Energy Vision (Matthew Tomich)

(Also Attached on Letterhead)

December 12, 2025

Washington State Department of Ecology
Solid Waste Management Program – Organics Rulemaking
P.O. Box 47600
Olympia, WA 98504-7600

Re: Chapter 173-350 WAC – Organics Management Rulemaking

Department of Ecology Rulemaking Team:

Thank you for the opportunity to comment on Ecology's proposed organics management rules. Washington's landfill diversion and methane-reduction goals are ambitious and achievable—provided the state enables both composting and anaerobic digestion (AD) to play complementary roles. These processes serve distinct feedstocks and end-markets, and together they can maximize recovery, minimize contamination, and deliver the strongest environmental outcomes that align with Ecology's mission: "To protect, preserve, and enhance Washington's environment for current and future generations."

Composting & Anaerobic Digestion Should be Seen as Complementary, Not Competitive

• Composting excels with clean, source-separated organics (yard debris, food scraps with minimal contaminants), producing valuable soil amendments for farms, landscaping, and restoration.
• Anaerobic digestion is critical for higher-moisture or hard-to-handle commercial streams (including packaged and high-contamination-risk feedstocks when paired with effective pre-processing), generating renewable energy and a soil product that, with proper quality controls, can meet stringent standards.
A framework that is technology-neutral but performance-based will avoid picking winners and instead reward processors that meet Washington's environmental, climate, economic and public health objectives.

Core Recommendations

1. Keep strong contamination controls with robust 3rd party testing requirements. Maintain clear incoming feedstock screens and finished product contamination limits verified by standardized, third-party methods. Tie compliance to measurable outcomes rather than subjective visual checks.

2. Allow (or require) effective pre-processing for challenging streams.
For materials with elevated contamination (e.g., certain commercial food products), require appropriate pre-processing (manual/mechanical depackaging) and let qualified composting or AD facilities handle them—so that material is diverted, not stranded.

3. Use performance-based, technology-neutral permitting.

Set uniform product-quality and environmental-protection requirements (odor, leachate/air controls, pathogen reduction, product labeling) that any processor—compost or AD—must meet. Reward facilities that demonstrate superior finished-product quality.

4. Avoid arbitrary recovery-rate mandates that strand material.
Instead of blunt minimum recovery percentages that discourage taking harder-to-process streams, focus on end-product quality, verified diversion, and methane-reduction impact.

5. Support end-market development and transparency.
Pair standards with end-market procurement (for compost and AD soil products), require simple, periodic reporting on volumes, contamination testing, and end-uses, and encourage continuous improvement.

6. Prioritize the hierarchy while reflecting real-world logistics.
Continue to emphasize prevention and donation first; then ensure rules recognize that some commercial streams cannot be made "compost-ready" through source separation alone and need AD with robust pre-processing to avoid landfilling.

Conclusion

Composting and anaerobic digestion are not substitutes; they are complementary. But the reality is various organic "waste" feedstocks are not well-suited for composting, which is well-documented. Moreover, incumbent commercial composters have not been motivated to implement the necessary pre-processing technology to avoid levels of contamination far greater than regulations dictate. Whether that's because composters don't have the economic wherewithal or incentive to do so, or haven't felt that they need to do this, it does not change the fact that AD is a far better solution for certain materials. Alternatively, the ability of AD systems to capture and monetize methane (in the form of biogas or RNG) from these feedstocks gives investors/developers/operators the ability to install state-of-the-art pre-processing technology to minimize contamination.

Ultimately, Ecology's leadership can ensure that both pathways are deployed where they perform best, under consistent, measurable standards that protect soils, reduce methane, and keep more organics out of landfills. Recent efforts by some to weaken the rules and/or place the burden on organic waste generators are not consistent with these goals. Instead, they appear most interested in preserving market share or stifling competition and innovation.

We appreciate your continued work on this critically important topic and look forward to a final rulemaking rooted in science, data and common sense. The result will be a nation-leading framework that can inspire significant additional private sector investment and infrastructure deployment that benefits Washington and its residents.

Sincerely,

Matt Tomich
President

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