
# Proposed Household Hazardous Waste Regulations

## What We Heard – 2017 Survey Results

May 2018

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# Introduction

The Government of Saskatchewan is undertaking research and engagement to inform the development of a provincial household hazardous waste (HHW) management program. The Ministry of Environment (the ministry) initiated an online survey on the proposed HHW Regulations in October 2017 to gain further input on a HHW management program and this document is a summary of the feedback received from the online survey and written responses.

The ministry believes that developing a provincial HHW management program will lead to safer management of HHW and increased diversion from landfills. The effective management of HHW products will further assist government in reducing risk and harm from environmental contamination, thereby creating a clean and safe environment for communities and a better quality of life for Saskatchewan residents. Throughout the ministry's engagement efforts on waste management and reduction over the years, stakeholders have consistently communicated support for a provincial HHW program.

As there is no provincial program that exists to manage HHW, residents have limited disposal options for hazardous household products in Saskatchewan. HHWs are currently managed independently by interested municipalities which results in inconsistent services delivered throughout the province. Due to the potential environmental impacts and the increased demand from local residents, the issue of proper disposal and recycling of HHW needs to be addressed.

The majority of waste stewardship and recycling programs in Saskatchewan are managed through waste-specific regulations under *The Environmental Management and Protection Act, 2010*. A HHW stewardship and recycling program has been under consideration by the ministry for a number of years. The government acknowledges that provincial regulations will help ensure the consistent and effectives management of HHW products throughout the province.

In the ministry's plan for 2017-18, one of the ministry goals is a clean and safe environment for communities with a specific performance measure of bringing additional recycling stream such as HHW into regulation. The ministry has also been developing a Solid Waste Management Strategy (strategy) that will define the vision for improving solid waste management, acting as a roadmap for waste management and reduction in Saskatchewan. The strategy outlines government's commitment to develop new regulations and programs that increases waste diversion and recovery options. The development of HHW stewardship regulation aligns with the goals and objectives included in the strategy.

# Background

In 2013, the Saskatchewan Waste Reduction Council (SWRC) began an engagement process by contacting potential stakeholders, including municipalities, industry associations, recyclers and environmental service firms. . The SWRC held informal interviews to gather feedback on the structure of the program and the types of materials to be included in an HHW program. Based on the feedback gathered during stakeholder engagement and the results of a jurisdictional scan, the SWRC recommended establishing a mandatory return program for HHW products to be fully funded and overseen by industry stewards. Feedback from the engagement process revealed strong support for a legislated solution for the recycling, re-use or disposal of HHW products in Saskatchewan. In addition, stakeholders strongly supported the

harmonization of the regulation with regulations of other Canadian provinces, so as to simplify the administration and standardize the remittances of environmental fees.

In 2014, the ministry worked with the SWRC to engage stewards regarding draft regulations for a Saskatchewan HHW program. The ministry received positive feedback and informative comments regarding the proposed draft regulations. During the 2017 solid waste management engagement sessions, participants once again identified HHW as an important priority to support waste diversion and recycling.

## Engagement Process

Background material summarizing the proposed regulations and an online survey were created to solicit feedback from the public, municipalities, industry associations, and recyclers and environmental service firms. A total of 98 organizations responded to the online survey (Appendix A). The feedback received will help inform the content of the regulations, and ensure that a HHW program meets the needs of Saskatchewan residents while leading to positive environmental, social and economic outcomes. A total of 399 survey responses and 23 written submissions were received during the two month consultation process. The intent of the survey was to determine support for inclusion of possible product categories and gain feedback on outstanding issues that were identified during previous engagement efforts. There were a total of eight overarching survey questions on a HHW program; respondents were also provided the opportunity to submit more detailed written statements. A number of themes emerged from the responses to the survey questions and the written submissions. Those themes and the responses to each of the survey questions are summarized in the next section.

## Survey Summary

### Participants by Sector

To help contextualize participation, participants were asked to identify the sector they represent (see Figure 1). Over half the survey responses were from the public. A full list of those participants, who identified their sector can be found in Appendix A.

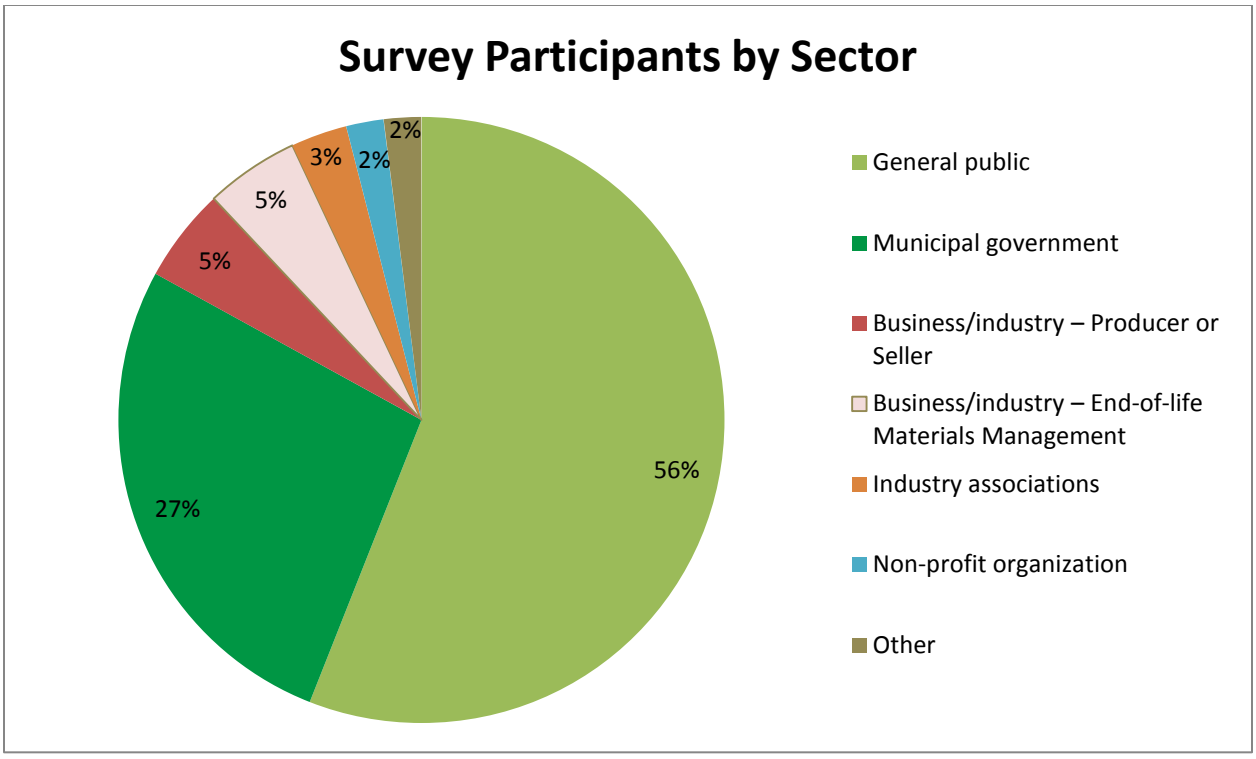


**Figure 1: Survey participants grouped by sector**

## Proposed Household Hazardous Waste Products

Participants were asked about their level of support or opposition regarding the inclusion of the following product categories: waste household hazardous materials, pesticides, pharmaceutical products, natural health products, fluorescent lights, automotive batteries, rechargeable and other batteries, smoke detectors, carbon monoxide detectors and historically obsolete products. Figures 1 and 2 show the survey results for each product category

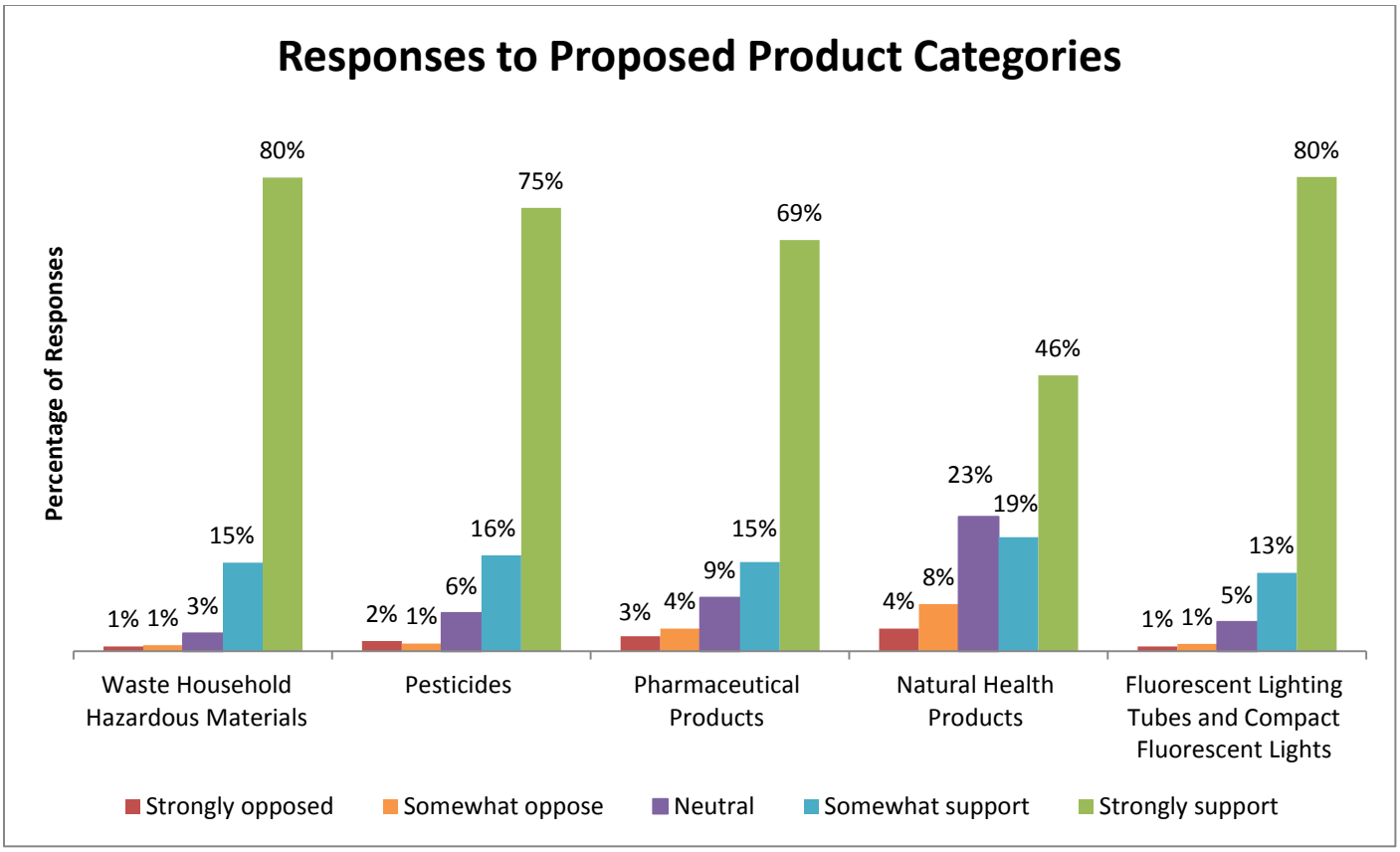


**Figure 2: Results of online consultation survey for product category questions**

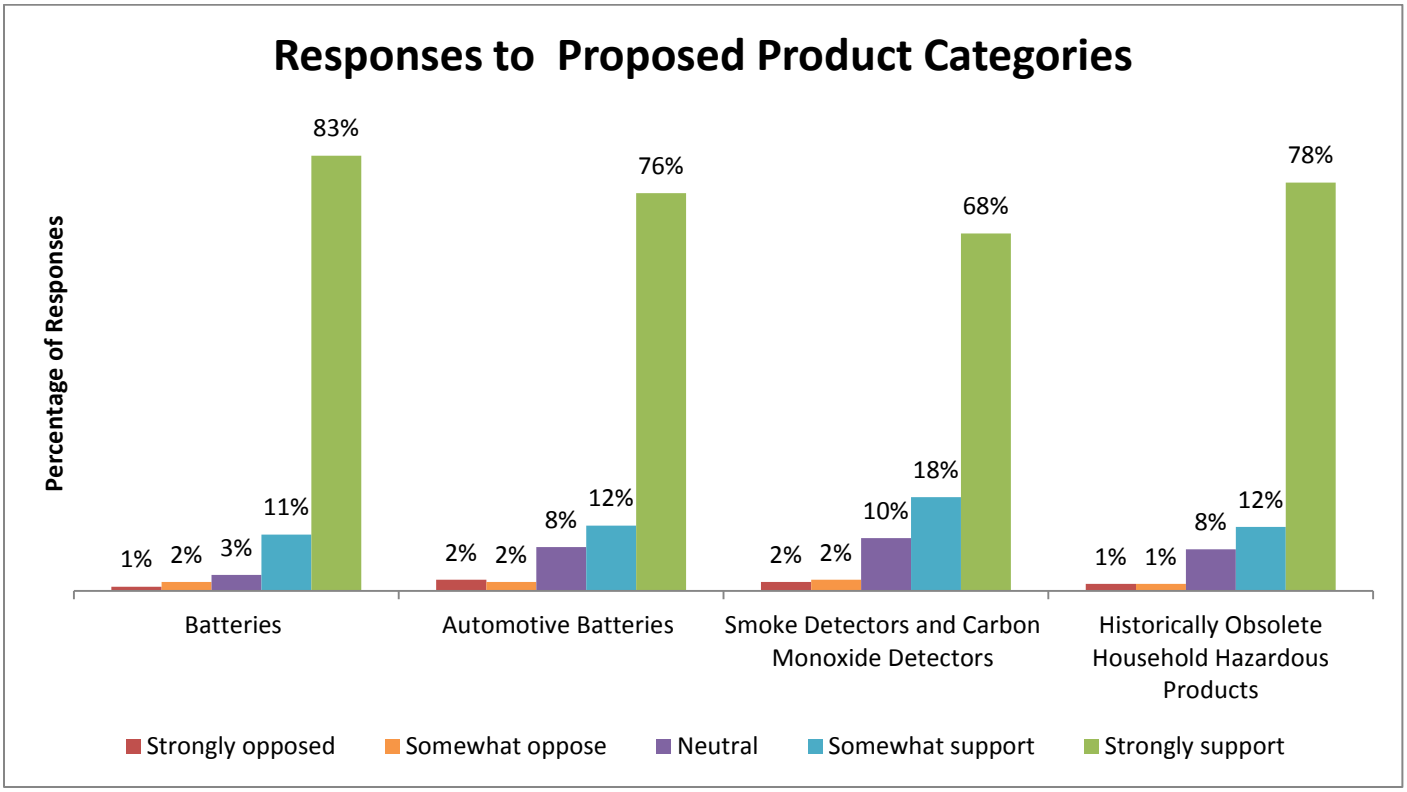


**Figure 3: Results of online consultation survey for product category questions**

**Waste Household Hazardous Materials**

Over 95 per cent of participants expressed support for the core products that would be captured by the waste household hazardous materials category which includes products marked by hazard symbols. A wide array of other products can be hazardous and are grouped into separate categories.

**Pesticides**

The survey results indicate that 91% of respondents were somewhat or strongly supportive of inclusion of household pesticides in the program. Written feedback expressed the need for science-based decision making regarding product inclusion, including products with the poison symbol and those defined in the Pest Control Products Act (Canada).

**Pharmaceutical Products**

Despite overall support of 84% for inclusion of this product category, some respondents expressed a preference for exclusion based on the low volume of pharmaceuticals in the waste stream and cited the availability of existing voluntary return to retailer programs through pharmacies. Other respondents indicated that while a pharmaceutical program is supported, it should be managed as a separate program from the core HHW products as is done in other jurisdictions such as Manitoba and British Columbia.

**Natural Health Products**

At only 65% of respondents expressing some level of support for inclusion, the natural health product category received the least support and the greatest opposition (12%). Several respondents commented that they feel the products are intrinsically safe and are not harmful when disposed of in landfills.

**Linear Fluorescent Light Bulbs (LFLs) and Compact Fluorescent Light Bulbs (CFLs)**

The survey results demonstrated 93% of respondents were supportive of the inclusion of CFLs and LFLs in the program. Participants cited high costs for proper deconstruction and the hazards that mercury containing lights such as CFLs and LFLs can present to public health and the environment as strong arguments for inclusion.

**Lead-Acid Automotive Batteries**

Some participants expressed the view that lead-acid batteries should be excluded from regulations because they primarily result from the commercial sector and have voluntary reuse/recycling programs in place, providing a high level of capture. A science-based risk assessment was called for to analyze the need for inclusion. Opponents contend that regulating a system that already works asserts unnecessary administrative burden.

Those in favor of inclusion (88% of survey responses) suggested that a deposit system, such as the system that currently exists, could be maintained. Others commented that for simplicity and overall hazard reduction, a more open definition of “new or used batteries” should be applied for all batteries including automotive, to ensure that the regulation captures all sizes and chemistries. Proponents suggest that the proposed model ensures a level playing field, while providing

producers flexibility to still have control over program management. If problems emerge such as the drop in a battery's market value, inclusion in the regulations would still ensure that batteries were recycled.

**Rechargeable and Other Batteries**

The second highest level of support for any category in the survey was given to non-automotive batteries at 94%. Proponents identify that a wider term of "consumer batteries" should be used to encompass the two defined categories of rechargeable and other batteries. Similar to lead-acid batteries, opponents of inclusion of rechargeable and other batteries cite the existence of a reuse/recycling program in place.

**Smoke Detectors and Carbon Monoxide Detectors**

Respondents who commented on this category identified support for any carbon monoxide and smoke detectors that contain harmful toxic substances but clarified that it should not contain devices without these hazardous properties.

**Historically Obsolete Household Hazardous Products**

A majority of survey respondents at 90% were supportive of the management of obsolete products through the program. Historically obsolete products are defined as residential products that are hazardous to one's health or the environment, but are no longer manufactured. These include but are not limited to: light ballasts containing PCBs, mercury-containing thermostats and thermometers. Many comments expanded on the importance of managing these products. However, it was also expressed that these products should be clearly defined, to limit the kinds of obsolete products managed. Products such as unknown, unlabeled or orphaned products should be clearly differentiated from obsolete products.

**Comments on Other Waste Household Hazardous Materials**

The following list includes materials that received direct comment regarding their inclusion or exclusion in the program.

**Drain-friendly Products** - Some participants reasoned that products intended for use down a drain should not be accepted by a program due to their content being deemed acceptable in a sewage system. Opponents identified that drain-friendly products are not accepted through the programs in British Columbia, Manitoba and Ontario and inclusion in Saskatchewan's program would represent a non-harmonized regulatory approach. Other respondents were in favor of including drain-friendly products and explained that even though these products are meant for use down the drain, in concentration, they are harmful in a landfill and contribute to leachate.

**Aerosols** - All comments related to aerosol cans and associated propellants were in favor of inclusion in the program due to the hazardous package and propellant, not necessarily the product they contain.

**Medical Sharps** - All comments received on medical sharps advocated for their inclusion citing risk to waste management employees and the need for a regulated system that has a mandate to ensure safe disposal procedures.

## Unknown, Unlabeled and Orphaned Products

Over 80% of respondents supported the inclusion of unknown, unlabeled and/or orphaned products in a regulated household hazardous waste program. Opponents identify that unknown or unlabeled products should not be managed

by the program, due to the health and safety risks throughout the collection and processing chain. Some acknowledge that, while it is important to manage these wastes, it is unfair to assign these costs to stewards who are being responsible and managing their own products. The alternative that some respondents proposed is a managed program with the cost borne by society. Proponents acknowledge that these products could be difficult and costly to manage but emphasize that they are still hazardous to the environment. A suggestion submitted was that by the program investing in consumer education reminding consumers to keep labels on containers and maintain content in original packaging this problem could be largely avoided.

## Proposed Product Stewardship Program (program) Requirements

Figures 4 and 5, show graphs summarizing the responses to proposed program requirements in the following section.

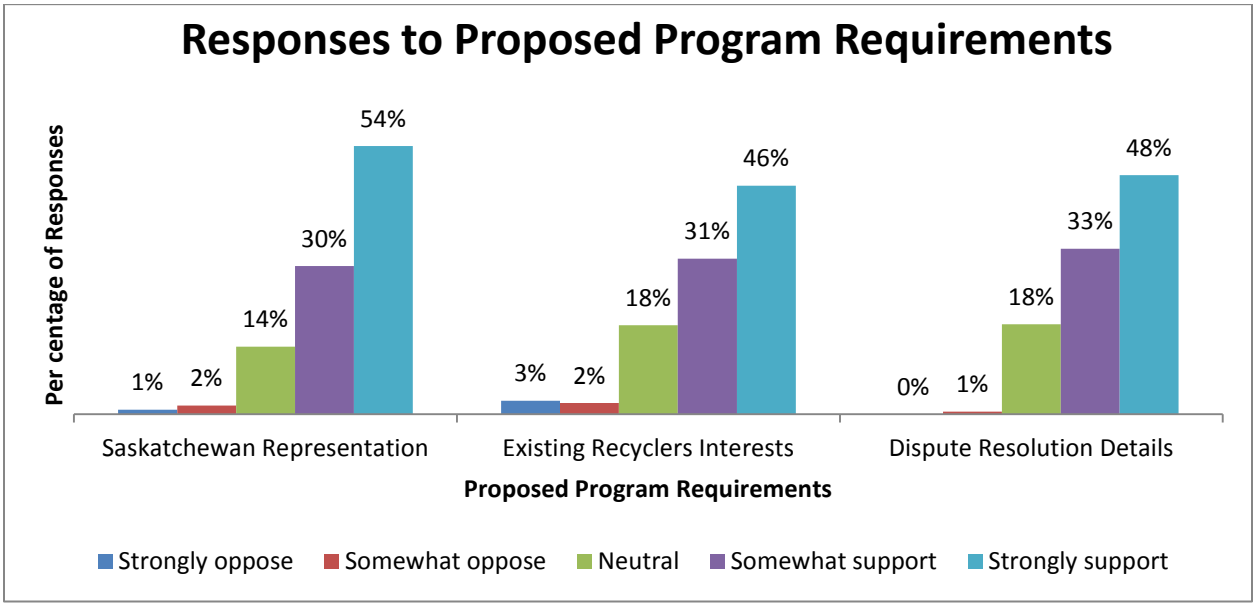


**Figure 4. Results of online consultation survey for proposed program requirements**

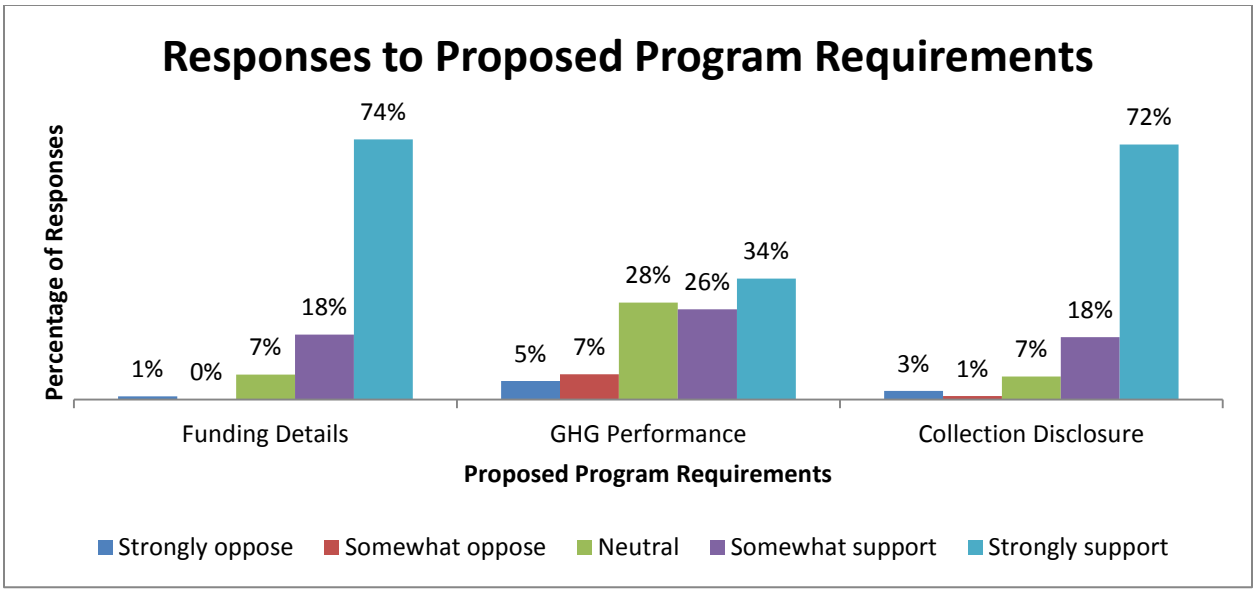


**Figure 5. Results of online consultation survey for proposed program requirements**

## Saskatchewan Representation

84% of survey respondents were supportive of requiring the program to include sufficient Saskatchewan representation on the program's advisory committee and/or board of directors. A number of respondents reasoned that Saskatchewan interests are best represented on the Advisory Committee, with a municipal perspective on the committee helping to inform program delivery and ensure the best collection methods. Many respondents identified that most stewards (producers and sellers of products) are national in scope and the Board of Directors should be made up of stewards who understand the products, challenges and synergies of waste diversion within Canada. Additionally, respondents identified a need for a balance of stakeholder perspectives and diverse representation, from the local municipal level through to national industry leaders.

## Interest of Recycling Providers

77% of survey respondents were supportive of the program providing details of how the interests of existing recycling service providers will be represented. Supportive comments acknowledged the experience and lessons learned from existing providers when laying the foundation for HHW recycling operations in the province. Some believe that the recycling industry in the province should work cooperatively and there is room in the market for a diversity of vendors. The neutral viewpoints support a program design to best protect the environment, regardless of local markets and existing services. Opponents contend that the program should not interfere with competition that ensures an efficient, cost-effective service is provided. Some went on to claim that if industry is funding the program, they should have the authority to select qualified collectors and processors.

## Dispute Resolution

80% of respondents agreed to the program including details of the dispute resolution process as incorporating measures for formal dispute resolution to increase accountability, clarity and transparency. Others reasoned that best practices for dispute resolution in industry and across Canada should be included or a standard commercial dispute resolution system

should be applied. Some specific measures recommended were defined procedural triggers, timeline expectations, an escalation process and a financial expectation to ensure that costs are covered through the environmental handling charge for materials management.

## Funding and Expenditures

92% of participants supported the requirement for details on how the program will be funded and how the funds will be spent. Those who opposed the inclusion of funding details reasoned that in situations where environmental handling charges are not required, the funding details are proprietary and confidential. Those in favor explained expectations of increased public acceptance and trust, accountability through transparency and a need for fiscal responsibility. Some stated that best practices should be followed for the industry, suggesting that third party financial audits produced annually and made publicly available will achieve transparency.

## Tracking Greenhouse Gas Emissions

The program question that saw the most varied results with only 60% support was regarding the necessary development of a greenhouse gas (GHG) measurement tool that measures and tracks GHG emissions. Those in support emphasized the importance of establishing GHG measurements and systems to aid provincial and federal carbon reduction regulations and initiatives. There were concerns expressed about the impact that GHG measurement on stewards and the ability to collect data. Clear guidelines were requested for the scope of data collection and intention for its use. Concern was expressed over the appropriateness of a GHG measure when the program's goals are reduction of harmful materials in the waste stream.

## Performance Measures

90% of participants agreed with the ministry proposal that the program should be required to provide performance measures for:

1. public awareness;
2. collection system access;
3. effectiveness;
4. efficiency;
5. program financial sustainability;
6. management of collected materials; and
7. Other improvements in program performance (measures potentially identified through consultation).

Many participants elaborated upon their response to the proposed measurement categories and provided insights on the challenge of measuring program success. Some respondents emphasized strong opposition to recovery rates or diversion targets for recyclable products and explained that these measures are difficult to achieve for products with longer life spans and are often misleading. Performance measures suggested included percentage of population within a certain distance of return depots and number of users of the program. Suggested attributes of a program evaluation system included realistic and practical approaches tailored to specific waste types, measures harmonized with neighboring jurisdictions and success focused on trends rather than absolute numbers.

## Collection and Transportation

90% of participants were in favor of a program providing details on material collection methodology such as the use of depots and/or events. Proponents stressed the importance of knowing how, where and when collection systems will operate in a program plan to ensure that communities with existing programs will not be adversely impacted. Many stakeholders want ample notice of collection system plans in order to offer advice on accessibility and convenience in terms of distance to a depot, hours of operation, capacity and method of receiving materials. Transparency during development of collection systems is encouraged by some stakeholders to increase opportunities for collaboration with existing stewardship programs and maximize efficiencies.

## Emergent Themes

Participants were given the opportunity to provide written comments to the survey questions. A number of common themes emerged from these responses and the other written submissions.

**Accessible and Efficient**

Participants indicated that they believe programs should be accessible to all residents; including remote and northern communities. Systems should be convenient in terms of distances to depots, hours of operation, being user-friendly and depots or events that accept a wide range of products in one location. It was also stated that the HHW program should be managed in coordination with other existing stewardship programs whenever possible to ensure the most efficient use of infrastructure and collection systems. Competition should be maintained in the collecting and processing industries to ensure that cost effective services are provided while balancing the ability for cooperative work and markets for diversity of vendors. Lastly, participants also indicated that program and regulatory considerations should be based on current science and best practices, and product categories should be clear and unambiguous.

**Harmonization**

Another common theme that emerged was harmonization, whereby participants expressed that HHW regulations should be harmonized with those in other provinces to increase efficiency and effectiveness of regulations and simplify the process of ensuring compliance of existing national vendors as well as leverage economy of scale.

**Accountable and Transparent**

Many participants expressed the importance of accountability in a HHW program, backed by transparent reporting and adherence to comprehensive regulations, guidelines and benchmarks. Many respondents indicated that they believe program features such as dispute resolution, funding/expenses and performance measures should be publicly disclosed. Participants believe that transparency is an essential program feature to ensure certainty for all types of stakeholders and to gain public trust. Lastly, we heard that success of the program can be reinforced by communicating openly with all stakeholders during development roll-out and incorporating a holistic representation of feedback into regulation.

**Extended Producer Responsibility**

When it comes to cost efficiency, many participants expressed the opinion that existing extended producer responsibility programs work well in the province, and that the government should continue using this recycling program model to support new waste diversion programs. It was also expressed that funding for an HHW program should be provided by the consumers and producers of the products and not subsidized by the municipalities. Participants believe that environmental handling fees on HHW products could provide program funds from end users and could be an economic incentive to reduce consumption.

**Education and Awareness**

Another emergent theme was education and public awareness. Participants indicated that education and public awareness are vital to the long-term success of a HHW program in the province. It was further expressed that government should provide communication and education to the public on waste reduction initiatives to ensure the long-term success of a HHW program in order to make waste reduction and recycling a public priority.

## Moving Forward

Based on the survey results and past engagement efforts for both HHW and a provincial solid waste management strategy, it is clear that there is strong support for a regulated HHW management program in Saskatchewan. The themes that emerged throughout the responses highlight the important attributes that waste reduction and recovery programs must possess to deliver effective and efficient services. The Government of Saskatchewan thanks participants for contributing constructive feedback to the development of a potential HHW management program.

While government considers the input received to date and makes any necessary revisions to the draft regulations, further research on a HHW program will be conducted over the coming months. Engagement conducted on the draft provincial solid waste management strategy, scheduled for spring 2018, will provide further opportunities for interested participants to comment on proposed HHW regulations. The Government of Saskatchewan is committed to developing innovative policies and investing in vital programs and services to manage and reduce waste as well as engaging with the public throughout the process.

# Appendices

## Appendix A – List of Participants

A list of survey participants who self-identified are listed below:

| **Municipal Government** |
| --- |
| Cities |
| City of Melville |
| City of North Battleford |
| City of Prince Albert |
| City of Swift Current |
| City of Warman |
| City of Weyburn |
| Downtown Saskatoon |
| City of Humboldt |
| City of Meadow Lake |
| City of Regina |
| City of Saskatoon |
| Ward 6 |
| City of Warman |
| City of Yorkton |
| Towns |
| Town of Grand Coulee |
| Town of Kyle |
| Town of Maidstone |
| north valley landfill |
| Porcupine Plain |
| Rose Valley |
| Town of Shaunavon |
| Touchwood Hills Regional Landfill |
| Town of Abbey |
| Town Of Assiniboia |
| Town of Churchbridge |
| Town of Gull Lake |
| Town of Kamsack |
| Town of Langenburg |
| Town of Lumsden |
| Town of Macklin |
| Town of Porcupine Plain |
| Town of Rockglen |
| Town of Shaunavon |
| Town of Strasbourg |
| Town of Wakaw |
| Town of Wilkie |
| Region |
| North Valley Waste Management Authority |
| Village |
| Northern Village of Air Ronge |
| Resort Village of West End |
| Village of Vanguard |
| Village of Borden |
| Village of Conquest |
| Village of Frontier |
| Village of Grayson |
| Village of Kisbey |

| |
|---|
| Village of Loreburn |
| Village of Pangman and RM of Norton 69 |
| RM |
| RM 430 Invergordon |
| RM No. 279 |
| RM Reno #51 |
| RM of Bengough No. 40 |
| RM of Britannia No. 502 |
| RM OF COULEE #136 |
| RM of Cupar #218 |
| RM of Martin #122 |
| RM of Monet No. 257 |
| RM of Porcupine #395 |
| RM OF ROSEMOUNT |
| RM of Spiritwood No. 496 |
| RM of Viscount No. 341 |
| RM TOUCHWOOD 248 |
| RMs of east of Saskatoon |
| SARM |
| **Business/Industry Producing and/or selling products in Saskatchewan** |
| CRC Canada Co. |
| Canadian Vehicle Manufacturers Association (CVMA) |
| London Drugs Ltd. |
| Markusson New Holland |
| Retail Council of Canada |
| Scotts Canada |
| Staples Canada |
| Walmart Canada |
| **Business/Industry Managing materials at end-of-life** |
| Waste Management Inc. |
| Crown Shred & Recycling Inc |
| Environmental Disposal Solutions |
| GFL Environmental Inc. |
| Highway 55 Waste Management Corporation |
| K-Light Recycling |
| Mr Mudd Masonry |
| Northern Lights Recycling |
| 16 to 43 Waste Management |
| **Industry Associations** |
| American Lighting Industry Inc. |
| Canadian Electrical Stewardship Association |
| Canadian Paint and Coatings Association |
| **Non-Profit Organization** |
| Association of Regional Waste Management Authorities of Saskatchewan (ARWMAS) |
| Call2Recycle Canada, Inc. |
| Cosmopolitan Industries Ltd. |
| Product Care Association of Canada |
| Recycle Saskatchewan |
| SARCAN Recycling |
| Saskatchewan Waste Reduction Council (SWRC) |

| Other |
| --- |
| Indigenous and Northern Affairs Canada (INAC) |
| Regional Authority of Carlton Trail (REACT) |

* Each participant self-identified their sector within the online survey.

* The names of participants identified as “General Public” have been removed from this table for privacy considerations.