

Marissa Young

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; I want to register my 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.

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. But a current rule making is jeopardizing this progress.

- What is happening

- o As part of recent legislation, the Department of Ecology was directed to develop rules to address contamination at organics management facilities — with the intent of strengthening compost operations and setting reasonable standards for depackaging facilities.

- o But Ecology's newly released draft rules miss the mark. Instead of setting clear depackaging standards and supporting the compost industry, the proposal creates new restrictive, burdens on compost facilities while failing to hold depackagers accountable to basic environmental outcomes.

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).

We are concerned because:

The proposed rules:

- o Contain no meaningful depackaging standards: unlike Vermont's model, which requires source separation and places reasonable limits on what can be processed.

- o Undermine source separation, the foundation of Washington's solid waste system, by effectively exempting grocery stores from sorting their recyclables, food waste, and garbage.

- o Reinterpret key state definitions including "organic materials," "source separation," and ownership of solid waste — in ways that contradict existing statute and case law.

- o Impose a 2% contamination limit on compost facility feedstocks, with no equivalent inbound or recovery standard for depackaging facilities.

- o Add new layers of testing, reporting, and compliance requirements that will drive up costs and slow down progress on composting — even as more organics are landfilled.

In short, Ecology's proposal flips the intent of the law: it lets high-contamination depackaging operations expand while tightening restrictions on proven composting systems. If adopted, these rules will make it harder to run compost facilities, reduce organics recycling rates, and could set a damaging precedent for other states.

- Please do this one thing to save composting in WA state

Please send comments [HERE](#) to WA Department of Ecology by November 21 urging them to do the following:

- o In the Pre-Processing Section (page 61) 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
- o 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).
- o Protect and expand compost infrastructure by adopting practical, achievable contamination reduction policies upstream and training requirements for facilities (page 105).
- o We do not believe that increased compliance burdens and restrictions at the facility without upstream changes (starting on page 75) are the answer.
- o 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 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.

I am 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.