

Washington Organic Recycling Council (David Keeney)

The Washington Organics Recycling Council (WORC) is writing to express concern regarding the removal of section 6(vi)(A)(B), pertaining to statewide training standards for compost facility operators. We fear that removing this training requirement will cause harm to the people of Washington by encouraging composters to operate with less robust understanding of composting science.

For more than 30 years, WA state has championed training standards for organic material handling professionals. The removal of any meaningful training requirements for compost facility operators represents a risk to facility safety, compost product quality, community health, and industry excellence. Specifically, untrained composters are more likely to have operations that release greenhouse gases, generate nuisance odors, attract vectors, and produce low-quality compost.

Section 1.2.8 of the Preliminary Regulatory Analysis suggests that removing training standards for compost operations is akin to aligning them with their anaerobic digestion (AD) counterparts, and that doing so presents no risk to the public. We disagree. There exists comparable and accessible training for AD facility operators, and those trainings are required by rule in other fields (e.g., WAC 173-230). Requiring that AD operators receive adequate training is crucial, given the tremendous potential climate and occupational health impacts of substandard AD operations, where highly putrescible materials are being processed deliberately to generate methane.

Compost facilities run by well-trained operators are likewise safer and more environmentally beneficial. Training curricula provided by organizations like WORC and CREF offer a full-spectrum education about biology, chemistry, operations, regulations, safety, and compliance. Trained operators not only know how to identify compost issues promptly, but are then instructed how to mitigate them before they become hazardous. Operators skilled at preventing and managing compost odors, fires, pathogens, and contamination benefit the state and its residents, full stop. Where there are concerns about the applicability of compost facility operator training to vermiculture operators, we hold that there is still value in requiring training in alignment with composting standards. Comprehensive education about feedstocks, odors, pathogen risks, regulations, end markets, and soil health benefits vermiculture operations and the markets they serve. Organics management technology may be varied, but biology is our great equalizer.

To this end, it is also worth reminding ECY that there are major differences between organics processors (compost, vermiculture, AD, and landfills) and transfer stations or MRFs. Transfer stations and MRFs are charged with safety and efficiently moving material from the point of collection to end processors. They do not store organics for long periods of time, nor are they processing or transforming organics into new products. The latter effort is where there is greater opportunity for negative environmental and human health impacts. Additionally, materials moved through MRFs and transfer stations are not directly applied to our natural landscapes, gardens, and farms. However, organics processors produce materials that are applied to soils, and the consequences of poor operations may directly harm people and the environment. WORC strongly advises ECY to consider the many real differences between waste handling activities and their potential impacts.

The suggestion in the Preliminary Regulatory Analysis that "The proposed change may reduce the costs for compost facilities in complying with the training requirement" may be true in a conservative and simplistic assessment, but the claim undercuts itself. The current requirement applies only to facility supervisors, not all employees, so the compliance burden is already low and the "savings" argument is thin. Facilities are welcome to send additional employees for training, but they are not compelled to under the current rule. Moreover, the PRA uses a SWANA certificate as a conservative estimate of cost impacts. The SWANA training, with its ongoing education requirements, is more expensive than the one-time 5-day training programs offered by WORC or CREF that are currently named in the WAC (\$1,500-2,000/trainee with scholarship opportunities). We believe that the PRA greatly overestimates the financial impacts of the existing training requirement.

In surveys and conversations, composter members of WORC report that the cost of training in accordance with existing statute is not burdensome (see Addendum). All this change does is remove a crucial standard for facility supervisors. If these supervisors aren't well trained, then this change also diminishes their ability to deliver competent education to their own employees, and leaves local health jurisdictions (LHJ's) to decide what good training entails.

Deferring to the judgments of individuals LHJs also conflicts with ECY's goals of creating a more equitable and level playing field amongst organic material processors, because it means that compost and AD facilities across the state will be subject to different requirements than one another. This change will create unfairness and inequality within the industry itself. Curtailing training requirements in the WAC amounts to a failure of the regulatory body to understand the benefits of a skilled, safe, and standardized organics management workforce.

If finding the lowest common denominator for compliance and education amongst related waste management activities is the goal of the Department of Ecology, then this would be the first of many misguided steps towards a totally equal, and totally unregulated, economy that prioritizes private industry's convenience over public health and environmental safety.

1. What kind of facility do you represent?	2. How much finished product do you produce annually?	How many full-time equivalent staff does your organization employ?	4. How many staff do you send to a 5-day training program each year?	5. Does the cost of an accredited 5-day training program like CFOT or COTC meaningfully impact your organization's financial performance or stability?	6. If yes, please describe how:	7. Do you believe there is benefit in sending your staff to be trained at an accredited 5-day training program like CFOT or COTC? Please explain:	8. In its latest draft of the WAC, the Department of Ecology removes the requirement for compost facility supervisors to attend, and show documentation for, an accredited 5-day training program. Do you believe this is a good thing or bad thing? Please explain:	9. If your facility is no longer required to send facility supervisors to a 5-day accredited training, will you still send your staff members to receive training on a one-time or continuing basis? Please explain:	10. Please feel free to share any other comments, thoughts, or concerns in the space below.
Compost facility - Permitted	130000	20+	1	No	The cost is negligible to the overall financial benefit from training.	Yes. Having the baseline and detailed information provided during the training provides individuals (staff) with a holistic understanding composting. Staff then has a general understanding of the industry around them while working within the specifics of our operation.	While having the freedom to choose is good, the impact of those that don't choose to train, and would have otherwise found the benefit through required training, would be bad.	Yes. For reasons provided in question 7.	I'm hopeful the latest WAC draft does not negatively impact WORC and its mission.
Compost Facility - Permit Exempt	650 tons	1-5	1	No		Yes. CFOT has been key to keeping our facility at Woodland Park Zoo running safely and effectively. Training programs for our operator(s) ensure that our finished product is safe for public use and use in our own landscapes and animal habitats. Accredited training and resulting skilled operators have allowed for the expansion of our composting program over time, resulting in diverting more organics from landfill and providing a valuable and trusted resource to local residents who purchase our compost and partner organizations we donate to (food bank gardens, school gardens, restoration projects, etc).	This is a bad thing and very short-sighted. Removing the requirement for training and documentation removes any enforceable safeguards for public health in compost production. Untrained operators will likely not follow best management practices including developing mixes that allow for pathogen destruction, controlling vectors, and mitigating odors. In my opinion this is the equivalent of relaxing or removing health and safety requirements for agriculture and food producers. We have seen the devastating results of this in the last 2 years in the form of cyclospora outbreaks and other food-borne illnesses as the current administration guts food related health and safety requirements. I could see the compost industry falling prey to the same issues if training requirements are removed. The industry already struggles to find end markets for finished compost and not being able to prove safety and pathogen destruction to potential users will further exacerbate this.	Yes. It's a requirement of our organization to have our operators trained. We also sell to the public and have built a reputation over the last 40 years of producing safe compost. Not requiring training for our operators and the resulting fallout would damage this reputation and put public health at risk.	This proposal is ludicrous. Ecology wants to expand organics recycling, compost production, and end market use while simultaneously removing the requirements for training that would make this possible. They are also trying to enforce contamination limits by volume, with no accepted method to quantify this. If operators are untrained in the basics of composting, how could they possibly be expected to comply with stricter contamination requirements or other policy changes?
Compost Facility - Permit Exempt	50-100 cu yd	1-5	1	No	Both the WORC and USCC CFOT programs were valuable to attend. I appreciated receiving a "tuition waiver/scholarship" from WORC to attend their course- otherwise I could not have justified the expense (I am owner/operator/sole staff in a small for-profit facility)	Definitely. I believe USCC and WORC courses provide slightly different takes on similar technical material. And the WORC course was particularly valuable by developing a "community" within the attendees over the week. Tuition waivers or sliding-fee scale would help community-scale composters get access to this resource	Speaking from a small scale facility perspective, I think supervisors should have the same knowledge that the facility operators are presented in these trainings.	If I had the \$\$ to hire a supervisor and they did not have this basic operational knowledge, I think a one-time training would be essential. But I would have a hard time affording it unless the fee was adjusted based on facility output or income	I believe WA needs more decentralized small-scale compost facilities to address rural composting needs. I believe the state will need to subsidize some expenses for small operations, including the cost of valuable training that is meant to assure low-impact and high-quality composting
Compost facility - Permitted	4,000 yds	6-10	1	Yes	It could but last year we were able to get a scholarship for one employee and the second we paid for the course.	Yes, I think it provides good and necessary background information to operators and facility manager. Nationwide for other composting states, continuing education is a requirement of facility operations, why would Washington be different? CFOT was the first and now the USCC has adopted and modeled a similar curriculum which is offered nationwide. USCC does not do any training in WA and without WORC and CFOT traveling out of state to provide facility managers and operators a training opportunity is just not feasible for us.	I think that this training should remain an integral part of running a composting facility. It standardizes the knowledge on composting and provides resources and networking opportunities. It also standardizes learning and can only lead to a stronger composting community. I think that all composters whether permitted or not should have to attend this training. There is a lot of regulation on composting operations that should continue to be standardized. I also believe that anaerobic digesters, wastewater facilities, and vermicomposting facilities that compost should be required to attend especially if they are selling their products to the public including other businesses that may use them in mixed products.	We would continue to send operators and facility managers to the training. It may be a one-time thing because of funding but I think a continuing education framework is better for the industry as a whole; technologies change, regulations change, end uses change. This is a great training to keep the conversation open and have engagement.	We are in full support of continued education and training for all facilities selling a composted or digested product to the public, whether that be made from worm, anaerobic digestion or aerobic respiration. I believe that more information on these other organics processing methods should be included in training with tours of facilities like Divert, Royal City Farm, and any other new facilities with methods not yet online in the state of Washington.
Compost facility - Permitted	70,000 ton (140,000 cy)	20+	1-2	No		Yes, it gives them a chance to network with other facility operators and regulators and a better understanding of why we do certain things the way we do.	I think it is a good thing, but I can see where it may be a financial burden for smaller facilities. The rule (legislation) needs to provide financial assistance for smaller facilities.	Yes, the networking opportunity alone is worth the price of admission.	Training is always good, but I lean toward less regulatory mandates but more toward regulatory facilitation. Maybe a percentage of permit fees to provide financial assistance for smaller operators.

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Compost facility - Permitted	200,000CY	20+	2	No		Yes, absolutely. We are fortunate in WA to have deep expertise in compost operations. This knowledge gets effectively passed down while also nurturing a supportive and innovative compost community.	Not good. I still think there are ways to ensure training for other types of organics processing. And I don't think any composters are going to object to keeping the current training levels.	I would hope we would still send folks but the current requirements ensure we do. Sometimes that nudge can help.	Please keep the current training requirements.
Compost facility - Permitted	20,000 yards	6-10	1-2	No		Yes, I like that it creates a uniform standard in training across the industry. I find that to be beneficial for small companies that do not have the same resources for training that larger companies do.	Good thing. I believe the CFOT training is a fantastic recourse, but I do not think it should be required by law. We are already under far too much government regulation in our industry.	Yes. I believe the CFOT course in a great value for my employees to receive better training than I can provide myself.	Thank you for all that you do!
Compost facility - Permitted	30,000	1-5	?	No	It makes sure that the operators know the correct processes to maintain a correct a efficient facility,	Yes, I took the cfot program and it clarifies and questions I had and taught me so much more than the company I worked for provided u	Bad thing, I believe anyone in charge of a facility should also be certified so that they to know the correct process and the legalities of making compost	Absolutely	Thank you
Compost facility - Permitted	50,000 yards	20+	2	No		We have historically believed that this was an "easy" and effective way to educate our operations staff on the industry. We are moving away from sending "every operator" to CFOT due to turnover on staff that weren't fully committed. Instead this year will only be sending up to 2 staff members that are actively requesting the training. We are shifting focus to try to develop our own consistent compost training program to mitigate costs. An online self-led training program "CFOT lite" of some sort would be great for us at this point.	I don't think this is a good thing. The consequences for mismanagement are too high and often affect the entire industry though. A platform for everyone to get on the same page and demonstrate proficiency in basic compost knowledge I believe is important to protect the industry long term.	Yes we would still consider this base of knowledge and industry connection to be important for at least our supervisors and interested staff. Again we are rethinking the validity of attempting to get every staff member through the course and would like to use or develop a simple "osha 10" style training course to get everyone trained on the basics.	.
Compost facility - Permitted	1700 yards	1-5	0-1	No		Yes, this training is extremely helpful for all staff	No	Yes	NA
Compost Facility - Permit Exempt Vermiculture Community Composter	<10 cubic yards	1-5	1	Yes	We are a grassroots organization, we rely on grants and donations to run the program. While we want to send people to the training, it is quite cost-prohibitive for us. Additionally, having one staff gone for so many days impacts program operations	Absolutely! We learned SO MUCH!	Negative. The training covers basic and foundational knowledge about composting. It's quite critical to have a basic understanding as a supervisor. The part about showing documentation is hard, can WORC maintain a database on our behalf?	Maybe and likely. For quality control	N/a

The Washington Organic Recycling Committee (WORC) respectfully submits the following comments regarding the proposed requirement to measure physical contamination of incoming organics by percentage by volume.

Our major concern is that there is no standard legally defensible approved method for measuring contamination by volume. Without an accepted methodology, this requirement is unenforceable and regulators cannot act on a non-quantifiable rule.

Composters have no recognized, defensible procedure to follow, and regulators lack a reference method to verify compliance. The only logical purpose for such a standard would be to justify mandatory pre-processing. But enforcement agencies cannot compel such actions unless there is a recognized, scientifically sound method to measure volume-based contamination.

Current standard test protocols, such as the TMECC methods developed by USDA provide methodologies to quantify contamination by weight, including segregation of inert material categories. Some jurisdictions (e.g., California's CalRecycle) additionally use manual field methods to estimate contamination by weight, not volume. These procedures rely on weight-percent, not volume-percent.

If WA Ecology were to develop a method of determining contamination by volume, that method would need to be evaluated in the context of this rule and stakeholders would need time to comment on how that required concentration would affect their processes and procedures. By introducing a requirement without an approved method of measurement, stakeholders cannot properly evaluate this aspect of the rule.

In its current form, the 5% volume-based contamination requirement lacks any feasible path to enforcement and therefore has no regulatory value. WORC urges Ecology to instead Incorporate a specific, tested, and defensible method for measuring % contamination by weight (e.g. TMECC) allowing stakeholders to validate and comment on allowable thresholds.

Thank you for the ongoing opportunity to engage in this rulemaking process. WORC is ready to assist with identifying or evaluating potential volume-based measurement protocols.