

City of Olympia (Ron Jones)

ORCA Service Waiver Process

- (1) The jurisdiction that implements a solid waste plan submits an application via email to request a Service waiver.

The application period will open in February 2026 when applications will be accepted and reviewed on a rolling basis until December 31, 2026.

- a. Submit your application using the link [Ecology's webpage will go here]. This will send a direct email to Ecology's Organics team organics@ecy.wa.gov.
 - i. Please ensure you carbon copy (cc) your respective city and/or county solid waste contacts. Please also include the Washington Utilities and Transportation Commission (WUTC) team (jaclynn.simmons@utc.wa.gov, mike.young@utc.wa.gov, and tonia.bailey@utc.wa.gov) on this email communication.
 - b. Supporting evidence must be submitted at the same time as the application.
- (2) Ecology will review the submitted materials and respond to the waiver application request within approximately six weeks with one of the responses below. This response will still include the contacts cc'd on the application submission email.
 - a. **Approved to proceed:** The waiver application and supporting evidence is approved, and the eligible jurisdiction will receive a waiver.
 - i. The waiver duration will be specified when the waiver is granted. The maximum length of time is five years.
 - b. **Conditional approval dependent on more information:** Prior to receiving a waiver, Ecology may request further information and/or supporting evidence.
 - c. **Deny an application and the associated waiver request:** The waiver application is denied due to insufficient and/or inaccurate information, criteria, or supporting evidence. This means the jurisdiction will not receive a waiver for the ORCA collection requirements.
 - (3) If your application is approved and your jurisdiction is granted a waiver, Ecology will schedule time for a technical assistance meeting to identify where your jurisdiction is at with implementing organics collection.
 - a. Ecology will document main points of discussion, barriers, and identify any needed resources.
 - (4) If your application is denied, Ecology will schedule time for a technical assistance meeting to explain why the waiver request is denied and provide support for your jurisdiction to meet the requirements.
 - (5) Ecology will gather information, contacts, or other resources for the jurisdiction. This will be brought to a subsequent meeting within the first year of the jurisdiction's waiver. Discussions will identify strategies to support the jurisdiction meeting the ORCA requirements.

- a. Ecology will document these strategies which can be used in a jurisdiction's Organics section of their solid waste management plan (SWMP).

DRAFT

Organics Recycling Collection Areas (ORCA) Service Waiver

Application for the 2027 Requirements

The Washington State Department of Ecology (Ecology) presents this form for jurisdictions implementing a solid waste plan under RCW [70A.205.040](#) and seek to receive a Service waiver regarding the ORCA collection requirements ([RCW 70A.205.540](#)). We strongly encourage jurisdictions to work with relevant stakeholders in their impacted areas, such as city and/or county solid waste representatives, service providers, facility representatives, etc., throughout this application process and when engaging with Ecology during technical assistance.

If your jurisdiction is applying for a Service waiver, please complete the following application and attach supporting evidence. For further instructions, please refer to the Service Waiver Guidance document [[will be linked once available](#)].

1. Jurisdiction name: _____

Refer to the [ORCA map](#) to identify ORCA impacted areas.

- a. Please list all ORCA impacted cities you are requesting a waiver for
- b. Please list all ORCA impacted Urban Growth Areas (UGAs) or Census Tracts you are requesting a waiver for

2. Person completing the application (First name, last name, and role/job title)

3. Contact information (email and phone number). You may include additional contact information for your ORCA impacted areas.

4. Please check the criteria for your waiver request. Select all that apply:

- ☐ The distance to an organics management facility.
- ☐ Organics management facility, transfer station, or reload facility is at capacity to manage or transport organic materials.
- ☐ Organics collection is economically infeasible.
- ☐ Restrictions on the transport of organics materials due to apple maggot quarantine boundaries.

5. Please provide supporting evidence for this service waiver request and attach any relevant documents to this application. Refer to the ORCA Service Waiver Guidance Document **[will be linked once available]** for examples of supporting evidence.

DRAFT

Longer Lead Time for 2030 Waiver

It is suggested to open the service waiver application period for 2030 in 2028 or sooner. By opening earlier, and receiving requests sooner, Ecology will get a quicker look at the financial and economic impacts and potentially be better positioned to assist with grants. Also more time to manage approval, denials, and dialogue. Information contained in the waivers should be used to inform how Ecology/State can assist local governments and haulers meet the law.

Cost Burden for Requiring Residential and Non-Residential Organics

The law itself is going to be a significant cost burden to implement, not to mention the supply chain issues with sourcing additional trucks and containers, added staffing, and routing and rerouting service routes for compulsory collection to occur. There is also the issue of storing very large quantities of containers, which requires temporary container storage solutions (aka, real estate) while that inventory is being rolled out/delivered to customers.

Customer Impacts

Economic infeasibility needs to be clarified and include both operational challenges/costs, and customer cost impacts. Customers who do not already have organics will see an increase in their service costs – whether that remains a separate fee or is bundled.

Logistics Burden for Requiring Residential and Non-Residential Organics

Under the service waiver, there needs to be a logistics component also. Maybe it's economic and logistics infeasibility. The logistics side of the equation is the service route and reroute development; collection routes and resulting drive paths will need to be divided into roughly equal parts. Additionally, there are supply chain factors such as the long lead times for collection trucks. Cities/haulers (municipal haulers) also must develop rates for providing service. These are typically part of a budget and rate setting process and dramatic changes, those other than inflationary adjustments, take more time to run through the process.

Consider a Pro-Forma Waiver Process – Get Applicant input on Details beforehand

Conduct outreach to service providers to better understand what a service waiver might include so that when applicants apply, they know what is expected.