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Washington Retail Association Comments on HB 2301 Rulemaking

The Washington Retail Association (WR) appreciates the opportunity to comment on the rulemaking process for HB 2301. Our diverse membership includes both large and small retailers, grocers, and businesses that host food services in shopping centers across all Washington counties. Our members are deeply committed to reducing food waste and ensuring organic materials are diverted from landfills and repurposed productively.

Support for Diverse Processing Options -- WR urges Ecology to ensure that rulemaking supports a range of processing technologies—such as composting and anaerobic digestion—to meet the goals of HB 2301. Our members are already actively pursuing waste prevention through source reduction and food donation. When it comes to landfill diversion, flexibility is essential. Some retailers are equipped to separate food waste onsite, while others depend on processing facilities that specialize in separation.

Specialized Equipment and Expertise Are Critical -- Effective separation of organic waste from non-recyclable materials requires specialized equipment and expertise. Much of the food waste from commercial operations includes packaging or other materials in direct contact with organics. Many retailers are not equipped to separate these onsite, but some processors have the technology to do so efficiently. We ask that Ecology's rules not unintentionally penalize or disincentivize these proven systems.

Responsibility for Final Product Quality Lies with Processors -- Retailers generate organic waste—they are not processors. Holding grocers responsible for preventing contamination in finished compost is impractical and misdirected. Instead, Ecology should ensure that organic processors maintain standards for clean, high-quality organic byproducts. This approach would better protect end users—such as local governments, farmers, and consumers—and help achieve HB 2301's goals.

Thank you for considering these comments. WR looks forward to supporting rulemaking that is practical, fair, and effective in reducing food waste and supporting sustainability across the state.