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Solid Waste Management
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**Submitted via public comment form.*

RE: BASF Corporation Comments on Organic Materials Management Rulemaking, Chapter 173-350 WAC

Dear Department of Ecology:

Thank you for the opportunity to comment on the Organic Materials Management Rulemaking for Chapter 173-350 WAC. While we greatly appreciate the Department's leadership in building a sustainable foundation for modern organic materials management, we respectfully request that the proposed change to the definition of "source separated" be stricken from the revisions for the reasons outlined below.

At BASF, we create chemistry for a sustainable future. BASF is a diverse global company that manufactures products and conducts research and development in industries ranging from automotive, electronics, paints and coatings, pharmaceuticals, personal care hygiene, and agricultural products, among a wide range of others. We employ 15,000 employees in North America. BASF prides itself on developing innovative solutions to promote a circular and sustainable economy.

The biopolymers business at BASF makes certified compostable and certified soil biodegradable resins, which are raw materials for products sold across the world that help facilitate large-scale organic waste diversion. Collection and composting organic waste at scale is essential for Washington State to reduce generation of methane from landfills and create valuable compost to restore agricultural lands and ensure soil health in urban areas.

In order to support Washington's organic diversion programs, in 2011, BASF invested in a multi-year partnership with the Seattle Mariners to show fans in the stadium how to properly separate organics for collection and recycling at the zero-waste stations.[1] The program included multiple stakeholders within organics collection value chain,[2] ultimately increasing the stadium recycling rate to 91% by 2013.[3] The partnership with the Mariners and Cedar Grove continued in 2016 with the Safeco Field

[1] https://www.basf.com/us/en/media/news-releases/2015/04/P-US-14-61
https://www.mlb.com/mariners/news/mariners--basf-team-up-for-sustainable-saturdays/c-116567406
https://www.basf.com/us/en/media/news-releases/2012/04/p-12-082
[2] https://www.youtube.com/watch?v=d2O3a2oXCdU
[3] https://www.greensportsalliance.org/media/sustainable-saturdays-at-the-seattle-mariners

Urban Garden, that demonstrated how composting closes the loop to support healthy soils and grow food for use in the stadium.[4]

Washington has long been a leader in organics diversion; we are concerned about the proposed revisions to Chapter 173-350 WAC that would allow non-compostable food packaging and materials to be allowed in source-separated organic streams by virtue of a modified definition for "source separation." Washington State has long recognized the value of well-labeled certified compostable products as enablers for organic waste diversion programs, and purposeful introduction of known contaminants into the organics stream is not consistent with environmental stewardship nor the science of composting.

In fact, a recent study illustrated that realizing climate benefits by diverting food waste from landfill would ultimately result in roughly a 10x greater microplastic release to the environment. However, in the scenario where biodegradable food packaging is in place of conventional plastics, the 100-year plastic accumulation could be reduced by as much as 99%.[5]

It should be further noted that this article cites a case where depackaging equipment was able to obtain a ~99% separation efficiency for plastic; however, in this case, roughly half of the organics were also rejected.[5] At this time, there is not a lot of transparent data available on depackaging performance, and as a result, we suggest the currently proposed framework, where mixed-waste depackaging is inherently required, is premature and could be severely detrimental to the organic waste processes and the quality of the resulting compost. The drafted language increases the risk of persistent microplastics and a reduction in organics collected, and it also risks of introduction of chemical contaminants that could harm soil quality.

Organics collection streams should be reserved for valuable food scraps, green waste, and certified compostable products that facilitate diversion and reduce contamination to support production of valuable soil amendments. We therefore urge you to reconsider the proposed revisions to the definition of "source separated" in Chapter 173-350 WAC, and we respectfully ask that you retain the current definition to support Washington's organics diversion programs where so much has already been invested by residents and industry stakeholders alike. Even more importantly, having a strong basis for "source separation" will ensure a solid foundation for future policy implementation, including the upcoming EPR program.

We thank you for the opportunity to comment and appreciate your consideration of the recommendations we have put forth above.

Sincerely,

Martha K. Landwehr, J.D.
Policy Leader, State Government Affairs

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[4] https://www.basf.com/ca/en/media/News-Releases/2016/04/P-US-16-042
https://seattlemag.com/food-and-culture/new-urban-garden-brings-increased-sustainability-safeco-field/
https://www.king5.com/article/news/local/create-an-urban-garden-like-the-one-at-safeco-field/281-238036282

[5] https://www.nature.com/articles/s43016-026-01396-z.epdf?sharing_token=0WrpLtYFhrBWfEpyRcBrxtRgN0jAjWel9jnR3ZoTv0MgnQ10SVE0oGN_uxBX05EkUIUic4-nwiPj9AZOdl3LXDE392HgGRU8Hc2PMa5yVgfaXcQSsuTfqUPNZ7KNjDzr_bocNzv_1XIFtbWNan9m68DDQ-VCc0Lj-UX3KrTmIcdXU5Eid5z0kq_jvoIZa9tQA1Na9apG6FUP1mru6Tik3lXbgsMB_9x-rZ3lcQFHGRK_zWtOWgu7eNZvFb6dpY5nkw3RSGuAxU1Wdvl1X42hFSrlJsClQZPx4FAbKpezTHITIoNw2p6JoncLv7XTjQPesFi8lIdYLP4hB66q41XCcA%3D%3D&tracking_referrer=www.theguardian.com