

Brian Fuchs

Dear Mr. Fredley,

W.L. Gore & Associates appreciates the opportunity to comment on the proposed Organic Materials Management rulemaking. We are a global manufacturer with experience in organic processing operations across multiple countries since 1996. We have seen firsthand how organics and recycling systems succeed based on one core principle: clean separation at the source.

Organic processors using our technology internationally maintain strict source separation which results in higher-quality compost and higher recycling recovery rates. They also run at lower system-wide cost than jurisdictions that rely on downstream sorting technology to fix upstream commingling. We encourage Ecology to draw on that broader experience as it finalizes this rule.

Composting is a genuinely difficult business to run well. Facility operators manage biological processes and contamination control. They manage odor and market demand for a variable product. They often do this on thin margins. Best practice in the jurisdictions we know supports and nurtures this industry. It does not layer on regulatory burdens that raise costs without a clear benefit. We ask Ecology to keep that balance in mind.

We want to flag a few specific concerns with the current draft:

The proposed rules keep adding costly requirements for composting facilities. This includes tighter finished product contamination standards. These requirements do not address the source of the problem. Composting facilities have limited control over what arrives at their gate.

Tightening standards at the finished-product stage shifts cost and risk onto facilities that did not cause contamination. Ecology has not paired this with real controls further upstream.

At the same time the draft still sets no meaningful standards for depackaging and pre-processing facilities. There is no inbound contamination limit. There is no minimum recovery rate. There is no restriction on accepting material that would otherwise be recycled. This creates an uneven system. Facilities are doing the most to keep streams clean face the most stringent rules. Facilities built around commingled and contaminated inputs face almost none.

We also want to flag the draft's permitting exemption for depackaging operations that are integral to a permitted compost or AD facility. This exemption removes oversight that would otherwise apply. It lets these operations accept material with little accountability for what they recover versus what they landfill.

Our recommendation is simple. Maintain source separation as the foundation of Washington's organics system. Do not over-regulate the composting facilities that are already doing this work well. Where new standards are needed, they should apply evenly across composting, anaerobic

digestion, and pre-processing operations. They should not concentrate on a new burden on one part of the system while leaving another largely unregulated.

Thank you for your consideration of these comments.

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