in the environment, and to human health.

### 2.2.4 Departure from the Hierarchy
We would caution against departure from the hierarchy for materials management. It is crucial that all efforts are made to use materials for the highest and best use of that material. Prevention should be emphasized when considering materials management.  Allowing materials to be managed at a lower option undermines the expansion of a strong recycling and diversion market in Ontario, and undermines the principles of good Extended Producer Responsibility programs.
- The specific examples given in the section are problematic - paper and cardboard should not be burnt when there is high demand for paper recycling in Ontario. Plastics are a highly recyclable material that should not be sent for energy recovery but instead recycled.

### 4 Tracking and Reporting
We support the requirement that processors track, report and verify the materials received and processed.

While the Guidelines do not require it, we urge the guidelines to encourage recyclers to identify what is 'upcycled' and what is 'downcycled'. The option to include this information will allow recyclers to demonstrate when they are making efforts to recycle for a greater environmental benefit. This requirement will provide some accountability for other participants involved in the recycling system.

### 5 Performance Audits & Verification
We support the use of auditors to verify and confirm the performance of facilities using the Guideline. It is important that auditors are knowledgeable and essential that they are certified by a third party.

We also believe that it is important for there to be transparent reporting so the public can see which companies are following the guidelines and have passed the third party audits. Audits should be made available accessible to the public.


Please don't hesitate to contact us for further discussion on any of the above points, and we look forward to being further engaged on this process.

Sincerely,

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