Washington State Department of Ecology

Attn: Organics Management Rulemaking – Informal Comment Period

P.O. Box 47600

Olympia, WA 98504-7600

Re: Informal Comments on Draft Amendments to Chapter 173-350 WAC (Organics Management Rulemaking)

Submitted by: Washington State Potato Commission

Date: 12.11.2025

To whom it may concern:

Washington's potato growers sit at the heart of a multi-billion-dollar agricultural economy that feeds families across the country and keeps rural communities alive. When the State takes up a rulemaking of this scale, the ripple effects reach every corner of our supply chain — from the farm gate to processors to transportation and cold-storage. That is why the Washington State Potato Commission appreciates the opportunity to provide comments, and why we take these proposed changes seriously.

Ecology has a responsibility to craft rules that strengthen environmental outcomes without undermining the very producers who deliver food security and economic stability for the state. As written, several provisions in this draft move beyond that balance. They create ambiguity, expand regulatory exposure, and inject new operational risks into agricultural systems that already carry tight margins and unforgiving production cycles.

Below is where the draft needs correction — and why.

1. The Definitions Sweep Too Broadly and Risk Pulling Normal Farming Practices Into the Regulatory Net

The new and revised definitions (e.g., "agricultural wastes," "crop residues," "food waste," etc.) cast an expansive shadow. If Ecology does not narrow them, standard on-farm practices — removing culls, handling spoiled potatoes, managing vegetative residue — could suddenly be treated the same as commercial organics facilities.

That is not environmental stewardship. That is regulatory drift.

For potato growers, the consequences are real:

- New permitting triggers where none existed.
- Restrictions on how crop residues can be stored, moved, or incorporated.
- More compliance exposure at a time when growers are already carrying the burden of escalating labor, energy, and input costs.

Recommendation: Draw a bright line. Normal agronomic use of crop residues and on-farm recycling of vegetative materials must be explicitly excluded from solid-waste–style regulation. If Ecology intends to regulate municipal organics, then regulate municipal organics — but do not pull farmers into a system never built for them.

This is one of those moments where clarity is kindness — and ambiguity becomes a tax.

2. Contaminant Limits Are Built for Urban Waste Streams, Not Agricultural Realities

The proposed physical contaminant limits (≤2% for feedstocks, ≤0.5% for finished material) might make sense for compost facilities dealing with household organics, but agriculture is not a controlled laboratory.

Potato operations inherently deal with soil, rocks, and organic debris. These materials are not "contaminants" — they are the byproduct of harvesting a crop from the ground. Holding farm-generated organics to municipal thresholds is a mismatch that will fail in execution.

Impacts:

- Loads could be rejected because of harmless soil content.
- More material could be pushed into disposal pathways, the opposite of what the State claims to want.
- Growers could shoulder additional processing costs just to comply with unrealistic purity requirements.

Recommendation: Build a separate standard — or explicit exemption — for agricultural organics and crop residues. One-size-fits-all rarely works in public policy, and it especially fails in agriculture.

3. Pre-Processing Requirements Risk Regulating Basic Farm Functions

The draft introduces new requirements for "pre-processing facilities," but without clear boundaries, routine agricultural handling could be swept into permitting requirements meant for commercial processors.

For potato growers, this includes things like:

- Cleaning and separating soil from cull material.
- Basic conditioning of organic matter before land application or reuse.

These are not commercial industrial activities. They are part of farming — and they should remain treated as such.

Recommendation: Exempt routine on-farm pre-processing activities from these requirements. Ecology should not erect barriers that discourage innovation, cooperation between growers, or on-farm organics solutions.

4. Compliance and Reporting Requirements Must Reflect Scale and Risk

Some of the reporting, testing, and administrative provisions assume institutional capacity. Many family operations do not have that luxury.

Agriculture already manages a stack of regulatory obligations — water, labor, environmental, food-safety, taxation. Adding a new layer without tailoring it to scale only kneecaps the very operations the state claims to support.

Recommendation: Align compliance with actual risk.

Small producers and on-farm management should not face the same reporting burdens as large commercial facilities.

This is a matter of proportionality — and fairness.

Washington's potato growers are committed to responsible land stewardship. Our producers have been recycling organics, improving soil health, and reducing waste long before any rulebook demanded it. But regulation only succeeds when it understands the ground it stands on.

As drafted, Ecology's organics rulemaking creates unnecessary uncertainty and operational risks that will fall squarely on working farms. We urge Ecology to refine the rule so it accomplishes its environmental goals without compromising the competitiveness of Washington agriculture or introducing new long-term costs to rural communities.

WSPC is ready to work with you to get this right.

Respectfully,

Geordy Bryant Greene

Director of Government Affairs

Washington State Potato Commission