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Draft Thermostat Recovery Program Plan

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Re: Feedback on the Draft Plan

Dear Ms. O'Malley,

Thank you for the opportunity to comment on the draft plan. Zero Waste BC is a non-profit association dedicated to driving systemic change towards Zero Waste in BC. Zero Waste is the conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health. Our current resource consumption systems of linear take-make-waste not only create waste but also generate a huge amount of greenhouse gases and release toxic materials which constitute some of the discharges that threaten the environment and human health. EPR programs can play a key role in changing these consumption systems. For more information on Zero Waste, please see the Zero Waste Hierarchy.[1]

We are pleased that BC has regulated these products as keeping mercury in particular, but also electrical waste from landfills (incineration) and the environment is important. As the program plan goes for its next renewal, we submit these comments in hope that the program will show leadership in the realm of EPR to ensure it is actually meeting the intentions envisioned in the Canadian Council of Ministers of Environment Canada-wide Action Plan for EPR.

We appreciate that webinars were held on the program's plan but recommend that the recordings of those sessions be made available online for those who were unable to attend those four dates and times.

Please see our comments by section below:

[1] Zero Waste Hierarchy: https://zerowastecanada.ca/zero-waste-hierarchy/.

Section 2.3. Appointment of the Agency

A Board with industry representatives is an efficient system for many aspects of governance but the program lacks a mechanism that is BC-specific looking at both the level of service offered in BC and the achievement of environmental outcomes. We recommend the creation of a committee with a wide range of stakeholders including recyclers, local governments, First Nations and environmental NGOs. This committee should be empowered to effect change for the BC program.

Section 2.4. Program Products

The intention behind regulating these products was to prevent them from being improperly disposed and to make it easy for the end users to responsibly dispose of them (as well as to foster design change). We appreciate that both electromechanical and electronic thermostats are part of the program. However, the program is responsible for gathering sales data (which should be easy from its members and may require reaching out to the big box and online retailers for details as well as membership). The use of estimates based on Stats Can data is not appropriate for a program that has already been operating since 2010. This data collection should start immediately. Reporting on sales will then also show the ratio of sales to collection.

The program should also be responsible for estimating lifespan of different products (to build on the work with Aevitas) and thus what the amount available for collection should be. Understanding the causes of thermostat failures is important to then provide feedback for design change (for example, resolving the screen display issues).

Section 3. Collection System and Accessibility

The three systems for collection sound like a reasonable way to cover the different collection needs and each regional district has at least one collection site (save for Northern Rockies, and it appears that the site in the Central Coast was lost since 2023) though we recommend that each community has a at least one. The program should list all of its sites in the plan and annual reports so it can be evaluated for accessibility across communities (not just regional districts).

However, the results show the supports for this collection system to be completely inadequate. From a review of the program reports, the number of collection sites peaked in 2020 at 402 and declined to 368 in 2023. In 2023, 12 of 28 regional districts did not have a single thermostat collected (note data on Northern Rockies was missing entirely). In light of that, there should be robust actions taken to ensure that there is a broad network of active collection options available and that all thermostats are collected. This can be done through robust communications with the supply and collection networks, adequately compensating the collection networks (particularly any run by local governments or this represents a subsidy to this industry), ongoing training of collection site staff and contractor/wholesalers, advertising to consumers for mail back options, partnering with online retailers to get the information out on return of used thermostats, and collecting and publicly reporting on statistics for collection channels used to understand if the efforts are having the desired impact. If the number of

thermostats collected does not improve, especially for the regional districts with none, then perhaps HRAI will need to rethink its model.

In addition to having listed sites, the program should use a secret shopper service to see if the listed sites are actually accepting the materials. Users of this and other programs have had experiences where staff at listed sites have said they do not accept the materials, showing the need for better coordination and possibly staff training, particularly for the public locations. Customer experience should also be evaluated.

The program should set a goal of 95% collection of end of life thermostats by 2030 and work towards it with interim targets. This will require the sales data to have a recovery rate rather than collection rate. The program should develop a comprehensive model using past sales, type of thermostat and expected (and verified) lifespan data and make it public. Given that over 1/3 of the regional districts had no collection at all in 2023, the interim goals should be **far higher** than the status quo targets shown in Table 5.

The assumptions made in the Unmanaged product section are weak given the long life span of the products, meaning they are statistically unlikely to show up in a one or two day survey of waste composition that may be done only in a few regional districts (including those with the higher collection rates), even if a high percentage of those available to collect were thrown away. The program should also fund separate analysis for thermostats for all waste composition studies undertaken for local governments as currently SABC does not participate in all of them. The program should work with the province to determine a more accurate way to estimate the uncollected amount. The province should also determine clear remedial actions for failure to rapidly improve program performance.

The targets of 400 collection sites are very weak give the program already reached this in 2020 and there are large gaps in collection service but also even locations with collection sites are not receiving any thermostats. Collection options should be available in every municipality in BC and for those that wish it, every First Nation community. Note that drive time should not be the only measure and that the acceptability of 45 min. rural or 30 min. urban drive times have not been tested for sufficiency nor consulted upon. Drive times as a measure are less useful, especially as the Recycling Regulation notes the need to accommodate “persons with disabilities or who have no access to transportation”, for which the program should show how the mail back option can provide easy access to service (including awareness).

Recommended target -collection sites in every municipality, and in each First Nations community that opts in, by 2030.

HRAI should assess the convenience of accessing depots through surveys similar to the one conducted by the Ministry in 2018. The 2018 BC survey noted 14% of the public had recycled

their thermostats and 6% had thrown it in the garbage; 40% of residents found recycling thermostats very convenient and another 40% found it somewhat convenient.[2]

When asked why these items may have been thrown in the garbage, 36% did not know the item was recyclable), 34% did not know where to take it and a significant 21% said there was nowhere to take it or no way to get it there. This shows some key areas the program plan should address.

Section 3.7 Consumer Awareness

HRAI has an issue with poor consumer awareness -the survey noted above showed only 33% were aware that thermostats could be recycled. Given the rise from 48% in 2020 to 52% in 2024 (data in program plan) and only 41% knowing where to take thermostats for recycling, the **goal should be to get 95% of the population aware** of the program by 2030 (and later 100%). This seems fair how long this fifteen year old program has delayed meaningful action. The program should also have a third party conduct unbiased surveys of all contractors and wholesalers (plus a separate study of the participating ones) to understand where the gaps in knowledge are (and then address them). To do otherwise is to continue to externalize costs to the public and the environment.

There are no firm estimates for the number of thermostats sold to non-contractors. The draft plan notes that big box stores and other retailers stock materials sold by HRAI members. Their websites confirm they sell many types. Changes in types of thermostats means home owners may be doing more work themselves. Having a focused education campaign with these retailers including brochures, signage in sales aisles, education for point of sale staff and collection sites linked with retailers would be cost effective and raise awareness of the program. This is an oversight for the program to not be conducting this already.

Also note that many EPR programs do not have, or do not have easily accessible, materials in languages other than English that address different users of their program. Any residents who do not speak English are not able to easily participate in the programs. Based on the 2016 Census, 15% of BC Households speak a non-official language at home, so would need EPR materials and information to be translated into a different language to be aware of a program (let alone participate). This is especially important for the programs that needs some consumer/resident participation such as this one.

The use of an annual survey with more detailed analysis for certain products or audiences should be done after new campaigns to determine if they were effective or if they should be adjusted. This should include for materials in other languages to see if they reached the targeted audience and were effective.

[2] BC Ministry of Environment and Climate Change Strategy (2018). Consumer Awareness Survey of Extended Producer Responsibility Programs in BC. Accessed at https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/rel-res/consumer_awareness_survey_of_epr_2017.pdf.

There is also the need for developing resources for the Hazard Assessment and Abatement field. In BC all contractors engaged in WorkSafeBC hazard assessments and abatement are registered. The focus for registration is for asbestos as it is most deadly to workers but hazard assessments and abatement must identify and mitigate hazards like lead and mercury. Most assessment reports indicate the presence or non-presence of mercury containing thermostats. Having a focused awareness campaign on mercury switches and recycling options for hazard assessment and abatement contractors would increase potential recycling of all thermostats. The demolition sector is not a focus in the plan for education and this would be one way to ensure end of life thermostats are not rolled up in a demolition and instead recycled. (https://www.worksafebc.com/en/health-safety/education-training-certification/asbestos-training-certification-licensing/learn-about-certificates).

In addition, programs should adequately fund RCBC's hotline and app with additional funds to help streamline and correct information. No strings should be attached to this funding with regards to RCBC's other activities to work towards zero waste, which should be supported.

The metrics should be the increase in awareness among the public and the industry, and the collection rate. The metrics proposed around number of ads or brochures are the basics requirements of operating a program, not metrics to understand if the actions are sufficient. The program should actually reach out and call all participating industry collectors, especially those who collected no thermostats to understand why and correct the systemic failures.

Section 4. Management of Environmental Impacts

Reduce and Redesign

The program should work on the use of differential fees to drive product design change. The program should make clear what feedback mechanisms and engagement strategies the program is pursuing to actively shape changes and have producers understand the barriers to moving some of the products up the hierarchy or having the lifespan be longer. The program should also report on what changes happened *as a result* of program advocacy and actions. This should be a key role of the program. For example, if the plastics cannot be recycled, perhaps encouraging producers to use another material. If screen failures result in shorter lifespans, perhaps better design or reparability can reduce the waste.

Reuse, Repair and Refurbishment

The program should work to encourage and report back on the actions the producers are taking to use reusable packaging (report on number and amount of packaging, percentage of total sales of thermostats using this, etc.).

The program should work to recover parts from returned items and use them or make them available for repair. Support for repair and maintenance should be part of the program plan and the barriers noted can be overcome with support of the program.

The program should look to reuse the collection pails instead of recycling, as much as possible.

Recycle
The program should aim to increase the amount of materials that are recycled, including working with producers and recyclers to address issues that limit recycling of products (namely for the plastic and glass).

The process for safe management by the program of batteries is sound.

The programs should report annually actual total weights of collected thermostats and then the total weights of outputs (batteries, glass, metal, etc.) for better clarity on the amounts managed by which method.

Section 5.1 Management of Program Costs

We appreciate that the program should be 100% funded by the producers but it is not. Currently local government collection sites are subsidising the program through collection and communications services. The environment is also paying a price for any thermostat that is not collected. The apportioning of costs in a way that punishes the more successful collectors of thermostats also seems counter to improving the program. We recommend moving to apportioning fees by sales instead. We also recommend developing a reserve, particularly as the economy may be facing turbulent times and any interruption of service will set a program back substantially.

The program should plan to develop a differential, or ecomodulated, fee system based on certain criteria such as lifespan, toxicity, use of easy to recycle materials, etc. to drive product design change as intended by the Canadian Council of Ministers of Environment. Differential fees should be part of the product cost and a driver for producers to make changes. There is no need for them to be visible to the consumer just as many other producer costs are not itemized on a receipt. The fees should also be set at a higher level to pay for the improvements needed in collection rates, improving data, enhancing awareness and fulfilling the mandate for an EPR program.

Collection service providers need to be contracted to drive performance. If TRP cannot find a partner willing to provide a service in a community, it should set up its own depot in that location and pay the costs that are required.

Section 5.5 Performance Monitoring and Reporting

In general our recommendations for the targets and reporting measures have been detailed above. Any reporting that can be third party audited should be to assure accountability and transparency.

Reporting should include all events and engagement with producers that aim to change design and product delivery systems to reduce the environmental impacts. Results of the engagement should be reported as well.

The number and location of contracted sites by municipality and RD should be provided as well as a list of any municipalities that do not have a permanent depot. The population with access to collection should have a target of 100%, with all municipalities served as well as any First Nations locations as determined in conjunction with the First Nations.

The program plan should provide significant advances needed to reach the potential of EPR programs as envisioned in the CCME plan. We hope that this information is helpful in crafting the renewed plan.

Sincerely,

Sue Maxwell,
Board Chair,
Zero Waste BC