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Regulated product stewardship team
Ministry for the Environment
PO Box 10362
Wellington 6143

Customer Services
P. 03 353 9007 or 0800 324 636

200 Tuam Street

PO Box 345
Christchurch 8140

www.ecan.govt.nz/contact

Tēnā Koutou,

**Environment Canterbury submission: Ngā waeture tiaki rawa kua takoto i
konei: Ngā taea me ngā pūhiko kaitā Proposed product stewardship
regulations: Tyres and large batteries**

Thank you for the opportunity to provide comment on the proposals contained in the *Proposed product stewardship regulations: Tyres and large batteries - consultation document*. Please find Environment Canterbury's submission attached.

As a regional council Environment Canterbury is responsible for regulating disposal of waste to landfill to avoid or mitigate discharges to water or air, and our submission is reflective of this experience. Canterbury, as a regional, also has extensive experience with end-of-life disposal and storage issues for tyres, which is reflected within our submission.

We welcome the opportunity to continue to work with the Ministry for the Environment to share our experiences and help develop practical solutions to support changes to our waste management system.

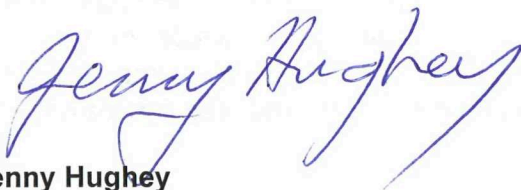
For all enquiries please contact:

Bridget Lange

Senior Strategy Advisor

Email: bridget.lange@ecan.govt.nz

Yours sincerely,



Jenny Hughey

Chair, Environment Canterbury

Encl: Submission to the Ministry for the Environment on *Proposed product stewardship regulations: Tyres and large batteries - consultation document*

Submission to the Ministry for Environment

Proposed product stewardship regulations: Tyres and large batteries

1. Environment Canterbury (the Canterbury Regional Council) is pleased to have the opportunity to comment on the discussion document *Ngā waeture tiaki rawa kua takoto i konei: Ngā taea me ngā pūhiko kaitā* Proposed product stewardship regulations: Tyres and large batteries.
2. Environment Canterbury is responsible for regulating disposal of waste to landfill to avoid or mitigate discharges to water or air. Regional planning responsibilities also provide an opportunity to build waste management into regional plans and policies for a strategic regional approach.
3. Generally, Environment Canterbury supports the direction of regulating product stewardship schemes for the six priority products declared under the *Waste Minimisation Act 2008* and agrees with starting with tyres and large batteries, recognising that regulations are required to set the framework for industry participation and collection of stewardship fees.
4. In the Canterbury region we currently experience stockpiling of waste material by operators who are anticipating disposing of waste via future waste-to-energy schemes, and we view that there is an urgent need to provide capacity for waste stream processing to prevent non-consented storage issues.

Wider work programme

5. Environment Canterbury supports the overall waste reduction work programme and recognises that regulated product stewardship is part of a broader strategy to reduce waste and shift to a low carbon economy. It is noted from international experience that there are more economic opportunities from recovering resources than there are from sending waste to landfill. The benefit of converting the significant stored energy of tyres is acknowledged particularly the superior energy outputs and lower carbon emissions than coal.
6. However, we note that the prevention of waste should be an important part of any strategy to reduce waste. In the 20th and 21st century, mass production has led to overproduction, which in turn led to planned obsolescence, and waste. In order to move forward we need to go back to producing quality products – importation or production of products like tyres and batteries should be regulated for maximum service life and ease of repair.
7. A second important consideration is to prevent entry of battery and tyre waste into the waste stream via repurposing, repair or refurbishment. Batteries, in particular large batteries such as those from electric vehicles, can be repurposed supplying power for electric fences or lights, or for home solar or wind power storage. A large enough array of EV batteries could potentially be used for larger power storage needs.
8. However, government should be promoting well-designed mass transit systems, in particular rail, and the transfer of freight to rail and coastal shipping, as far more effective climate solutions without giving rise to substantial volumes of waste batteries

and tyres, unlike a shift to private electric cars and trucks. Avoiding or minimising the generation of waste is the most important part of managing waste and working towards a circular economy.

9. Environment Canterbury welcomes the National Environmental Standard for the outdoor storage of tyres which came into effect as of 20 August 2021 which will help prevent further examples of the significant end-of-life tyre storage issues in Canterbury.
10. Although voluntary stewardship schemes have successfully contributed to a greater commitment to reuse and waste minimisation, a regulated product stewardship scheme establishes a formal framework for industry participation and collection of stewardship fees.

Benefits

11. It is acknowledged that regulated stewardship schemes could create new income streams and industries domestically, and tyres and large batteries is a good place to start of the six priority products declared under the *Waste Minimisation Act 2008*. Given the large agricultural sector in Canterbury, Environment Canterbury will have a keen interest in product stewardship regulations for agrichemicals and their containers and farm plastics when consultation on these priority products emerges.
12. The benefits of reclaiming valuable metals such as lithium and cobalt is not yet well developed, however the economic opportunities of extending battery life through refurbishment and second life uses has significant potential. A regulated product stewardship scheme will help realise that potential.
13. It is acknowledged that medium-sized and small batteries from e-bikes and e-scooters will be covered in the future by the wider e-waste scheme.

Assessing the options

14. Assessing the options to give timely effect to the priority product decisions (p.20 of the Consultation Document and appendix 3) gives a clear choice for the public, and clear criteria for assessing how each option is ranked. Given this level of transparency Environment Canterbury supports the Ministry's ranking of option B to use the basic foundation of existing legislation plus enhanced take-back and targets.
15. This option (option B) is sensible given the current tools available under the *Waste Minimisation Act 2008*, bearing in mind that additional options may be available under revised legislation.

The proposed regulations

16. The proposal to prohibit the sale of a priority product except in accordance with an accredited scheme is supported. Clarity about what "act in accordance with an accredited scheme" means would have been helpful in this consultation rather than to wait until a scheme is accredited. It will be important not only for producers, sellers and distributors to know what this means, but also for the public and local government.

17. Environment Canterbury agrees with the assessment that there is unlikely to be a drop in the current rates of disposal to landfill or illegal dumping if a regulated product stewardship scheme is not implemented.
18. Environment Canterbury supports the proposal to set a product stewardship fee on imported and domestic-manufactured tyres and large batteries and agrees with the assessment that the fee collection point must offer both clear identification of liability and cost-effective delivery. The distribution of the proposed fee collection entities as set out in Table 5 of the Consultation Document (p.25) is supported.
19. It will be important to communicate to consumers that the “environmental fee” currently charged by many tyre retailers to dispose of tyres will no longer apply once a regulated product stewardship fee comes into effect.
20. It is noted new or amended information technology systems will be required for any new fees collected on imported products. Information collection powers always require detailed scrutiny as they are developed to ensure appropriate use, storage and privacy.
21. The full funding of the collection and management of legacy and orphaned products is supported and so the regulations need to be clear about the connection between the charges made and the disposal services provided.

Take-back system and targets

22. Take-back collection points for tyres and large batteries that are free and convenient are an essential component of a reuse and recycle system. It would have been helpful if the Discussion Document had outlined the requirements for take-back facilities so that the public and local authorities had opportunity to comment on the efficacy of the proposed take-back system. The proposed targets set out in Table 6 (p.30) seem to be achievable over the next seven years.

Expected impact

23. Environment Canterbury agrees that the proposed regulations are likely to reduce environmental harm from priority products at end of life. Although environmental rules vary between regions, that in itself does not make the rules difficult to enforce (p.33). The general observation that producers can opt-out of taking responsibility for a product's environmental impacts and costs, leaving these costs to councils and the community, is likely to be reduced with a regulated product stewardship scheme.