

British Columbia Paint & Household Hazardous Waste Extended Producer Responsibility Program Plan

For submission to:

Director, Extended Producer Responsibility
Environmental Standards Branch
BC Ministry of Environment & Climate Change Strategy

Submitted by:

Product Care Association of Canada

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Glossary

The following is a glossary of terms and abbreviations used in this program plan.

Term	Definition
Program Plan	Paint and Household Hazardous Waste Extended Producer Responsibility Program Plan
Regulation	BC Recycling Regulation, BC Reg. 449/2004, as amended.
Program	Paint and Household Hazardous Waste Extended Producer Responsibility Program
Program Product	Designated products under Schedule 2 of the BC Recycling Regulation that are included in the Program as defined under section 4 of the Program Plan.
Product Care	Product Care Association of Canada
CCV	Container capacity volume
EHF	Environmental handling fee
ELC	Equivalent litres of containers
EPR	Extended producer responsibility
HHW	Household hazardous waste
NPP	Non-program product
PCB	Polychlorinated biphenyls
IZWTAG	Indigenous Zero Waste Technical Advisory Group
LVG	Large Volume Generator (An entity that is registered with Product Care to receive complimentary pick-up of large numbers of Program Product.)
MoECCS	British Columbia Ministry of Environment & Climate Change Strategy
SABC	Stewardship Agencies of British Columbia

1 INTRODUCTION

This amended Paint and Household Hazardous Waste Extended Producer Responsibility Program Plan (“Program Plan”) is submitted to the British Columbia Ministry and Climate Change Strategy of Environment (MoECCS) by Product Care Association of Canada (“Product Care”) on behalf of the Producers of paint and household hazardous products sold in British Columbia who are members of Product Care, pursuant to the requirements under section 6 of the BC Recycling Regulation (“Regulation”).¹ The BC Paint and Household Hazardous Waste Extended Producer Responsibility Program (“Program”) has been in operation since 1994 for paint and 1997 for household hazardous waste (HHW).

2 DUTY OF PRODUCER

The responsibilities of Producers are defined in the Regulation. Section 2(1) of the Regulation provides:

Except as otherwise specifically provided in this regulation, a producer must

(a) have an approved plan under Part 2 [Extended Producer Responsibility Plans] and comply with the approved plan, or

(b) comply with Part 3 [Extended Producer Responsibility Requirements If No Extended Producer Responsibility Plan] with respect to a product in order to sell, offer for sale, distribute or use in a commercial enterprise the product in British Columbia

Section 1 of the Regulation defines a “Producer” as:

(i) a person who manufactures the product and sells, offers for sale, distributes or uses in a commercial enterprise the product in British Columbia under the manufacturer’s own brand,

(ii) if subparagraph (i) does not apply, a person who is not the manufacturer of the product but is the owner or licensee of a trademark under which a product is sold, distributed or used in a commercial enterprise in British Columbia, whether or not the trademark is registered,

(iii) if subparagraphs (i) and (ii) do not apply, a person who imports the product into British Columbia for sale, distribution or use in a commercial enterprise.

The BC Recycling Regulation Guide makes further reference to the definition as “.... importer, broker or retailer who sells the product directly to a consumer or imports and uses the product in a commercial enterprise and includes catalogue or internet transactions”.²

¹ British Columbia Ministry of Environment and Climate Change Strategy, BC Recycling Regulation, BC Reg. 449/2004, as amended B.C. Reg. 162/2020, June 29, 2020. http://www.bclaws.ca/civix/document/id/complete/statreg/449_2004.

² British Columbia Ministry of Environment, *Recycling Regulation Guide*, April 2012.

3 APPOINTMENT OF STEWARDSHIP AGENCY

The Program is developed, managed, and operated by Product Care, a not-for-profit industry association that manages extended producer responsibility programs across Canada for household hazardous and special waste on behalf of its members. Product Care was established as an agency to enable its members (i.e., Producers of Program Product) to meet their obligations under provincial extended producer responsibility legislation. Product Care is incorporated under the *Canada Not-for-Profit Corporations Act*³ and is governed by a board of directors from various membership classes, such as paint products, lighting and alarms products, retail and other products. The elected board members are typically employees or representatives of Producers, retailers, or trade associations, involved in the various programs operated by Product Care. All board members are affiliated with companies or associations that have business interests in BC. A current list of Product Care's Board of Directors, including their corporate affiliation, membership class and province of residence is available on Product Care's website (productcare.org).

Product Care is incorporated under the Canada Not-for-Profit Corporations Act, and is governed pursuant to its articles of incorporation and bylaws as well as its corporate governance policies. Any change to the membership classes would require alteration of the articles of incorporation and membership approval. The board maintains various standing committees, pursuant to the provisions of its bylaws. Any changes to Product Care's legal status will be referenced in the Program's annual report, if applicable.

The Program is also supported by Product Care's National Household Hazardous Waste Advisory Committee comprised of industry representatives from HHW product and business sectors (manufacturers, retailers, trade associations). The Committee deals mainly with technical matters, such as product definitions. In addition, a provincial advisory committee will be established by Product Care to provide ongoing engagement with key BC stakeholders.

According to section 2 of the Regulation, a Producer must either comply with Part 2 or Part 3 of the Regulation in order to sell, offer for sale, distribute or use designated products in a commercial enterprise in BC. Accordingly, each Producer that joins the Program appoints Product Care as its agent to carry out the duties of the Producer imposed by section 2 of the Regulation. In turn, the Program Plan confirms the duties that Product Care will perform on behalf of each Producer that is a member of the Program and in good standing. Product Care can provide confirmation of a company's membership upon request.

The Program is the only approved EPR program for paint and household hazardous waste in the Province. Product Care's members represent the vast majority of the market in British Columbia for designated products. Program membership is open to all Producers, including manufacturers, brand

³ A copy of the Act is available at <http://laws.justice.gc.ca/eng/acts/c-7.75/>. Product Care's Letter of Continuance, bylaws and audited financial statements are available on Product Care's website www.productcare.org.

owners, distributors, first importers and retailers of obligated products in BC. Product Care is continuously engaged in identifying and recruiting Producers of Program Product in the BC market, and where necessary, notifying the MoECCS for follow up and enforcement. A current list of Program members that have appointed Product Care as their agent, as well as other member-related information, is available on Product Care's website (www.productcare.org). In addition to member information on the website, Product Care engages with members on an ongoing basis through various channels, such as member meetings, member notifications and member support staff.

Product Care also manages and operates paint and HHW stewardship programs in other provinces. Information on other provincial stewardship programs is available at www.productcare.org.

4 PRODUCTS COVERED UNDER THE EXTENDED PRODUCER RESPONSIBILITY PLAN

The Program covers products captured under the categories of paint, pesticides, solvent and flammable liquids and gasoline in Schedule 2 of the Regulation and provides additional clarity regarding specific products included and excluded.

The following section details the scope of products under each product category that are included ("Program Product") and excluded ("Non-program Product") from the Program, along with a non-exhaustive list of examples. A regularly updated list of Program and Non-program Product can be found on Product Care's website (www.productcare.org). Product Care reserves the right to amend the list of Program/Non-program Product at any time.

To assist those in the product supply chain, consumers and other stakeholders with interpreting the complex technical definitions of flammable liquids and solvents in the Regulation, Product Care in consultation with the HHW Technical Advisory Committee developed a Decision Tree to assist in the classification of solvents and flammable liquids (see Appendix A).

In addition to the Non-program Product set out below, the following materials are not accepted by the Program due to health and safety concerns to service providers (i.e., collectors, transporters, and processors) associated with handling such materials, the inability to differentiate Program Product from Non-program product (NPP) and risks associated with contravening regulatory requirements associated with the handling of certain products:

- Bulging containers
- Unidentifiable or unlabelled containers
- Leaking or improperly sealed containers

4.1 Paint

4.1.1 Paint Products Included in the Program

Section 2 of Schedule 9 of the Regulation defines paint products as:

- (a) latex, oil and solvent-based architectural coatings, including paints and stains for commercial and household use, whether tinted or untinted, and including empty containers for any of these, and;*
- (b) paints and stains, whether coloured or clear, sold in aerosol containers, and including empty aerosol containers for any of these, but not including unpressurized coatings formulated for industrial, automotive, or marine anti-fouling applications.*

The Program accepts and manages the following architectural paints (up to a maximum container size of 25 litres) and all types of aerosol paints (up to maximum container size of 680 grams or 24 ounces).

Paint products accepted by the Program include, but are not limited to, the following list, which is subject to change by Product Care:

- Interior and exterior water-based (e.g., latex, acrylic) and oil-based (e.g., alkyd, enamel)
- Deck, porch, and floor coating (including elastomeric)
- Varnish and urethane (single component)
- Concrete and masonry paint
- Drywall paint
- Undercoats and primers (e.g., metal, wood, etc.)
- Stucco paint
- Marine paint⁴
- Wood finishing oil
- Melamine, metal and anti-rust paint, stain, and shellac
- Swimming pool paint (single component)
- Stain blocking paint
- Textured paint
- Block fillers and sealers
- Wood, masonry, driveway sealer or water repellent (non-tar based or bitumen based)
- Paint aerosols of all types including automotive, craft and industrial products

The Program also manages the container in which the unwanted paint is contained, as well as “empty containers” (i.e., a container that holds less than 3% residual by volume) as specified in the definition of paint products under Section 9 of Schedule 2 of the Regulation.

⁴ Unless registered under Pest Control Products Act, in which case they are evaluated under the domestic pesticide category (see section 4.2.1.2 below).

4.1.2 Non-Program Paint Related Products

Paint-related products that are not accepted by the Program include, but are not limited to, the following:

- Industrial paints, coatings and finishes
- Paints or wood preservatives that are registered as a pesticide under the Pest Control Products Act (has a P.C.P Registration number on the label)⁵
- Non-Aerosol craft paint
- Non-Aerosol automotive paint
- Two-part or component paints containing a catalyst or activator
- Roofing products (i.e., patch, tar or repair)
- Tar or tar/bitumen-based products
- Traffic or line marking paint
- Resins, fibreglass
- Paint thinner, mineral spirits or solvents⁶
- Deck cleaners
- Colourants and tints
- Caulking compound, epoxies, glues, or adhesives
- Nitro-cellulose based paints
- Brushes, rags and rollers
- Paint containers with poor integrity (e.g., badly rusted cans) or leaking

4.2 Solvents and Flammable Liquids

Section 2 of Schedule 2 of the Regulation defines “Solvent and Flammable Liquid” products as:

(a) products with a flash point as tested by the ASTM D1310 Tag Open Cup Test Method of less than 61°C except for:

- I. products containing less than 50% water-miscible flammable liquid, as defined by the National Fire Code of Canada, 1990, as published by the National Research Council of Canada, by volume with the remainder of the product not being flammable,*
- II. liquids that have no fire point as tested by the ASTM D1310 Tag Open Cup Test Method,*
- III. wine and distilled spirit beverages,*
- IV. cosmetic and beauty products,*
- V. drugs, medicines and other health products,*
- VI. unpackaged products or products not ordinarily sold to, used or purchased by a consumer without repackaging,*
- VII. pre-packaged products produced for use by commercial or industrial enterprises without resale to other consumers as pre-packaged goods,*
- VIII. products in the paint product category,*

⁵ Unless registered under Pest Control Products Act, in which case they are evaluated under the domestic pesticide category (see section 4.2.1.2 below).

⁶ These products are considered under the solvent & flammable liquids category (see section 4.2.1.1 below).

IX. coatings formulated for industrial or automotive use, and (x) pre-packaged kerosene in containers larger than 9 litres,

(b) paint strippers containing methylene chloride, and

(c) empty containers for the products described in paragraphs (a) and (b).

The Program accepts and manages consumer solvent and flammable liquids with a flame symbol or phrase like "keep away from open spark or flame" on the label. Subject to a maximum container size of ten (10) litres.

The list of solvent and flammable liquid products accepted by the Program is subject to change by Product Care. Examples include, but are not limited to:

- Acetone
- BBQ lighter fluid
- Camping fuel
- Fondue fuel
- Kerosene
- Flammable degreasers
- Flammable lubricants
- Flammable liquid adhesives
- Flammable fuel treatment and additives
- Methanol
- Methyl Hydrate
- Mineral spirits
- Paint stripper
- Paint thinner
- Paint and varnish remover
- Turpentine
- Varsol
- Flammable liquids in aerosol form
- Other flammable solvents

As noted previously, a Product Classification Decision Tree is provided in Appendix A to this Program Plan to assist members in classifying products under the solvent and flammable liquids category. The Decision Tree is subject to change by Product Care.

4.3 Gasoline

Section 4 of Schedule 2 of the Regulation defines "Gasoline" products as:

The gasoline product category consists of gasoline sold for use in spark ignition engines and returned in an approved Underwriters Laboratories of Canada container, and includes empty containers for this gasoline.

Accordingly, the Program accepts waste gasoline only in approved ULC containers, subject to a maximum container size of 25 litres.

4.4 Domestic Pesticides

Section 3 of Schedule 2 of the Regulation defines “Domestic Pesticides” products as:

(1) Subject to subsection (2), the pesticide product category consists of control products registered under the Pest Control Products Act (Canada) and includes empty containers for those products, that

(a) are required to show on the label the domestic product class designation, and

*(b) display on the label the symbol shown in Schedule III of the Pest Control Products Regulation (Canada) for the signal word "**Poison**".*

(2) The pesticide product category does not include the following:

(a) insect repellents;

(b) sanitizers and disinfectants;

(c) pet products

(d) unpackaged products or products not ordinarily sold to, used or purchased by a consumer without repackaging.

The Program captures domestic pesticides (liquids, solids and aerosols) that have the poison symbol (skull and crossbones contained in an octagon, diamond or "yield" shape) together with the words "danger - poison", "warning - poison" or "caution - poison" to the description, a Pest Control Product (PCP) number and the word “domestic” on the label, subject to a maximum container size for liquid and solid pesticides of ten (10) litres and a maximum size for aerosols of 680 grams or 24 ounces.

4.5 Non-Program HHW-related Products

All other product categories not identified as included in the preceding subsections 4.2-4.4 of this Program Plan are excluded from the Program. The following is a non-exhaustive list of HHW-related product categories that are excluded under the Program:

- Commercial, industrial or agricultural HHW products
- Cosmetics, health and beauty aids
- Diesel, propane, butane fuels
- Compressed gases
- Pesticides that do not meet the definition as set forth Section 4.1(c) of the Plan (e.g., commercial, industrial, agricultural, or ready to use pesticides)
- Insect repellents, disinfectants, and pet products

- Fertilizers
- Acids, cleaners, bleaches, and other corrosive or toxic materials
- Products captured under other stewardship programs (e.g., lubricants, oils and antifreeze)
- Other household chemicals/products

4.6 Empty Containers

The Regulation designates empty containers under the solvent and flammable liquids, gasoline and domestic pesticide categories. The Program manages containers containing residual, unwanted flammable liquids, gasoline and pesticides. However, Product Care has not been provided with the mandate by its members to manage “already empty containers”⁷ and therefore will continue not to accept them in the Program. Containers used for transporting and storing gasoline are sold as an empty container (packaging) and can be used for various purposes aside from holding gasoline. Therefore, already empty gasoline containers are not accepted under the Program as the industry considers them to be packaging, for which there are other existing EPR programs.

5 STAKEHOLDER CONSULTATIONS

Pursuant to section 5(1)(b) of the Regulation and the Recycling Regulation Guide⁸, Product Care conducted comprehensive public consultations with opportunity for stakeholder input prior to submitting amendments to this Program Plan. A summary of the consultation process is documented in Appendix B to this Program plan. Appendix C lists the participants who attended the consultations by sector. Appendix D summarizes the feedback received during the consultations and Product Care’s responses.

Product Care interacts with various stakeholders, including but not limited to collection sites, on an ongoing basis, which allows stakeholders to provide feedback on the Program’s operations, including but not limited to:

- Visiting collection sites
- Engagement at conferences
- Ongoing engagement/consultation with program members as detailed above.

6 COLLECTION SYSTEM AND CONSUMER ACCESSIBILITY

6.1 Collection System

In accordance with section 5(1)(c)(iii) of the Regulation, the Program employs a comprehensive network of permanent year-round collection sites across BC providing consumers with reasonable access to

⁷ An “already empty container” is a container that contains less than 3% residual by volume.

⁸ British Columbia Ministry of Environment, *Recycling Regulation Guide*, April 2012

locations where they can drop off Program Product for recycling and responsible management at end of life at no cost to the consumer. The permanent collection site system is comprised of two types of collection sites:

- Paint collection sites – collect leftover paint and paint aerosols only
- HHW collection sites – collect leftover paint, paint aerosols and HHW products

Unlike other EPR programs, establishment of collection sites for HHW products are subject to additional provincial and local regulatory requirements, such as the BC Hazardous Waste Regulations and zoning, which make it much more difficult to establish collection sites for paint and HHW.

Product Care does not directly own or manage any collection sites, but contracts with existing collection sites. Not all sites are suitable for the collection of HHW products, with conditions at certain locations being more conducive for collection of HHW products than others. Collection sites include, but are not limited to:

- Local government facilities, such as recycling centres, transfer stations or landfills
- Bottle depots
- Non-profit organizations
- Private businesses
- Retailers
- Indigenous communities

There is no charge to drop off Program Product at any collection site, whether the products are currently or previously sold, offered for sale, or distributed in BC. Additionally, the Program provides an online collection site finder on Product Care's website to assist consumers in locating their closest collection site/service.

Product Care is continuously looking at ways to expand and increase the resiliency of the collection network, as well as increase the program's service levels. This includes initiatives such as partnering with the Indigenous Zero Waste Technical Advisory Committee to increase collection services to indigenous communities, and consulting with regional districts to identify areas where service is required.

Collection Events

Product Care augments its permanent collection system with a number of one day collection events, often initiated by and held in collaboration with a municipality, regional district or local community. Program Product is typically collected alongside other stewarded and non-stewarded products. The number of events held each year varies depending on the number of requests received from local government and any service gaps identified. The Program partners with the event organizers to supply collection containers and takes responsibility for the transportation and recycling of the collected Program Product.

Direct Pick-Up Service for Commercial and Large Volume Generators

In addition to the permanent collection site collection system and collection events, the Program provides a no-charge direct pickup service for qualified commercial and large volume generators (LVG) with minimum quantities of post-consumer Program Product.

6.2 Consumer Accessibility

In accordance with section 5(1)(c)(iii) of the Regulation, Product Care commits to provide reasonable access to collection services in the Province. To provide some perspective on what constitutes reasonable access, SABC retained the services of RCBC to conduct a review of local government service standards for solid waste and recycling services and other public services in the province to determine if accessibility criteria exist for comparable services that could be used as a basis for an accessibility standard for EPR collections. The study concluded that “there is no standard when providing access to public services. Local agencies are most likely to rely on key considerations when determining access and types of facilities. Key considerations can include environmental, social, cultural, technical, economic and/or legal requirements. Often the delivery of public services is balanced with other financial and social requirements by local governments.”

In the absence of comparable standards, Product Care employs the following criteria to define “reasonable” access to program collection facilities. Reasonable access is defined as a 20-minute drive to a collection site in urban areas, and a 35-minute drive to a collection site in non-urban areas⁹ with a population greater than 4,000.¹⁰ Urban communities are defined as cities, district municipalities and towns within the Metro Vancouver and Capital Regional Districts with a population of 4,000 or more and cities and district municipalities with a population of 30,000 or more in the remainder of the province. Rural communities are defined as cities, towns, resort municipalities and district municipalities with a population of between 4,000 and 29,999 outside the Metro Vancouver and Capital Regional Districts. This represents the minimum accessibility threshold for the Program. The Program also provides permanent collection services in many communities with populations less than 4,000, as well as collection services to other rural, remote areas and indigenous communities of the province.

These criteria represent a minimum accessibility threshold for the Program. In practice, the Program’s accessibility extends beyond these criteria, providing permanent collection services in many communities with populations less than 4,000, as well as collection services to other rural and remote areas of the province through collection events and large-volume direct pickup service (see section 6.2 below.)

The Program has also been successful in establishing collection sites and providing service to indigenous communities. In addition, many of the Program’s permanent collection sites also service neighbouring indigenous communities. Product Care works collaboratively with Indigenous Zero Waste Technical

⁹ Accessibility criteria provide increases requirements for program performance over previous program plans.

¹⁰ The Stewardship Agencies of BC conducted consultations with local governments on the appropriate criteria to use to determine accessibility. There was no consensus on whether to apply a time-based or distanced-based measure.

Advisory Group (IZWTAG) to identify indigenous communities that are ready and interested in providing recycling of Program Product to their communities. Establishing service to indigenous communities will remain a focus of the Program.

6.3 Evaluating Collections

Unlike some other stewarded products, such as tires, beverage containers and electronics, Program Product are consumable products that are consumed varying degrees of frequency, over an indefinite period of time. Consumers may use all or some portion of Program Product and keep Program Product in their possession for years after initial use, as many do not have an expiry date. Program Product is only considered waste at the point where the consumer no longer values it or has any use for it. Factors such as the consumable nature of the product, the variety of types of products within a certain product category, varied product life expectancy, absence of a defined expiry date, and consumer behaviour make collection volume a questionable metric for evaluating program performance.

There are two approaches to measure the volume of Program Product collected. One approach is to use the measure of recovered residual volume (RRV). RRV represents the actual quantity of residual Program Product (excluding containers) collected by the Program, measured in litres. Many factors unrelated to program performance may explain an increase or decrease in RRV over time, such as population change, consumer purchasing habits and housing market activity.

An alternative approach is to measure Program Product collected using “container capacity volume” (CCV), also known as “equivalent litres of containers” (ELC). CCV is the measure of the maximum capacity of containers, if they were full, returned through the Program. CCV values are extrapolated from the number of tubskids¹¹ of Program Product managed by the Program.

Another collection metric is the recovery rate, which compares the recovered residual volume (RRV) of product collected in a given year to the volume of product sold (in litres) in that same year:

$$\text{Residual Recovery Rate} = \text{Litres of paint collected} / \text{Litres of paint sold}$$

While the recovery rate can be a helpful indicator of program performance, it must be recognized that it is a ratio of two values, which can be influenced by different factors in a given year, such as market conditions and consumer purchasing behaviour beyond the Program’s control. For example, even if the program achieves a higher RRV and consumer awareness in a given year, the recovery rate can decline in comparison to previous years if sales in the same year increase at a higher rate. On the other hand, a decrease in the recovery rate may be a reflection of consumers using paint more efficiently. Again, it is important to look at trends over time in conjunction with other performance indicators.

¹¹ Tubskids are collection bins used to collect, transport containers of Program Product from collection sites to processing facilities.

Predicting future collections and setting associated targets is challenging in the face of changing policy, product reformulations, erratic market conditions and consumer behaviour. For example, British Columbia introduced a recent ban on pesticides in July 2021, which is expected to result in a decline in the amount of designated product sold into the BC pesticide market. Pesticide product reformulations have also, potentially reduced the scope of products captured under this designation. The solvent and flammable liquid category of products encompasses a broad range of product types with a myriad of uses and applications making it difficult to evaluate as a product category. Segmenting the various types of solvents and flammable liquids at point of collection or processing to evaluate collection patterns is both impractical and cost-prohibitive. Furthermore, trying to assess the trends of each in estimating overall collection targets is subject to high degrees of error. Global events, such as the COVID-19 pandemic and more regional events, such as large-scale fires and floods, which are expected to become more the norm in future years, have had a direct impact on both sales and collections of all Program Product in unexpected ways (e.g., supply chain disruptions impacting sales and property destruction resulting in increased sales, disruptions to collection networks and increased collection volumes from restoration work.) It is also very difficult to determine with any certainty how much Program Product will be available in any given year because of changes in consumer usage patterns. Finally, as explained above, setting targets for certain performance measures (recovery rate) does not recognize the purpose of the metric and what it says about program performance. For these reasons, the Program will continue to report out on volumes collected and recovery rates for each product category, but will not set collection or recovery rate targets.

6.4 Waste composition audits

To confirm that Program Product is being successfully diverted from landfill, the Program participates in waste composition audits undertaken by local governments in collaboration with other stewardship organizations. Not all local governments conduct waste audits and for those that do, the audits are not always conducted on an annual basis. Given the scope, logistics and costs associated with conducting waste composition audits, it is necessary that audits are conducted in conjunction with local governments and other stewardship agencies. Product Care reviews the scheduled audits with other SABC members and collectively they agree to participate in those that have the appropriate scope (i.e., audits of residential waste at landfills).

Waste audits are coordinated by local governments and typically, are conducted by third party consultants engaged by local governments. The waste composition study methodology and sample sizes are determined by the local government responsible for the audit. The product categories to be included in the studies are determined in cooperation with the various stewardship agencies.

The report provided by the consultant conducting the study includes the date and location of the audits, as well as the number of units of Program Product identified. The audit results are considered to be informative for the region in which the study was conducted. However, due to regional variations in consumer behaviour, collection patterns and waste management practices, results from one audit are

not considered applicable to other regional districts, nor should they be extrapolated to the regional or provincial level.

In addition, the Program undertook a study in 2019 to investigate possible alternative management streams for Program Product, including consumer reuse, scrap metal collection, curbside recycling, landfill, illegal dumping, and management approaches by commercial users. Findings from that study are summarized in the Program's 2020 annual report available at <https://www.productcare.org/about/annual-reports/>.

7 CONSUMER AWARENESS

In accordance with section 5(1)(c)(iv) of the Regulation, the purpose of the Program's communications activities is to make consumers aware of:

- That Program Product can and should be recycled at designated collection facilities
- The location and availability of collection services
- How to manage products in a safe manner to ensure they are handled properly during use and are recycled at end-of-life

Product Care invests significant resources to better understand consumer behaviour (consumer consumption and end-of-life management habits) regarding Program Product. While Program Product is defined as a consumable product, a significant percentage is held by consumers for long periods of time, and thus must be treated accordingly. This means education about Program Product must be handled differently than "fast moving consumer goods" (FMCG), which have a short life span and quick turnaround between point of purchase and point of return. Understanding the different value propositions between short- and long-term consumable goods and consumer use is critical to the Program's awareness strategy.

Similarly, evaluating consumer awareness must take into consideration the unique characteristics and usage patterns of Program Product. Consumer research has found that only a portion of consumers have purchased Program Product and those that have purchased Program Product do so infrequently. Consequently, recycling for Program Product is not top-of-mind for many consumers and expectations regarding consumer awareness levels should be set accordingly and not compared to awareness levels for other programs.

Product Care focuses on educating those responsible for purchasing and using Program Product about responsible management of residual, unwanted Program Product through the Program. Strategies target both residential and commercial (for paint only) consumers. Consumer research has also identified three key segments of residential paint consumers: homeowners, young urban residents and older rural residents. Targeted messaging is placed to engage these particular market segments.

Product Care invests significant resources to maintain a comprehensive public education strategy/program and to reach, if not exceed, the Program's consumer awareness target for residential users and

to engage commercial users (for paint only). Messaging is highly targeted, highly relevant, and highly engaged.

The Program's strategy and tactics are informed by three core pillars:

- Identify the three Ps – people (who are using Program Product), place (how do we find these people) and promotion (how will we reach them)
- Go a mile deep, not an inch wide – instead of blanket awareness campaigns, focus on relevant consumers at times that matter.
- Identify 'key touchpoints' – at which points in the product's lifecycle are people most likely to engage with Program Product (when is our message relevant)

The 'key touchpoints' approach to consumer education focuses on four key moments throughout the product's lifecycle where consumers are engaged.

- **Point of Sale (POS)** – Product Care works directly with brand owners and retailers to ensure residential and commercial users (for paint only) are aware of their responsibilities. Product Care offers a suite of free tools for point-of-sale education, such as posters, brochures, educational literature for retailer websites, and social media content for use on retailers' channels.
- **Active lifecycle** – Product Care educates consumers through the duration of the product lifecycle through proactive and reactive means, including traditional media buying, digital media buying, search advertising, and partnerships. Product Care educates year-round through digital platforms and engages in a heavier in-market push from spring through fall during peak painting season.
- **End of life** – Consumer inquiries seeking information about the Program, such as accepted products and collection site locations, are serviced by Product Care staff or through other services, such as RCBC's hotline, website and Recyclepedia app. Product Care also operates a user-friendly website (www.productcare.org) that is regularly reviewed and improved upon, which hosts information about the Program, including accepted and not accepted products, a recycling location locator tool, and how to manage Program Product at end-of-life.
- **Point of Return (POR)** – Product Care employs a robust point of return education program, with free materials offered to collection partners, such as indoor and outdoor signage, educational brochures containing program information, and training for collection site staff to guide consumers at POR.

Additionally, Product Care pursues third-party partnerships. Product Care intends to continue to strengthen and grow those relationships. The Program has collaborated with brand owners, industry associations, as well as had success with earned news media coverage around responsible management of residual Program Product. Product Care continues to build its highly engaged and reputable network of third-party relationships who validate and amplify the message about the importance of recycling paint and HHW products.

8 MANAGEMENT OF PROGRAM COSTS

8.1 Program Revenue and Environmental Handling Fees

The Program is funded by Environmental Handling Fees (EHF) paid to Product Care by its members based on the quantity of the designated products sold or supplied in BC. The EHF may appear at the time of retail sale as a separate charge or be integrated into the product price and is subject to retail sales taxes. The EHF is not a tax or a refundable deposit. Program revenues fund program operations, including but not limited to:

- Administration,
- Public education and communication
- Collection, transportation, recycling and responsible disposal of collected products, and
- Establishing and maintaining a reserve fund.

EHF rates are set by Product Care and are subject to change as needed to ensure there are sufficient funds to operate the Program and maintain the necessary reserve in accordance with Product Care's policies. Current EHF's for Program Product are listed on the Product Care website, www.productcare.org.

The Program applies differential fees based on container sizes for all product categories. Product Care has considered the application of differential fees based on the environmental characteristics of Program Product and associated packaging (e.g., oil- versus water-based paints, metal versus plastic containers). The difference in the true costs of managing different types of products is limited to the differences in processing costs for these materials. When considered in the context of the full costs of managing paint and the market share of each paint sub-category, the differential is nominal. Moreover, implementing differential fees based on product and/or packaging variations would result in an overwhelming number of fee categories and be very difficult to implement throughout the supply chain creating consumer confusion at point of sale.

8.2 Reserve Fund

The reserve fund is used to stabilize program funding in the case of unexpected collection volume increases, fluctuations in operating costs or reduced revenue due to economic or other factors. The reserve fund is also intended to cover the cost of winding up the Program in the event of regulatory changes.

8.3 Audited Financial Statements

In accordance with Section 8(2)(f)(ii) of the Regulation, Product Care's audited financial statements, as well as the Program's revenues and expenses, will be posted on the Product Care website as appendices to the Program's annual report.

8.4 Producer Compliance

In order to maintain a 'level playing field' for Program members and to ensure compliance with the Regulation, the Program actively searches for, identifies and recruits Producers of Program Product. If an obligated Producer does not join the Program, despite being notified of their regulatory obligation, the Program refers the obligated party to the MoECCS to pursue compliance and potential enforcement proceedings.

8.5 Paying the Cost of Collecting and Managing Products

In accordance with section 5(1)(c)(i) of the Regulation, the Program Plan must “adequately provide for [...] the producer collecting and paying the costs of collecting and managing products within the product category covered by the plan[...].”

All collection sites operate under an agreement between the collection site operator and the Program. The Program provides all contracted collection sites with collection containers and other collection supplies at the Program's expense.

In response to the MoECCS guidance document “Producers paying the cost of managing obligated materials and dispute resolution”, Product Care retained the services of BDO Canada LLP, one of the largest full-service advisory and accounting firms in the world, to conduct a cost study and develop a cost model to determine the adequacy of collection site compensation for the Program as well as the other extended producer responsibility programs operated by Product Care. BDO Canada LLP, conducted market research, including information from representative collection sites and identification of various costs related to the collection of products for all Product Care programs in British Columbia, to determine if the compensation paid to collection sites adequately covers their costs of collecting and handling Program Product. The approach included:

- Identification and assessment of various collection site cost inputs for the collection and handling of products, incorporating direct costs and indirect costs, and relevant studies;
- On-site visits to collection sites and interviews with a selection of collection sites to obtain various available and relevant information, financial and non-financial;
- Development of a collection site costing model based on the data collected and market research supplemented best practices, knowledge, perspective and experience gained by BDO Canada LLP from similar past studies;
- Adjusting handling times and space requirements based on feedback from consultations; and
- Application of a 5-year stress test for inflation.

In accordance with the MoECCS guidance document, Product Care held public consultations on the cost model and dispute resolution provisions. The report was distributed along with the consultation notice and made available on Product Care's website. Product Care held two webinar sessions to solicit feedback on the report's findings. In accordance with the MoECCS guidance document, Product Care submitted a report to MoECCS on December 23, 2019, including a link to the full BDO Canada LLP report

and a summary of stakeholder feedback along with Product Care's responses. The model will continue to be used to confirm that Product Care continues to pay the cost of collecting material, taking into consideration cost input data received from collection sites.

With regard to the Program, the BDO report concluded that: "... the Product Care compensation for Paint & HHW... handling at the Tier 1 - 3 collection sites is adequate relative to their costs." BDO also found positive margins after adjusting for inflation over five years. The study found that collection sites that collect very low volumes (i.e., Tier 4 sites) are not able to cover their costs under the program's compensation model that compensates collection sites based on the amount of Program Product collected, despite operating costs associated with the program being negligible. Accordingly, the program adjusted the compensation for Tier 4 sites that did not show positive margins based on the study's results.

Product Care interacts with various stakeholders, including but not limited to collection sites, on an ongoing basis, which allows stakeholders to provide feedback on the Program's operations, including but not limited to:

- Visiting collection sites
- Engagement at conferences
- Ongoing engagement/consultation with program members as detailed above.

9 MANAGEMENT OF ENVIRONMENTAL IMPACTS

The objective of the Program is to minimize the improper disposal of Program Product by providing an effective collection program and ensuring that the collected materials are either reused or recycled or disposed of in an environmentally responsible manner. The Program encourages consumers to buy the right amount, use up the products they buy and to dispose of their unwanted Program Product through the Program, rather than disposing of them improperly in the garbage or directly into the environment (the "B.U.D. Rule"). The Program manages collected Program Product using the highest viable option on the pollution prevention hierarchy as set out under section 5(1)(c)(v) of the Regulation. The application of the pollution prevention hierarchy and the management of each product varies depending on a number of considerations, such as product composition, availability of appropriate recycling technologies, qualified service providers, sufficient economies of scale, the existence of end markets for commodities and global market conditions. This section details the management options and considerations for Program Product.

9.1 Reduce and Redesign

The paint industry is a consolidating industry and most brand owners manufacture for a market area that includes more than one province or country. Nevertheless, the composition of many of the paint products covered by the Program have changed over time as a result of design for environment activity. In particular:

- The steady shift in the marketplace from oil-based (alkyd) paints to water-based (latex) paints.
- Reduction of volatile organic compounds and reintroduction of bio-based ingredients in the composition of surface coatings.
- Refinements to manufacturing processes that reduce resource consumption, minimize waste and enhance efficiency.

In addition, tools used by Product Care that may have an impact on product life cycle and reduction of environmental impact for all product categories include:

- Applying variable EHF's based on container size (see discussion of differential fees under section 8 above.)
- Promoting the "B.U.D." rule (i.e., "Buy" what you need, "Use" what you buy and "Dispose" of the remainder responsibly)
- Educating consumers on the proper storage of leftover paint
- Researching alternative management options for collected materials

9.2 Reuse and Recycle

Leftover paint is the largest volume of the Program Product managed by the Program. Leftover paint can be managed in a number of different ways while there are limited options for the management of other HHW products. The processing of paint and HHW is a multi-step process involving primary processors, downstream processors, and final recycling and/or disposal facilities. During the process, the products are typically consolidated and processed with similar compatible products from other waste generation sources, such as waste from manufacturing.

Reuse

The Program offers a reuse service where high-quality, non-aerosol paint brought to collection points that meets specified criteria is given away at no charge to consumers to be used for its originally intended purpose. The reuse of paint is high on the pollution prevention hierarchy and provides economic efficiencies for the Program. The Program does not offer paint aerosols for reuse due to concerns over possible misuse (e.g., graffiti).

The Program has no control of the volumes of paint returned that meet the requirements for reuse and are made available by consumers or generators. The Program does promote the proper handling and storage of leftover paint so that the quality of the paint can be maintained for use later or brought in for reuse and recycling. Examples of users of the reuse service include individuals, community organizations, theatres and anti-graffiti programs.

The reuse service is not suitable for all collection sites due to space and staffing requirements.

Reuse is not an option for HHW products due to:

- Regulatory requirements that impose criteria/limitations on the use of ingredients and allowable concentrations;
- Safety concerns with handling specific products;
- Regional bans on certain pesticide use that prevents such leftover pesticides from being used;
- Contamination of the product through use (i.e., oil contaminated gasoline).

Recycling

The ability to recycle paint is dependent on a number of factors, such as the age, quality, and physical state of the paint returned, as to whether paints are suitable for recycling or not. The recyclability of paint is also influenced by the fact paint is already tinted and the ability to alter the colour of recycled paint is limited.

Paint-to-paint recycling is also heavily dependent on whether there is a demand or market for the recycled paint. Selling recyclable paint requires more shelf space at retail versus just carrying virgin base paint and adding tint at the counter. Furthermore, regulatory requirements, such as the Volatile Organic Compound (VOC) Concentration Limits for Architectural Coating Regulation that limit the concentration of VOCs, also limits the amount of paint-to-paint recycling.

Recycling oil-based paint back into paint is more difficult due to several factors:

- Hazardous waste and transportation regulations, which limit the movement of this kind of material.
- Old oil-based paints tend to be higher in VOCs, preventing the recycled products from meeting current regulatory requirements.
- Water-based paint technology has improved significantly, such that new formulations equal or outperform the performance of oil-based paint. Consequently, the market for oil-based products is significantly smaller than that for water-based paint products and is diminishing making it more difficult to find end markets for the recycled product.

In addition to paint-to-paint recycling, water-based paint may be used as a raw material in certain manufacturing processes, such as the manufacturing of concrete products (i.e., utility blocks, etc.). As with paint-to-paint recycling, there are limitations on the amount of water-based paint that can be utilized in this manner. Utilizing oil-based paints in concrete manufacturing is not an option due to its chemical properties.

While Product Care strives to recycle as much of the water-based paint collected as possible, management options are dictated by the quality of paint received from consumers, which is beyond the Program's control. Paint of certain colour or chemical composition, poor quality or paint that is solidified cannot be recycled. In such instances, the product is used for energy recovery or landfilled (see below). In addition, unlike virgin paint, there is limited ability to adjust the colour of recycled paints, which limits the choice of consumers; a factor which limits demand for recycled water-based paint and which is beyond the Program's control.

Unlike paint, solvents and flammable liquids encompasses a very broad range of product categories, industry sectors, product types and different uses/applications, ingredients, concentrations, physical state, etc. This variability along with the relatively small volumes of different solvent and flammable liquid products in the market, creates challenges in finding alternative management options due to lack of economies of scale. For these reasons solvents and flammable liquids products are not recycled.

With regulatory bans on certain ingredient in pesticides combined with regional bans on the use of certain pesticides, reuse is not an option. Pesticides are heavily regulated and due to the hazardous nature of pesticides, regulations limit the management option to dedicated incineration.

Energy Recovery

As noted above, not all paint is suitable for recycling and as such, requires alternative management options. Depending on the type of paint, paints (including solidified water-based paint) typically have varying degrees of heat value, which makes them more or less suitable for energy recovery, especially oil-based paints. Some cement kilns and incinerators have the necessary environmental approvals or permits to allow the use of alternative fuel, such as paint, in place or in conjunction with traditional fuel sources, such as natural gas. Energy recovery may continue to be one of the options utilized for the management of all paint products.

For certain HHW products, such as flammable liquids and gasoline, their nature and chemical composition, along with the fact that many are sold as fuels, makes them ideal for energy recovery. Energy recovery is not an option for other HHW products, such as pesticides. Pesticides need to be treated at temperatures high enough to avoid creating hazardous by-products. In addition, pesticides and polychlorinated biphenyls (PCB) contaminated paints require dedicated incineration at licensed and permitted facilities.

Disposal

In many jurisdictions, solidifying and landfilling water-based paint is a regulatory acceptable practice. Landfilling is the least preferred option for water-based paint, but may be a necessary option depending on the market conditions. With the increase in collected volumes and limited capacity or markets, not all unrecyclable water-based paint can be sent for energy recovery. As a result, a portion of unrecyclable water-based paint may need to be solidified and landfilled.

HHW and oil-based paint are typically prohibited from landfills. Accordingly, landfilling is not considered as an option for these types of products.

9.3 Containers

The main focus of the Program is to minimize the environmental impact associated with residual paint at end of life, because the residual, not the packaging, poses the immediate risk to the environment, when improperly managed. Already empty paint containers are accepted by the Program. A study was undertaken by Product Care and reported in the Program's 2020 annual report investigating the possible

alternative management streams outside of the Program for already empty paint containers. The study's objective was not to determine the amount of paint containers managed through alternative streams, but rather to explore various management options to get an understanding of how containers are being managed, outside of the program's system, including consumer reuse, scrap metal collection, curbside recycling, commercial, landfill, and illegal dumping. The study evidenced that paint containers managed outside of the Program are being recycled through responsible management options.

Paint and HHW products are typically packed in metal or a variety of different types of plastic containers. While the market exists for metal and plastics recycling for cleaner and more voluminous product streams, the uniqueness of paint and HHW containers poses a number of challenges to recycle these containers once they have been emptied of their contents. These challenges include, but are not limited to:

- Being less attractive to recyclers if the container contents are of a hazardous nature (e.g., pesticides) requiring special handling pursuant to regulation prior to recycling,
- Being unable to completely clean containers, as cleaning often results in more waste generation,
- Inherent odour embedded in the container,
- The mixed material content of certain paint containers requiring special equipment or additional labour to separate before recycling,
- Paint and HHW containers being considered low grade and less desirable by metal and plastic recyclers,
- Protective coatings on metal cans that pose challenges for the recycling system,
- The low volume (insufficient economies of scale) and inconsistency of type and colour of plastic containers compared to other sources of plastic.
- Fluctuations in commodity pricing and market demand, and
- The limited number of recyclers that have the ability to handle such products.

These issues can limit the recycling of paint and HHW containers at times, thus requiring alternative management options, such as energy recovery or landfilling.

10 DISPUTE RESOLUTION

The Program contracts with all suppliers and service providers by way of commercial agreements. Any disputes are resolved through normal commercial dispute resolution practices, including:

- Discussion between the service provider and Product Care manager
- If necessary, escalation of discussion to Product Care senior staff
- If necessary, escalation of discussion to Product Care board
- If necessary, undertaking legal proceedings, including the option of mediation or binding arbitration, with the consent of the parties

The first two procedures can be conducted with the consent of both parties, via conference call and/or video conferencing, including actual recordings of the meetings to be made available to both parties.

11 PERFORMANCE MEASUREMENT SUMMARY AND REPORTING COMMITMENTS

Given the complexities and nuances in managing the range of products covered in the Program, program performance should be assessed based on a suite of performance measures and not any one specific measure. Accordingly, this Program Plan sets out a number of performance metrics, which collectively, illustrate the Program’s success. First, accessibility targets ensure that British Columbians have reasonable and free access to the Program’s contracted collection sites. Second, consumer awareness tactics provide consumers with easily accessible information on where and how to recycle their Program Product when they reach end-of-life, and consumer awareness targets evidence the success of these tactics in building consumer awareness of the ability to recycle Program Product. Together, these metrics provide a strong indicator of program performance.

The Program also reports out on collection volumes, however as noted previously, collection volumes are a questionable metric to assess program performance for consumable products.

Table 1 summarizes the targets and commitments of this Program Plan, and indicates which non-financial elements of program performance are subject to audit by an independent third-party auditor in accordance with Guidance on Third Party Assurance for Non-Financial Information provided by the MoECCS.

Unless otherwise indicated, all performance requirements, commitments and targets apply until the five-year anniversary of the Program in accordance with section 6 of the Regulation (i.e., July 16, 2027). Following that period, the Program will continue to report against all commitments and targets until they have been reassessed.

Table 1: Performance Measures and Program Commitments

Performance Metric	Reporting Commitment/Target	Subject to Audit
3. Appointment of Stewardship Agency		
Stakeholder advisory committee	Establish a provincial advisory committee by the end of the first full reporting year following plan approval to provide ongoing engagement with key BC stakeholders.	N
6.1 Collection System		
Collection sites	Report annually on the number and location (city and regional district) of contracted Paint collection sites and HHW collection sites.	Y
	Report annually on contracted collection sites opened and closed during the reporting year, including name and location.	Y

Performance Metric	Reporting Commitment/Target	Subject to Audit
Collection events	Participate in collection events in partnership with and organized by local governments where there is no collection service provided by the Program in that year and it is not a collection event for products associated with Product Care programs only.	N
	Report annually on the number and location (city and regional district) of paint and HHW collection events.	N
6.2 Consumer Accessibility		
Accessibility	Provide permanent collection service to a minimum of 95% of the population that meets the standard set out in section 6.2 of the program plan for both paint and HHW products.	N
	Report annually on the number of communities beyond the Program's accessibility criteria that received collection services (i.e., permanent collection site or collection event).	N
	Consult with regional districts on an annual basis to identify communities that require access to evaluate the available options.	N
	Provide initial response within 3 business days to inquiries from rural/remote/indigenous communities for collection of Program Product where there is no reasonable access.	N
	Work with Indigenous Zero Waste Technical Advisory Group (IZWTAG) to support collections services in indigenous communities that are ready to engage.	N
	Report annually on the number of indigenous communities that received collection services.	N
	Provide direct pickup service to qualified large volume.	N
6.3 Collections		
Volumes sold	Report annually on total estimated volumes of paint, pesticides and solvents sold in litres.	N
Container Capacity Volume	Report annually on total container capacity volume of paint, pesticides and solvents collected for the province and by regional district.	N
Residual Recovery Volume	Report annually on total estimated recovered residual volume of paint, pesticides and solvents in litres for the province and by regional district.	Y
Recovery rate	Report annually on the recovery rate for paint, pesticides and solvents.	N

Performance Metric	Reporting Commitment/Target	Subject to Audit
Ratio of CCV to paint sold	Report annually on the ratio of volume collected (CCV) compared with the total amount of paint sold, in litres.	N
6.4 Waste Composition Audits		
Waste Composition Audits	Participate in all waste composition audits committed to by SABC.	N
	Report annually on the number and location of waste composition audits conducted.	N
	Report annually on kilograms per capita of Program Product identified in each waste composition audit.	N

7. Consumer Awareness		
Consumer awareness	Maintain a minimum 70% awareness level of the ability to recycle Program Product amongst BC consumers.	N
Consumer awareness	Report annually on educational strategies and materials undertaken by the Program.	N
Consumer awareness survey	Conduct a residential consumer awareness survey of consumers every two (2) years and report the survey question used, a summary of the survey methodology employed, and awareness level achieved.	N
Commercial sector engagement	Undertake ongoing engagement with the commercial paint sector through sector-based strategies, working with industry associations and report out annually on efforts undertaken.	N
Program website visits	Report annually on user visits to the Program's website.	N
RCBC Recyclepedia website visits and hotline calls	Report annually on user visits to RCBC's Recyclepedia website and the number of hotline calls received on Program Product.	N
8. Management of Program Costs		
Financial statements	Report annually the complete audited financial statements of Product Care Association of Canada, and the annual statement of revenues and expense for the Program.	Y
9. Management of Environmental Impacts		
Design for environment	Report annually on significant developments, provided by the program's membership, that reduce the environmental impact and improve the recyclability of Program Product, as applicable.	N

Paint reuse	Report annually on the number of collection sites contracted to offer paint reuse.	N
	Report annually on the percentage of collected paint that is distributed through the reuse initiative.	N
Paint recycled	Report annually on percentage of collected paint that is recycled.	N
End fate management	Report annually on final disposition for all product categories according to the Pollution Prevention Hierarchy	N
	Report annually on the approximate percentage of Program Product and associated containers managed in accordance with the different management options in the pollution prevention hierarchy	N
	Meet or exceed end fate management targets for Program Product set out in Table 2 below.	Y

Table 2: Performance Metrics for Specific Product Categories

Management of Environmental Impacts – Performance Metrics								
Method	Paint		Flammables Liquids		Pesticides		Gasoline	
	Residuals	Containers	Residuals	Containers	Residuals	Containers	Residuals	Containers
Recycling	Minimum 75% of water-based paint	100% of metal & HDPE (#2)*	--	100%*	--	100% of metal & plastic*	--	100%*
Energy Recovery	100% of oil-based paint	100% of polypropylene (#5)	100%	--	--	--	100%	--
Incineration	--	--	--	--	100%	--	--	--

* Subject to market conditions.

APPENDIX A: BC PRODUCT CLASSIFICATION DECISION TREE FOR SOLVENT AND FLAMMABLE LIQUID PRODUCTS

This Decision Tree is intended to be used to determine if liquids and aerosols are included in the British Columbia flammable liquids category ONLY. For other regulated materials in PCA's BC programs, please review the [BC Accepted Products List](#). Please note that there may be differences in the product classification criteria under the flammable liquids category in each of the provincial HHW stewardship programs. Therefore, the status of a product under one provincial stewardship program may not reflect its status under another provincial program. This decision tree is also subject to change.

STEP 1: Is your product listed below?

If yes, the product is **NOT** a designated material under the program and is excluded from the program.

If no, the product may be included in the program; *proceed to Step 2.*

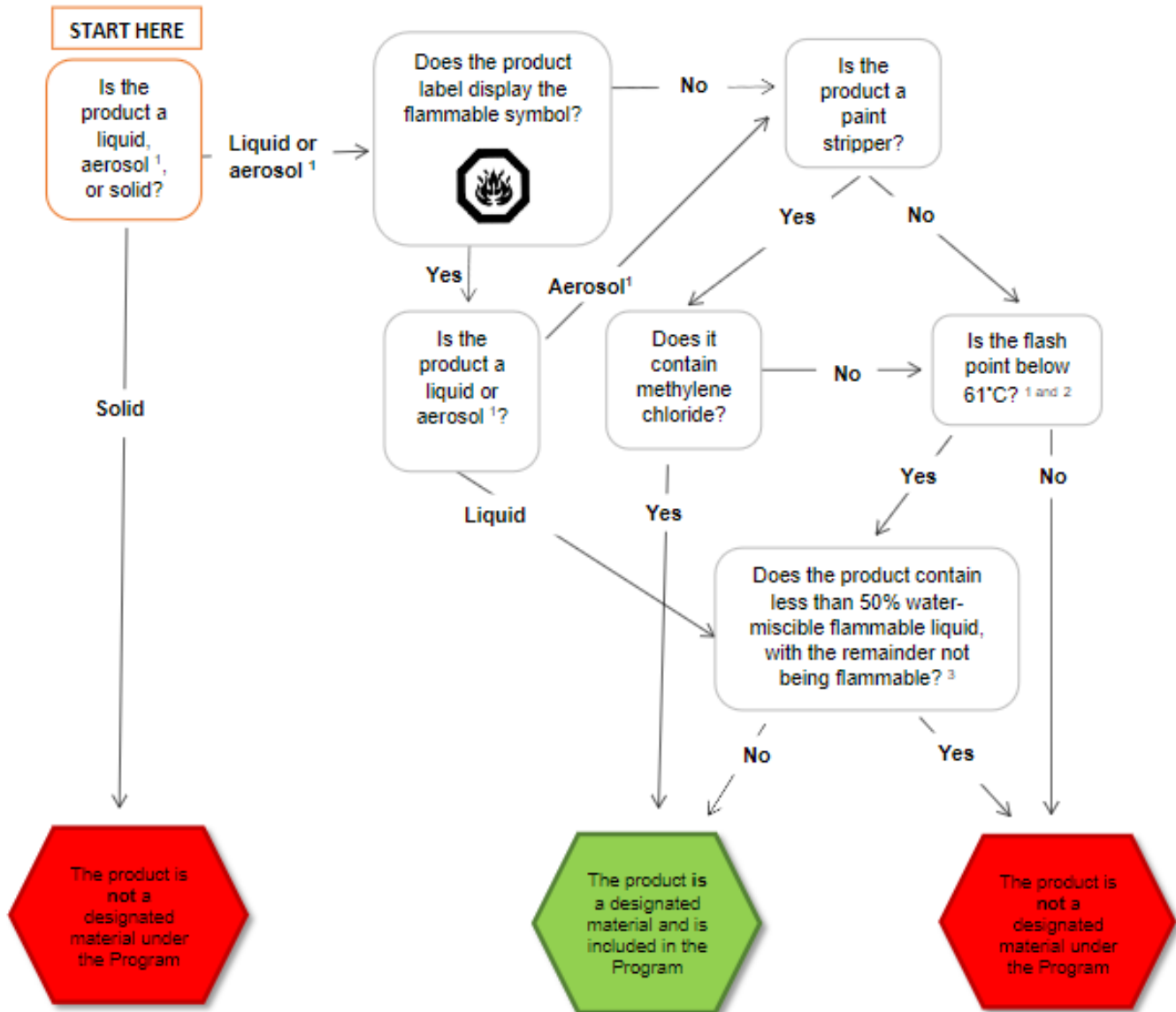
- Wine and distilled spirit beverages
- Cosmetic and beauty products
- Drugs, medicines and other health products
- Unpackaged products or products not ordinarily sold to, used or purchased by a consumer without repackaging
- Pre-packaged products produced for use by commercial or industrial enterprises without resale to other consumers as pre-packaged goods
- Products in the paint product category
- Coatings formulated for industrial or automotive use
- Pre-packaged kerosene in containers larger than 9 litres
- Product has a WHMIS or GHS label (symbol contained in red diamond)
- Windshield washer fluid
- Products sold in containers greater than 10 litres for flammable liquids or greater than 680 grams/24 ounces for aerosols

STEP 2: Is your product a pesticide (has a PCP number)?

If your product is a pesticide, then you should evaluate that product according to the pesticide material definition; see the Pesticide Category in the accepted products list [here](#) and do not proceed to Step 3.

Otherwise, proceed to Step 3.

STEP 3



1. The definition of flammable liquid applies to liquid intermediates or product concentrates in aerosols. The Consumer Chemicals and Containers Regulations, 2001 (CCCR) regulates hazard labelling for consumer products in Canada. Although the labelling criteria for flammable aerosols is dependent on flame projection and not flashpoint it is generally true that aerosol products with flammable symbol (having a flame projection of greater than 15 cm) would contain a product concentrate that meets the definition of a flammable liquid. In the event that flame projection does not accurately capture flammable liquid as defined in the BC Recycling Regulation, the flashpoint of the product concentrate will take precedence.

2. Flash point limit specified per BC Recycling Regulation. BC Recycling Regulation specifies for the flashpoint to be measured using the ASTM D1310 Tag Open Cup Test Method.

3. Exception: Products containing less than 50% water-miscible flammable liquid by volume with the remainder of the product not being flammable are excluded (with reference to the *National Fire Code of Canada, 1990*, as published by the National Research Council of Canada and cited in the BC Recycling Regulation).

APPENDIX B: SUMMARY OF STAKEHOLDER CONSULTATION PROCESS

[This appendix to be completed following completion of public consultations on the program plan.]

APPENDIX C: LIST OF CONSULTATION PARTICIPANTS

[This appendix to be completed following completion of public consultations on the program plan.]

APPENDIX D: SUMMARY OF STAKEHOLDER FEEDBACK AND RESPONSES

[This appendix to be completed following completion of public consultations on the program plan.]