

Guidance on Accessibility of Stewardship Programs (Accessibility Framework)

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Background

One of the key requirements of BC's Recycling Regulation is for Stewardship Programs to adequately provide for "reasonable and free consumer access to collection facilities or collection services."

The purpose of this document is to provide guidance to Stewardship Association of BC (SABC) members to help determine "reasonable levels" of accessibility across the province for Stewardship Programs.

Due to the variability of the stewarded products and the provinces' logistics and demographics, there cannot be a "one size fits all" solution. Any application of the guidance or Accessibility Framework must also consider additional criteria including:

- the size, weight, and the generation-rate of the product.
- characteristics of the product (durable goods vs. non-durable goods, etc.).
- the hazards and economics of collecting, storing and transporting each product.
- a community's size or proximity to a collection service.
- a community's desire to support sustainable solutions.
- health and safety consideration.

Challenges with determining Accessibility and Service Levels

The criteria to develop the framework recognizes that every product is different and that accessibility for some products may need to be above the guideline and some products may need to utilize another methodology that better suites their specific challenges such as zoning requirement or other regulatory barriers, suitability/compatibility with collection and transport with other products, etc.

Accessibility and service levels are not just a challenge for Stewardship Agencies. Public service agencies such as hospitals, law enforcement and other government agencies grapple with the reality of Canada's geographic size and population distribution when providing adequate services to urban, rural and non-urban communities in a cost-effective manner.

Stewardship Programs face similar challenges and understand that within a large geographically diverse jurisdiction like BC, residents in small and remote communities will not receive "urban" levels of service. Accessibility is a complex balance for Stewardship Programs as they attempt to provide reasonable consumer access as required by the Recycling Regulation while being cost-effective.

Principles of Accessibility

To create a modern Accessibility Framework that provides a reasonable level of recycling access for stewarded products, SABC developed 5 principles to guide Accessibility.

Principle #1: Consumer's Property Rights and Obligations: Consumers that purchase stewarded products have property rights as well as property obligations, and one property obligation is that the consumer is responsible for the proper disposal of the stewarded product. Failure of a consumer to exercise proper disposal (such as littering) is an illegal act and the product would remain the property of the consumer until such time that they do the right thing and dispose of it properly.

Principle #2: BC's Environmental Laws: Section 12(2) of the [Environmental Management Act](#) (EMA) states "a person must not throw down, drop or otherwise deposit, and leave litter in a public place". In addition, Section 23 of EMA broadly defines municipal solid waste as "refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources" and Part 3 of EMA assigns the management of municipal solid waste and recyclable materials to Regional Districts.

In summary, EMA:

- requires consumers to dispose of stewarded products in an appropriate location.
- assigns the management of municipal solid waste and recyclable materials to Regional Districts and
- defines municipal solid waste broadly to include all "wastes" including end-of-life stewarded products.

In addition, Section 5 of the BC's [Recycling Regulation](#) requires Producers' to carry out a variety of requirements including "reasonable and free consumer access to collection facilities or collection services" in Section 5(1)c.iii. Neither the Act or the Recycling Regulation transfers the management responsibility for Stewarded Products from Regional Districts to Producers. Instead, Section 5 extends the management responsibilities for end-of-life Stewarded Products to Producers – hence the use of the term Extended Producer Responsibility in the Recycling Regulation.

In summary, Regional Districts and Producers have overlapping responsibilities for the management of end-of-life Stewarded Products and their diversion from the municipal solid waste stream.

Principle #3: The Service Density Reality: Urban communities have a high density that provides robust access to facilities and transportation infrastructure. In contrast, small and remote communities have limited access to infrastructure for collection and transportation. This means that in remote communities, collection service is often not even possible without participation from those communities.

Principle #4: Product Characteristics: Every product category is different and as such “reasonable Accessibility” will vary from product category to product category. In addition, collection, storage and logistics challenges associated with some product categories are exacerbated in small and remote communities. (Refer to Appendix 1 for *Program Consideration for End-of-Life Products* of the different stewarded products.)

Principle #5: BC’s Geography and Population Distribution: Of the 4.7M residents in British Columbia 14% live in small or un-incorporated communities throughout a large geographic area, Stewardship Programs need to develop accessibility options with the understanding that smaller communities may not receive the same level of service as urban communities.

Roles and Responsibilities

Based on the above principles, the roles and responsibilities for the end-of-life management of stewarded products is shared across various responsible parties through a product’s lifecycle as indicated by the matrix below.

Roles & Responsibilities of Stewarded Products			
Responsible Party	Responsibility Starts	Responsibility Ends	Obligation
Producer	Designate and fund a Stewardship Program to manage end-of-life product.		Have an approved plan and comply with it (usually through a Stewardship Program).
Consumer	Point of Purchase.	Return end-of-life product to designated collection point for recycling or responsible management.	Purchase, use and store products properly and then dispose of products in an appropriate location.
Stewardship Program	Any Stewarded Program’s products brought to a point of collection.	Sale of commodities or proper management of residuals.	Have an approved plan (on behalf of producers) and comply with it.

Based on the above roles and responsibilities, the consumer that wants to dispose of a stewarded product decides when the stewarded product is at “End-of-Life” and has an obligation to properly dispose of the product by taking the product to a designated collection service.

In contrast, the roles and responsibilities of residents and Regional Districts for the management of municipal solid waste (that, by definition, includes stewarded products) is dictated by Part 3 of the Environmental Management Act (EMA). EMA requires residents to drop off their municipal solid waste at a designated location and for Regional Districts to have a Solid Waste Management Plan that provides reasonable access for residents to dispose of municipal solid waste.

Municipal Solid Waste Generated by Residents			
Responsible Party	Responsibility Starts	Responsibility Ends	Obligation
Residents	Point of Purchase of stewarded and non-stewarded products or Point of Generation (e.g., land clearing, demolition, etc.).	At a designated collection point (curbside collection, recycler, Transfer Station, Landfill etc.).	Take municipal solid waste to the designated collection point and pay property taxes or tipping fees to Regional Districts for the management of Municipal Solid Waste.
Regional Districts	Point of collection of municipal solid waste (curb, Transfer Station, Landfill).	Sale of recycled products or legal disposal of municipal solid waste.	Manage municipal solid waste as per their approved Solid Waste Management Plan.

This means that the Stewardship Programs and Regional Districts have a common goal and need to work together to provide programs for residents and consumers that:

- Promotes diversion from landfills through education and awareness to consumers and residents.
- Establishes convenient collection service for stewarded products and municipal solid waste; and,
- delivers reasonable accessibility in rural and remote communities.

SABC Accessibility Framework

The SABC Accessibility Framework was developed to help Stewardship Programs design and implement their programs given British Columbia's challenging size and population distribution. Instead of a prescriptive solution, the Accessibility Framework needs to be flexible to promote innovative solutions based on the characteristics of the product and the size and location of the community.

Depending on the nature of the product and the circumstances required for collection, each Stewardship Program should provide collection service to a specified percentage* of the British Columbia population using the criteria below:

- *For Non-Urban communities, collection service within 60 kilometers*
- *For Urban communities, collection service within 15 kilometers*
- *For Remote communities, collections service where practical*

* This will vary by program

Definitions:

Urban and Non-Urban

- For the purposes of this framework, Urban will consist of urban areas within a Census Metropolitan Areas (CMA) as defined by Statistics Canada. All other areas of the province will be considered Non-Urban.
- Remote communities are those non-urban communities: situated far from main centers of population; without reliable infrastructure (roads); or those that need to be accessed using alternate mechanisms.

Distance

- Distance circles will be drawn around locations where collection service is provided based on urban and non-urban criteria. In some instances, collection services may be available to consumers within the defined distance circles even though not in the community directly.

Communities and a common reference database

- Both of these are addressed by using the same Statistics Canada database that is used to define the CMA above.

Collection Service

- Collection Service includes but is not limited to depots, return-to-retail, collection points, direct pick up, collection events or other collections service that provide reasonable and free consumer access.

Considerations for Remote Communities

While the Accessibility Framework recognizes that it is not possible to provide service to every location within the province, Stewardship Programs are committed to working with remote or First Nation communities to provide service where practical.

It should be noted that while many of the First Nations communities fall under the definition of “remote”, not all First Nation communities are remote communities.

The following considerations may be used when determining a reasonable level of cost-effective service for remote communities:

- Stakeholders need to work with Stewardship Programs to identify volume of product, generation rates and set priorities.
- Local Governments, First Nations and community members need to work with Stewardship Programs to collect and store the products prior to transportation and recycling by the Stewardship Program.
- Communities need to view Stewardship Programs as a priority since that community commitment will be the key factor in determining success.
- Evaluation of the environmental and social benefits of offsite recycling vs onsite management.
- Local Government and First Nation infrastructure and the use of Government subsidies in very remote locations.

In summary, it is recognized that for most remote and First Nation Communities private-sector depots are not a viable option. In these communities, local assistance will be needed for collection activities to be practical.

Appendix 1:

Program Considerations for End-of-Life Products

(One program will not meet all needs, so framework not prescriptive - legislation is desirable)

Recyclability	Not Recyclable	Recyclable Few Times	Infinite
Consumable	Consumable		Not Consumable
Ownership	One Owner		Multiple Owners
Hazardous	Low		High
Frequency of Use	Low	units/yr/person	High
Expected Life	Days		Years
Sales Model	Retail	Wholesale	Internet
User	Consumer		ICI
Product Size	Light (grams)	(kg)	Heavy (000's kg)
EoL Value	Negative	(\$/kg)	Positive
Market Size	Small	(kg/yr)	Large
Complexity	One Commodity		Many Commodities
Security	Low		High
Technology Shift	Slow		Rapid