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December 12, 2025

Mr. Chris Fredley
Rules Coordinator, Department of Ecology
300 Desmond Drive Southeast
Lacey, WA 98503

RE: Organic Materials Management Rulemaking - Chapter 173-350 WAC – Solid Waste Handling Standards (Organic Materials Management Rulemaking)

Thank you for the opportunity to comment during the Rulemaking Comment Period on the above reference rule. The US Composting Council represents compost manufacturers nationwide with a membership of more than 850 organizations (45% of whom are public and private compost manufacturers) of more than 2,500 people, and with over 127 members in the State of Washington. Our mission is to advance compost manufacturing, compost utilization, and organics recycling to benefit our members, society, and the environment.

As a supporter of the benefits of source separated organics to ensure quality feedstocks for composting and to not increase the diversion of packaging waste to landfills that could effectively be recycled; the US Composting Council wants to register our comments in support of meeting the intent of the Washington State's Organics Management laws to divert more materials from landfills and support the State's composting infrastructure. We oppose any revisions to Chapter 173-350 Solid Waste Handling during the Organic Materials Management Rulemaking that impose costly and unprecedented standards on compost facilities while offering no parallel regulatory guardrails for preprocessing operations (aka depackaging facilities).

Washington State has been a national leader in advancing food waste diversion and composting. Over the past several years, the Legislature has passed numerous laws to increase organics recovery and build strong composting infrastructure across the state. The current rule draft is jeopardizing this progress.

Source separation is extremely important to protect local solid waste programs. It is crucial for recycling and composting under Washington State laws because it supports waste reduction goals, maintains quality standards for recyclables and compost, protects the environment, and fosters community engagement and education in diversion. By emphasizing and encouraging source separation in its laws and regulatory policies, Washington State can effectively manage its waste streams, conserve resources, and promote environmentally and economically sustainable waste management practices.



In the Pre-Processing Section (page 61) we ask for the establishment of strong, Vermont-style depackaging standards that maintain source separation and prevent contamination.

Some ideas include:

- Inbound contamination limits
- Mandatory recovery rate of 90% of accepted materials
- Prohibition on accepting easily recyclable materials
- Prohibition on commingling packaged food with pure food waste
- Prohibition on sending pure food waste through a depackaging machine

In the Definition Section, remove or revise provisions that rewrite statutory definitions for “organic materials” (page 6), “source separation” (page 53), and shift ownership away from generators (page 8).

Protect and expand compost infrastructure by adopting practical, achievable contamination reduction policies upstream and training requirements for facilities (page 105).

We do not believe that increased compliance burdens and restrictions at the facility without upstream changes (starting on page 75) are the answer.

In section 220 and 225, require training minimums for all organics management facility operators to mirror those they have drafted for compost facility operators.

We have seen the negative impact on the composting and recycling industries in states such as Maine and Vermont when non-source separated organics collection invited generators (groceries, food distributors, and other large generators) to toss ALL (including previously source separated and composted organics) inedible food waste, packaging and other components of the solid waste stream into dumpsters headed for depackaging. This has forced a lengthy process in the State of Vermont to reaffirm the intent of its source separated organics law, yet many composters never recovered, leaving a deficit of compost for healthy soils in the State.

We are very concerned that the “green” State of Washington could face similar impacts on its robust and developed compost industry, and healthy soil policies needing quality compost.

Please work with the State of Washington’s composting and recycling industries to ensure that appropriate levels of inbound contamination are fairly set for the composting and depackaging industries; while maintaining the intent to source separate organics for composting and divert packaging from landfills.



The US Composting Council thanks you for the opportunity to provide our comments during the Organic Materials Management Rulemaking Period for Chapter 173-350 WAC – Solid Waste Handling Standards (Organic Materials Management Rulemaking). We look forward to working with the Ecology Department staff throughout the remainder of the rulemaking process.

Sincerely,

A handwritten signature in black ink that reads "Linda Norris Waldt".

Linda Norris Waldt, Executive Director
US Composting Council

cc: Neil Edgar, Co-Chair, USCC LEAC
Sandy Briggs, Co-Chair, USCC LEAC