



August 18, 2026

Via Electronic Submission ([Ecology's Online Comment Form](#))

Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: Preliminary Statewide Collection Lists – Public Comment

To Whom It May Concern:

Imperial Bag & Paper Co. LLC (“Imperial Dade”) appreciates the opportunity to submit comments on the Washington State Department of Ecology (“Ecology”)’s preliminary statewide collection lists published for public comment on August 5, 2026. Imperial Dade is a distributor of foodservice, janitorial, sanitation, office supply, packaging, and related products. As an intermediary distributor operating across multiple states with EPR obligations, Imperial Dade has a particular interest in ensuring that the statewide lists promote harmonization, provide clear category definitions, and do not create undue reporting or financial uncertainty for producers during the program’s early implementation years.

Imperial Dade generally supports Ecology’s efforts to develop evidence-based statewide lists under the Recycling Reform Act (“RRA”) and recognizes the significant technical work reflected in the [Statewide Lists Companion Document](#), [Statewide Lists Review Memo](#), and [Statewide Lists Workbook](#). Our comments below are intended to help ensure the preliminary lists are workable for producers, consistent with other state EPR programs, and implemented with sufficient clarity regarding the fee and compliance implications for regulated entities.

1. The Comment Period Is Too Short for Producers to Meaningfully Evaluate the Technical Basis of the Preliminary Lists

The comment period runs only from August 5 through August 19, 2026—a period of just two weeks. The preliminary list materials include a detailed, 50-page Companion Document describing evaluation methodology, a seven-tab workbook with criterion ratings for 96 material categories and hundreds of rows, and the preliminary list assignments themselves. The “Review Memo” itself is a 14-page document. For producers to provide informed, substantive comments, they must evaluate the technical basis for each material assignment relevant to their product portfolio, consult internal teams, and engage technical and legal experts.

Imperial Dade respectfully requests that Ecology extend the comment period or, at minimum, provide additional opportunities for public comment before the lists are finalized in Fall 2026. A 14-day window is insufficient for the level of technical engagement these materials require, particularly for producers operating in complex, multi-state supply chains who must evaluate how Washington’s lists align with other state EPR programs.

2. Ecology Should Consider Fee Consequences When Assigning Materials to Lists

Under RCW 70A.208.160(2)(b)(ii), producer fees must discourage the use of covered materials that are not included on the statewide lists. List placement therefore carries direct financial consequences for producers. Imperial Dade requests that Ecology apply the statutory evaluation criteria rigorously and transparently, particularly for materials that are placed on the alternative collection list or excluded from collection entirely, because those designations will trigger potentially substantial fee consequences under the statute.

Where the technical evidence for a material assignment is uncertain or incomplete, Ecology should err on the side of providing additional opportunities for evaluation rather than prematurely excluding materials from residential collection, given the statutory fee implications of exclusion.

3. Ecology Should Give Greater Weight to Harmonization with Other State EPR Programs in List Assignments

The Companion Document Section 3.3.2 includes harmonization with other states implementing packaging EPR as an evaluation criterion. Imperial Dade strongly supports this approach and urges Ecology to give particular weight to this criterion when making final list assignments. Where materials are accepted for residential recycling collection in Colorado,¹ California,² or Oregon,³ Ecology should provide clear rationale if Washington's preliminary lists assign those same materials to alternative collection or exclude them entirely.

Consistency in list designations across states supports regional recycling markets, reduces confusion for producers and consumers, and aligns with the policy goals expressed in the Companion Document. Imperial Dade encourages Ecology to specifically document how the harmonization criterion was weighed against other factors in the rationale for each material assignment.

4. Materials Assigned to "Alternative Collection" Should Have Clear Operational Pathways Before Finalization

The preliminary alternative collection list includes a range of materials—including polyethylene ("PE") bag and film non-food packaging, certain aerosol containers and gas cylinders, other ferrous packaging, and small format metal packaging. RCW 70A.208.100(2)(a) requires that alternative collection programs provide year-round, convenient, statewide collection opportunities, including at least one drop-off collection site in each county.

Imperial Dade respectfully requests that Ecology clarify, before finalizing the lists, how alternative collection will be operationalized for each designated material type. Producers whose materials are placed on the alternative collection list may face significant fee consequences, because producer fees must "[r]eflect program costs for each covered materials type" under RCW 70A.208.160(2)(b). Additionally, if a group of producers elects to manage its own alternative collection program outside the Producer Responsibility Organization ("PRO") during the first plan implementation period, those

¹ See "Minimum Recyclables List" (MRL) and "Additional Materials List" (AML) included in Section 7.2, Tables 21 and 22 of Colorado's [approved Program Plan](#).

² See "[SB 54 Covered Material Category List](#)" January 2026 Update (DRRR-2025-1762), which includes recyclability, compostability, and recycling rates by covered material category.

³ See Oregon "Recycling Acceptance List" (RAL), which includes the Uniform Statewide Collection List (USCL) for local government depots and a PRO Recycling Acceptance List at pages 191–193 of the [approved Oregon Program Plan](#).

producers must be “exclusively responsible for management of the distinct material, packaging, or product type covered by that plan” under RCW 70A.208.100(6)(a). Without clarity on the practical collection mode, cost allocation, and timeline for standing up alternative collection systems, producers cannot evaluate whether the alternative collection designation is workable for their specific materials.

Imperial Dade further notes that Ecology already [opened the petition process](#) under RCW 70A.208.090(5) on June 18, 2026, which allows a group of producers representing a majority of a distinct covered material type to petition for location-specific alternative collection methods. Ecology set a petition deadline of July 12, 2026, which gave producers less than a month to form a group and file a petition and was nearly three months before the October 1, 2026 deadline for finalizing the statewide lists under RCW 70A.208.090(1)(a). The statute contemplates petitions submitted “at least six months prior to the publication of the lists” under RCW 70A.208.090(5), which Ecology’s timeline did not meet.

Imperial Dade requests that Ecology clarify whether materials assigned to the alternative collection list in the preliminary evaluation remain eligible for petition after the initial lists are published, or whether the July 12 deadline foreclosed future petitions. The statute does not explicitly address whether producers may petition after the initial lists take effect. Clarity on this point is important for producers evaluating whether to pursue alternative collection arrangements for materials that may shift between list categories as the program evolves.

5. Materials “Not Listed for Collection” and Materials “Needing Further Evaluation” Require Additional Transparency

The preliminary lists identify a substantial number of materials as either “not listed for collection” or “needing further evaluation.” For materials not listed, the Companion Document at Section 4.3 acknowledges that rationale for several categories has not yet been completed (e.g., #3 PVC, #4 LDPE, #6 PS rigid, #7 Other & PLA, squeeze tubes, and non-PE film are noted with “[Rationale for not recommending for collection to be added]”).

Imperial Dade respectfully requests that Ecology provide complete rationale for all “not listed” designations before the lists are finalized, and open such rationale up for public comment, so that producers of these materials have a meaningful opportunity to evaluate and respond to the technical basis for exclusion. Similarly, for the material categories designated as “needs further evaluation”, producers need to know how and when Ecology will evaluate and assign these materials before the lists are finalized. Ecology should publish a timeline for completing these evaluations and provide an additional comment opportunity after Ecology makes preliminary assignments for these materials.

6. The Size Threshold Definitions Should Be Clearly Communicated with Practical Examples

The preliminary lists apply size-based distinctions—small format (less than 2 inches in two dimensions), standard (at least 2 inches but smaller than 2 gallons/2 feet), large (2–5 gallons or 2–3 feet), and bulky (5+ gallons or 3+ feet)—that determine whether certain plastic containers are placed on the residential recycling list versus alternative collection or not listed. Imperial Dade requests that Ecology publish practical, illustrated guidance showing how common packaging formats map to these size categories. Clear examples will reduce reporting errors and ensure consistent classification across producers.

7. Ecology Should Clarify the Treatment of Non-Covered Materials Included on the Candidate List

The Companion Document at Section 2.2 notes that certain non-covered materials—including non-covered counterparts for covered materials already on the candidate list, newspaper, #2, #4, and #5 Plastic Products, ferrous and non-ferrous products or scrap metal, food and yard waste, and certain clean wood and dimensional lumber—were added to the candidate list based on Advisory Committee feedback, even though they fall outside the RRA’s definitions of “packaging” or “paper products.” Imperial Dade requests that Ecology clearly distinguish between covered and non-covered materials in the final published lists, so that producers understand which list designations carry fee and reporting obligations and which are informational only. Any inclusion of non-covered materials on the statewide lists should not expand the scope of producer financial responsibility beyond what the statute authorizes.

8. Ecology Should Clarify the Process for Future List Modifications

The Companion Document’s Introduction Section acknowledges that the statewide lists are expected to change over time. Under RCW 70A.208.090(2), a PRO may propose additions or removals as part of a plan or plan amendment, and Ecology must consider requests from interested parties for inclusion or removal of materials. Imperial Dade requests that Ecology clarify the procedural requirements for future list modifications, including whether producers will have a public comment opportunity before any material is added to or removed from a list, and what standards or procedure Ecology will apply when evaluating proposals for list changes.

Conclusion

Imperial Dade appreciates Ecology’s work to develop the preliminary statewide collection lists and supports the goal of building a more effective, standardized recycling system in Washington. Imperial Dade respectfully requests that Ecology address the areas described above to ensure the final lists are supported by complete technical rationale, reflect adequate consideration of all statutory criteria including harmonization, and provide producers with sufficient transparency to understand the basis for each material assignment.

Thank you for considering these comments. Imperial Dade looks forward to continued engagement with Ecology and other stakeholders as the statewide collection lists are finalized.

Sincerely yours,

Kevin McGrath

[Kevin McGrath \(Aug 18, 2026 12:58:02 EDT\)](#)

Kevin McGrath

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Imperial Dade

Imperial - Comment Letter - Washington EPR Preliminary Statewide Collection Lists (08-18-2026)

Final Audit Report

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