



17400 Winton Rd, Leavenworth, WA 98826

August 13th, 2026

Mr. Chris Fredley
Rules Coordinator, Department of Ecology
300 Desmond Dr SE
Lacey, WA. 98503

Mr. Fredley,

Thank you once again for the opportunity to provide comments as part of Ecology's ongoing organic materials management rulemaking. As you know, we are an organics processing company located in Central Washington, just outside of Leavenworth. In a region where access to organics processing is very limited, we play an important role as a resource for fruit packing houses, restaurants, residents, municipalities and more to divert their organic waste from the landfill.

While there have been some minor improvements from our perspective since the last comment period, unfortunately the latest proposal from Ecology continues to miss the mark. We also want to continue to emphasize that throughout this process, Ecology staff have said a primary goal of the rulemaking proposal is to help small composters in areas of the state, like Central Washington, where there is a lack of organics management infrastructure. As the type of facility this proposal is supposed to benefit, we hope this feedback is meaningfully considered. Most of the proposed changes will make what we do harder, not easier, contrary to the legislative intent behind the rulemaking.

Proposed finished compost standards

As drafted, the latest proposed rule maintains exceptionally restrictive standards for finished compost products. These standards, which would be some of the strictest in the country, will be challenging to meet for composters of all size. For us, these standards would impose new costs at a time when we are still trying to fully establish ourselves in the region. The increase in costs, which will ultimately push our rates up, aren't justified by any environmental standard or basis that have been brought to discussions by the department when discussing these rules.

The cost for compliance with this arbitrary standard will demand that we further invest in technology and/or employee work force or combination of the two. If Ecology wishes to

continue with this standard then it should be paired with substantial state investment, facility subsidies, strong procurement commitments to help build the market for the product and include additional state resources for education and outreach. This suggestion follows the support that the State of California used when tightening their compost standards. We ask that the State of Washington commit to funding additional support to go with this rule change to make the standard financially feasible for composters of all sizes, no matter what stage of the business they are in, including small start up facilities like Winton.

Ultimately, this is a recycling program. Putting more emphasis in this rulemaking on upstream source contamination avoidance would be a better use of time and resources to ultimately protect organic feedstocks.

Protect source separation

As we've previously commented, source separation has been a fundamental element of recycling programs across Washington State for generations. Washington has played a key role in helping the state become a national leader with other states using our regulations to model theirs after. We strongly request the Department of Ecology to assert that generators need to separate food from packaging at the source. This will ensure that clean recyclable materials like hard plastics and cardboard can continue to be recycled and that clean organic food waste can flow to the various organics processing technologies active in the state with limited contaminants.

RCW 70A.205.545(3)(a), which establishes "source separating organic material waste from other waste" as a compliance pathway for covered businesses, and it works alongside the general source separation definition in RCW 70A.205.015(26) does not allow adding non-organic packaging into the organics bin. Attempts to interpret or broaden source separation to allow mixed waste processing conflict with these current existing statutes.

Winton has invested a lot of time and money into developing our own education campaign (because none exists in our area) on what organic materials can be composted in the central region. With the current proposed rulemaking Ecology seems to be disregarding our hard work by sending mixed messages to our region on what can go in a single-stream organics recycling stream and thus counterproductive. If, ands, or buts do not send a clear message to organic recyclers and will only add to what will in turn need to be landfilled due to improper sorting for single-stream organic recycling. Consumers that are educated at their workplace to include packaging will go home and put organics with inorganic packaging into their organic waste bins.

For residential organics diversion there is no pre-processing with depackaging. The ORCA which makes all residential organics streams mandatory in 2030, in defined areas, and includes food waste in the organics stream could potentially be undermined by employee learned behavior that includes packaged food waste. Not only could this directly lead to load rejection at facilities but would also impact on the overall diversion of all organic materials including yard waste. The impact of disregarding decades of source separation education for organic materials is just unfathomable, and we cannot even begin to understand the impact to the state.

Our customers are willing and able to source separate most materials for maximum diversion. Let's not give up on source separation merely for convenience. There is a middle ground approach that most stakeholders have requested, and we reiterate our support for meaningful guardrails on depackagers before abandoning true source separation. Our education in the region has and will continue to focus on the populations need to source separate organics from recycling and trash as the existing statute defines it.

Develop meaningful standards for pre-processors

It's disappointing that these proposals from the Department of Ecology continue to propose new rules, standards, and requirements for composters yet often lack comparable inbound standards or outbound recovery rates for pre-processors. This is despite all the repeated feedback Ecology has already heard to date from composters, municipalities, environmental organizations, agricultural partners, and more. Pre-processors compete for organic feedstocks with other processors and should be held to comparable regulatory standards for both inbound and outbound recycling targets. Without consistent regulations, it's hard to have confidence that the results of this rulemaking process will actually lead to increased landfill diversion as outlined in the intent of the Organic Management Laws.

We would propose the Department focus on eliminating the gap in our state's existing regulatory framework by using this rulemaking period to establish a consistent set of regulations for feedstocks for all processing facilities, including depackagers. We understand that hard to separate and heavily packaged food waste may end up in the landfill and the reduction of packaged food items would be better off diverted to a processing facility. Depackaging may indeed play a vital role in this type of pre-processing, but recyclable materials should not increase to benefit businesses that no longer want to source separate. We strongly encourage the Department of Ecology to help formally establish this as a separate class of waste that can flow to depackagers and not carry the same definition as source separated organics. Looking at other areas in the nation we have learned lessons that can be used as a guide, including Vermont, where similar issues that



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this current version of the rulemaking would create. Ecology should incorporate lessons learned and follow the Vermont model as many other stakeholders have previously expressed.

We appreciate the time and effort that has gone into this process over the years. We hope that Ecology will fully consider and incorporate the totality of feedback they have received over the years which is strongly aligned with our suggestions to you today.

Sincerely,

Robbette Schmit