

TO: Washington Department of Ecology
(via online form at <https://ecology.commentinput.com/?id=fuSCmsPi5>)

RE: Carton Council Comments Regarding August 19, 2026, Draft RRA Rules

DATE: September 2, 2026

Dear Washington Department of Ecology:

The Carton Council is composed of four leading carton manufacturers – Elopak, Novolex, SIG, and Tetra Pak. Formed in 2009, the Carton Council works to deliver long-term collaborative solutions to divert valuable cartons from the landfill.

The Carton Council would like to offer comments regarding the draft RRA rules presented to the Rulemaking Advisory Committee (RAC) on August 19, 2026, as follows:

1. RCW 70A.208.020 has the following definitions:

(12) “Covered Entity”... (c) “A public place where a government entity managed recycling collection as of August 1, 2025, and any additional public place identified in an approved plan.”

(32)(a) "Public place" means an indoor or outdoor location open to and generally used by the public and to which the public is permitted to have access including, but not limited to, streets, sidewalks, plazas, town squares, public parks, beaches, forests, or other public land open for recreation or other uses, and transportation facilities such as bus and train stations, airports, and ferry terminals.

(b) "Public place" does not include a retail establishment or industrial, commercial, or privately owned property that is not required to be accessible to the public.

- a. Carton Council comment: it seems the statute does not include public schools in the definition of “public place” since access to public school properties is not open to the public but instead is limited and restricted. If Ecology or the RAC has a different interpretation, we request that this be clarified in the rules.

2. 173-950-030 Definitions, (13) (a) "Covered material" means packaging and paper products introduced into the state.

- a. Carton Council comment: To add clarity, the Carton Council requests the following rule text addition to the statutory definition, which we feel is consistent with the rest of the statutory language:

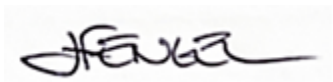
"Covered material" means packaging and paper products introduced into the state [and generated at covered entities.](#)

3. 173-950-030 Definitions, (19) "Exempt materials"

- a. Carton Council comment: Please add to the list of statutorily exempt materials "[de minimis packaging components.](#)" Doing so will reduce the administrative burden on producers and the PRO to account for *de minimis* components. If *de minimis* components of covered material are added to the list of exempt materials, please also add a definition for "*de minimis* component," or, alternatively, a process for the PRO to propose a list of *de minimis* components for review and approval by Ecology.

Thank you for considering the Carton Council's comments as you continue with your thoughtful deliberations of Washington's collection lists.

Sincerely,



Jordan Fengel,
Executive Director, Carton Council