EVERETT
WASHINGTON

December 11, 2025

Casey Sixkiller, Director
Department of Ecology

RE: Organics Rulemaking

Dear Director Sixkiller:

On behalf of the City of Everett, I appreciate the opportunity to provide comment on the Department's draft rules under Washington's Organics Management Laws. Everett is home to one of the state's most advanced composting facilities, which provides an essential public service by transforming local organic waste into high-quality compost products that benefit regional agriculture, enhance soil health, and advance the City's environmental sustainability goals.

The City fully supports the Legislature's intent to reduce organic waste disposal, strengthening composting infrastructure, and build a sustainable, circular economy for organics. However, as currently drafted, the proposed rules risk undermining these objectives by imposing new operational and financial burdens that will make it more difficult for compost facilities to operate and for cities to maintain affordable collection programs for their residents. Moreover, we also believe that some of the requested fundamental changes to state laws including the definitions of "source separation", "organic materials", and "legal ownership of waste" are outside of the intent of the legislation.

The City of Everett offers the following key concerns for the Department's consideration:

- Inbound Contamination and Product Standards: The proposed new inbound contamination threshold of 2% and the finished product requirement of .01% allowed plastics fail to adequately recognize the advanced post-processing technology and operational investments already made by established composting facilities. By layering additional prescriptive standards, the draft rules risk constraining the very systems that have demonstrated success in diverting organics from landfills. We have seen the massive volume reduction of finished compost at our Everett facility and have seen drastic improvements in product quality.

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These standards should be eliminated from this rulemaking as we do not see them benefiting the industry.

- Ratepayer and Local Government Impacts: The draft rules assign responsibility for meeting a 2% inbound contamination standard to generators and haulers. Compliance with this threshold will inevitably impose additional costs that are likely to be borne by local governments and ratepayers, many of whom are already facing significant increases in other essential utility rates. Ecology should focus on upstream education and helping the composter receive clean material, not make it even more restrictive for them to operate.
- Potential Increase in Landfill Disposal: The overly restrictive contamination limits may result in materials currently being composted being redirected to landfills, directly contradicting the diversion and waste reduction goals that the Organics Management Laws were enacted to achieve.
- Landfilling of Recyclables Due to Rule Design: The City of Everett maintains a robust recycling program in which many materials—such as paperboard, cardboard, and plastics including clamshells, containers, wrap, among others—are source-separated and sent to recycling markets for beneficial reuse. Under the proposed rules, however, generators may be permitted to send these same recyclable materials to depackaging or pre-processing facilities, where they are squeezed, mixed with putrescible organics, and rendered unrecoverable. Once cross-contaminated, these recyclables are ultimately landfilled, reversing years of progress in source separation and recycling system development. This outcome would undermine local and state recycling goals and introduce inefficiencies and environmental harm that run counter to the Legislature's intent.
- Circumvention of Municipal Solid Waste Management: MSW is regulated within the State of Washington as a public need and necessity. The entire solid waste system is driven by the control of flow and public system necessary to effectively manage waste. By allowing non-recyclable items to go into a food waste stream, you are intentionally reducing garbage volumes within the City of Everett and allowing it to be landfilled elsewhere. MSW must stay within the region it was generated and no recycling or organics program should openly allow for known garbage items especially considering the tax liability and solid waste infrastructure risks.
- Regulatory Imbalance Between Composters and Pre-Processors: The absence of a source-separation requirement and the lack of comparable recovery or contamination standards for pre-processing facilities create an uneven regulatory landscape. This imbalance could incentivize the handling of mixed-waste streams, leading to greater contamination, reduced recovery, and adverse impacts on solid waste tax revenues for local jurisdictions.

For these reasons, the City of Everett respectfully urges the Department to

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revise the draft rules to ensure they are balanced, evidence-based, and equitable across all organics processing pathways. In particular, the City requests that the Department reconsider the proposed 2% contamination limit and .01% finished compost plastic standard, establish equivalent recovery and contamination standards for pre-processors, and maintain the integrity of Washington's long-standing source-separation framework for both compostable and recyclable materials.

The City of Everett appreciates the Department's continued engagement with local governments throughout this process and stands ready to collaborate in refining the rules to ensure they support, rather than hinder, Washington's shared vision for sustainable organics management.

Thank you for your consideration of these comments.

Sincerely,

Cassie Franklin
Mayor, City of Everett

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