

Craig Bowen

August 13, 2026

Mr. Chris Fredley
Rules Coordinator, Department of Ecology
300 Desmond Drive Southeast
Lacey, WA 98503

RE: Organic Materials Management Rulemaking - Chapter 173-350 WAC – Solid Waste Handling Standards (Organic Materials Management Rulemaking)

Thank you for the opportunity to comment during the Rulemaking Comment Period on the above reference rule. 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. I oppose any revisions to Chapter 173-350 Solid Waste Handling during the Organic Materials Management Rulemaking that will decrease the emphasis on source separating organics from packaging. 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. The current rule draft is jeopardizing this progress.

Source separation is extremely important to protect local solid waste programs. It is crucial for recycling and composting under Washington State laws because it supports waste reduction goals, maintains quality standards for recyclables and compost, protects the environment, and fosters community engagement and education in diversion. By emphasizing and encouraging source separation in its laws and regulatory policies, Washington State can effectively manage its waste streams, conserve resources, and promote environmentally and economically sustainable waste management practices.

I ask for the establishment of strong, depackaging standards that maintain source separation and prevent contamination; and recommend that the following definitions and standards proposed in Vermont be incorporated by Washington State:

1. Packaged Food – Food placed in packaging by a food manufacturer or food distributor to preserve the quality of the food and protect from contamination, the environment, and/or vectors until opened by the consumer.
2. Mechanical Depackaging – A treatment process using mechanical equipment to separate food from its packaging. Mechanical depackaging does not mean manual source separation of food residuals from its packaging.
3. Depackaged Food – the resultant slurry or dry solids produced from processing packaged food through mechanical depackaging equipment. Depackaged food does not include source separated food residuals manually removed from their packaging.

Prohibitions:

1. Comingling source separated food residuals with packaged food.
2. Treatment of source separated food residuals via mechanical depackaging unless pre-approved by the Program.

Operational Requirements for Mechanical Depackaging, Composting and Anaerobic Digestion

Facilities:

1. Require load inspection program for all organics treatment facilities in FMP. Inspection programs shall include methods for providing feedback to generators or haulers on contamination, education practices, issuance of penalties, rejection procedures, and notifying the Program of chronically non-compliant generators or haulers.

Operational Requirement Specific to Mechanical Depackaging Facilities:

1. Packaged food feedstocks that will be deleterious to the resultant depackaged food, to the performance of the mechanical depackager, to the health and safety of the facility operators and/or that will result in a negative impact to public health or the environment shall not be processed at the facility.

2. Mechanical Depackaging Facilities shall comply with the following operating standards:

The Facility shall not accept source separated food residuals that are co-mingled with packaged food.

The Facility shall ensure that the equipment and processes are optimized to prevent contamination in outgoing slurries and that equipment and operational settings provide optimal recovery of organics and are compatible with the materials being processed.

The Facility shall provide sufficient staffing to manually remove outer film wraps, boxboard, cardboard and other non-food containing outer materials prior to processing in the depackager.

Materials shall be recovered for recycling to the extent possible.

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, packaging and other components of the solid waste stream 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.

We are very 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.

I also strongly object to the removal of Section WAC 173-350-220 (6) (a) (vi) that has the training requirements to ensure that compost facilities operate under the supervision of a properly trained individual(s) during all hours of operation. The following question was asked during the Public Hearing #1 held Wednesday, August 5th - "How is it in the best interest of the State and the composting and food waste processing industries, to remove the current training requirements for composting facilities' operators, so as not to have to establish similar training requirements for other solid waste and food waste processing facilities under this rule change."

The rationale and response provided by Ecology staff during Public Hearing #1 to the question was that it is being removed for composting facilities so as to be more equitable to composting facilities since there are not comparable trainings available and included in the Rule Change for the other facilities managed under this Chapter and other solid waste facilities. I find this response extremely short sighted and a dereliction of the responsibilities of the Ecology Department to protect the environment and the public.

It also extremely misrepresents what is available from various solid waste, waste water, recycling and anaerobic digestion organizations; as well as many state university systems that provide AD, waste water treatment, landfill and recycling trainings.

For examples, please go to:

1. <https://swana.org/training-certification> - they provide courses and certifications in:

Household Hazardous Waste & VSQG Collection Operations

Manager of Landfill Operations

Managing Composting Programs

Managing Integrated Solid Waste Management Systems

Managing MSW Collection Systems

Managing Recycling Systems

Transfer Station Management (US Version)

Zero Waste Principles & Practices

2. <https://americanbiogascouncil.org/operator-training/> - they provide courses and certifications in:

Digester Operator Certification and the ABC Operator School.

3. A Selection of Training Programs for Water and Wastewater Operators | US EPA

It is also important to point out that Washington State also actively requires training and certification for landfill and incinerator staff.

The staff response also indicated that they do not have any funding to develop or provide training.

This is very short sighted and unacceptable to not recognize the importance of facility operators to be properly trained across all of the facility types under this Chapter's Rulemaking. And then to justify the removal of the compost facility operator training requirement as being more equitable!

You should include language for the other facilities with training currently available and that as additional facility operator trainings become available, they will be required.

I thank you for the opportunity to provide our comments during the Organic Materials Management Rulemaking Period for Chapter 173-350 WAC – Solid Waste Handling Standards (Organic Materials Management Rulemaking).

Sincerely,

Craig Bowen