December 12, 2025

Mr. Chris Fredley
SWM Program Rule Coordinator
Washington Department of Ecology
Solid Waste Program
300 Desmond Drive SE
Lacey WA 98503

Re: American Biogas Council Comments on Proposed Amendments to Chapter 173 350 WAC Organic Materials Management Rulemaking

Dear Mr. Fredley,

The American Biogas Council (ABC), representing more than four hundred companies that recycle organic material into renewable energy and soil products, appreciates the opportunity to comment on Ecology's proposed updates to chapter 173 350 WAC. We support Ecology's work to reduce contamination, improve material quality, and ensure that organic waste is directed to facilities equipped to manage it responsibly. Ecology's proposal accurately reflects the realities of modern commercial food waste, which routinely contains packaging that most composting facilities cannot remove. Strengthening the contamination limit from 5 percent to 2 percent and requiring preprocessing for packaged food waste are necessary measures to protect soil health and ensure high quality finished products.

Some stakeholders are urging Ecology to weaken these protections to accommodate a small group of legacy composting operators. Rolling back the updated source separation definitions or the strengthened contamination limit would lower environmental standards, reduce product quality, and undermine Washington's organics management goals. Standards should reflect what responsible management of today's food waste requires, not the limitations of outdated infrastructure. Ecology's proposal does not restrict composters; it creates a clear and responsible pathway for them to accept commercially generated wasted food when they have appropriate preprocessing systems, aligning expectations across all permitted facilities and preventing contaminated material from entering systems unable to manage it.

ABC is also concerned about proposals from certain composting advocates seeking regulatory changes that would force food generators to choose composting over anaerobic digestion, even when composters cannot responsibly process packaged or higher contamination streams. Requiring generators to split packaged and unpackaged food into different service arrangements would raise handling costs, reduce diversion, and privilege certain processors rather than establish technology neutral, environmentally protective standards. Commercial food waste streams require modern processing systems, and facilities should not be permitted to accept material they are not equipped to manage.

Maintaining Ecology's updated source separation definitions is essential for consistent statewide practice and for keeping avoidable contamination out of finished organic products. Large food generating businesses already separate food from recyclables and solid waste, and Ecology's definitions reflect this existing industry norm. Allowing any segment of the industry to tolerate higher contamination levels or bypass necessary preprocessing would weaken public confidence and undermine the integrity of Washington's organics recycling system. ABC strongly supports retaining the strengthened contamination threshold, the clarified source separation requirements, and the preprocessing requirement for packaged food. These updates will help ensure a cleaner, more effective, and more reliable organics management system for Washington. Thank you for the opportunity to comment, and we appreciate Ecology's leadership and continued engagement as this rulemaking advances

Sincerely,

Jonathan Harding

Manager, State Policy

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About the American Biogas Council The American Biogas Council is the voice of the US biogas industry dedicated to maximizing carbon reduction and economic growth using biogas systems. We represent more than 400 companies in all parts of the biogas supply chain who are leading the way to a better future by maximizing all the positive environmental and economic impacts biogas systems offer when they recycle organic material into renewable energy and soil products. Learn more online at www.AmericanBiogasCouncil.org, Twitter @ambiogascouncil, and LinkedIn.