

Alex Truelove

Please find our comments in the attached file, thank you.

The Biodegradable Products Institute

August 12, 2026

To the Washington Department of Ecology,

The Biodegradable Products Institute (BPI) is North America's leading authority on compostable products and packaging, certifying over 50,000 products from compost collection bags to food containers. For more than two decades, BPI has given consumers confidence in compostability claims with the backing of science-based standards, while enabling authentically sustainable choices for brands and packagers. BPI champions a systems-wide transition to the circular bioeconomy through rigorous testing, policy advocacy, and industry collaboration to build the infrastructure for a world without organic waste. BPI is a non-profit 501(c)(6). To learn more, visit www.bpiworld.org and follow us on LinkedIn.

BPI was also an invitee member of the statewide Compostable Products Advisory Committee. We've had a long and productive history of working with the Department of Ecology on issues ranging from organic waste diversion to EPR, on-product labeling, and food ware ordinances. Despite policy advances in those realms, this regulatory proposal would erase Washington State's leadership in modeling successful organic waste diversion programs, and we fear that the decades of effort invested in Washington communities will be cast aside.

Defining “organic materials” to align with the state’s own policy goals:

In our previous comments, we asked Ecology to update the definition of “organic materials,” and we appreciate that the Department has excluded “*any materials contaminated by herbicides, pesticides, pests, or other sources of chemical or biological contamination that would render a finished product of an organic material management process unsuitable for public or agricultural use.*”

However, the Department still limits the definition of organic materials to those “*of biological substance of plant or animal origin.*” This limitation misunderstands science, as the substance and/or origin of a material does not necessarily determine whether it is capable of microbial degradation or whether it ensures a high-quality finished compost product. While “manufactured organics” includes mention of compostable products, a limited definition of “organic materials” could interfere with existing statewide law that explicitly distinguishes compostable products designed for organic waste streams from

non-compostable contaminants, as well as an EPR law that will provide funding to support their integration. The Department's own study finds that a majority of programs in the state will be accepting food waste in the near future, eligible for EPR funding through the collection and processing of compostable covered materials. To ensure Washington's policies don't work against each other, please include this first change in our initial request:

"Organic materials" means any solid waste- ~~that is a biological substance of plant or animal origin proven to be~~ capable of microbial degradation in compost processes, including products meeting the requirements of Chapter 70A.455.040RCW. Organic materials include, but are not limited to, manure, yard debris, food waste, food processing wastes, clean wood waste, and garden wastes.

We remain alarmed by Ecology's choice to include physical contamination and non-compostable packaging in the definition of source-separated solid waste. True source separation, of course, would require non-compostable packaging to be separated at its source. The Department's added definition of "organic materials pre-processing" ignores that physical contaminants and non-compostable packaging can leak into organic streams regardless of removal efforts, and that the purposeful allowance of these non-organic materials in collection only increases the risk of persistent microplastics and chemical contamination such as PFAS, heavy metals, or other toxins. In a [study where 99% of the plastic was removed](#) in a particular process, the output still contained more physical contamination than allowed by the local regulation for the final product. It is concerning, then, that the updates to this regulation have been [presented by the Department](#) to reduce contamination in compost when these allowances will *increase* contamination.

For this reason, we should not comingle food waste together with non-compostable packaging and products. Across the US, roughly 20,000 tons of persistent plastic could be lost to the environment annually from organics processing if all post-manufacturing food waste was diverted. However, if biodegradable packaging was used, the [100-year plastic accumulation could be reduced by 99%](#).

A carrot and a conventional plastic bag of carrots are not the same, nor should they be treated the same. As illustrated by a [report published by Washington State organics industry stakeholders](#) addressing concerns about contamination in compost, the removal of contamination prior to collection is necessary as it is not possible to do effectively at the composting facility.

Thankfully, the State of Vermont has been considering this topic for several years, and as a result, it has [taken a more measured and responsible approach](#), endeavoring to separate and treat separately the organic materials (carrots, compostables) from the contaminants (a conventional plastic bag designed to hold carrots), with the support of composters, environmental organizations, and compostable packaging manufacturers. We'd also note that grocery stores in Washington state have specifically expressed a willingness to source separate their food waste on site to avoid the risks we've articulated.

We thank you for your consideration of our comments and urge the Department to continue to support Washington's leadership in supporting sustainable organic waste diversion programs both now and in the future, by ensuring organic recycling streams only include food and yard waste and the certified compostable products that are used to help deliver these feedstocks to organics processors. It is incumbent upon the department to ensure that policy is designed to support generation of high-quality soil amendments. This will become increasingly important as the statewide EPR program continues through development and into the implementation phases in the next years.

Please reach out to us with any questions or concerns,

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