



Date: August 3, 2025

Submitted to: Department of Ecology

Thank you for the opportunity to comment on the proposed revisions to WAC 173-350 related to organics management.

The Compost Manufacturing Alliance (CMA) is a third-party certifier of compostable products. We require products to meet ASTM standards as well as in-field testing of compostable products. We certify products for the receiving facilities to reduce contamination and maximize the efficacy and quality of compost across the US.

We commend the Department's ongoing work to strengthen Washington's waste reduction and diversion efforts. We offer the following comments focused on three critical areas: contamination, source separation, and anaerobic digestion (AD). Revision of these regulations must strengthen the foundations of source separation and contamination management or risk undermining the state's ability to meet the greenhouse gas reduction and landfill diversion targets mandated under RCW 70A.205.

1. Contamination: Rules Must Prevent Recyclables and Organics from Becoming Garbage

Implementation of the proposed 2% contamination threshold for incoming feedstocks and 0.5% for finished compost products, with additional limits for film plastics, must be accompanied by:

- Strong standards for depackaging and pre-processing facilities, including mandatory recovery rates, contamination limits, and third-party auditing.
- Equity in burden-sharing: Composting facilities should not bear the full cost or liability of meeting contamination standards when upstream contamination occurs.
- Avoidance of regulatory loopholes that allow recyclable materials—such as lightly packaged food—to be accepted into systems where they will be rendered non-recyclable through co-mingling and cross-contamination.

Contamination is not merely a nuisance; it is a violation of RCW 70A.205.310, which prohibits landfilling recyclable materials.

2. Source Separation: The Cornerstone of a High-Integrity Organics Stream

Washington has long been a national leader in requiring source separation of recyclables and organics at the point of generation. This approach, codified in RCW 70A.205.005 and .545, is foundational to our solid waste strategy and cannot be weakened to accommodate more convenient, but less effective, alternatives.

We are concerned by interpretations that define “source-separated” as including packaged food sent to depackaging facilities, even when that packaging includes conventional plastic. This undermines decades of investment in infrastructure, education, and cultural norms around separating recyclables, organics, and garbage.



We encourage rulemaking that:

- Clearly prohibits the mixing of source-separated food residuals with packaged food.
- Defines “source separation” consistent with RCW 70A.205.015(26) as requiring separation at the point of generation.
- Ensures that rules support the expansion—not contraction—of source-separated organics collection programs across the state.

3. Anaerobic Digestion: Maintain Regulatory Integrity and Avoid Regulatory Evasion

Anaerobic digestion can be a valuable tool for managing certain organic wastes, particularly those that are heavily packaged or not suitable for composting. However, the AD rules must not become a backdoor to process contaminated or recyclable materials that cannot be recovered in compliance with existing recycling laws.

We recommend that:

- Anaerobic digesters be excluded from accepting materials where recyclable content cannot be captured in a manner that meets state recycling regulations.
- Digesters be subject to the same 2% contamination threshold as compost facilities.
- AD be limited to feedstocks unsuitable for source-separated recycling or composting.

Conclusion

Washington has set ambitious but necessary goals to combat climate change and reduce landfill reliance. The proposed rule updates present an opportunity to double down on proven strategies—like source separation—and to ensure that emerging technologies like depackaging and anaerobic digestion enhance rather than erode environmental outcomes.

We urge Ecology to:

- Reaffirm source separation as mandatory at the point of generation.
- Establish robust standards for depackaging and AD operations, including contamination and recovery requirements.
- Protect composting infrastructure by ensuring a level playing field across all organic material handlers.

Sincerely,

s/ Janet L. Thoman

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