Circular Action Alliance Washington LLC

October 30, 2026

Dan Weston, Recycling Reform Act Lead
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Washington Department of Ecology
PO Box 47600
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Submitted via Public Comment Form online at:
https://ecology.commentinput.com/?id=QbChArB7j

Re: Comments and Recommendations on Washington's Preliminary Needs Assessment – October 2026

Dear Mr. Weston,

Circular Action Alliance (CAA) appreciates the opportunity to submit comments on the Department of Ecology's (Department) draft preliminary needs assessment required under Revised Code of Washington (RCW) 70A.208.110 as part of the Recycling Reform Act (RRA), codified in Chapter 70A.208 RCW.

On Mar. 4, 2026, the Department announced CAA as the Producer Responsibility Organization (PRO) representing producers in Washington. CAA will be responsible for developing, implementing and administering a statewide producer-funded program, informed by the Department's statewide collection lists and needs assessments.

RCW 70A.208.110 specifies the content required to be evaluated in Washington's preliminary needs assessment and later full needs assessment. In addition, RCW 70A.208.110 requires the Department to consult with and obtain recommendations from the advisory council (council) and PRO, among other parties noted in the statute. We appreciate the effort by the Department during 2026, with support from its third-party consultant teams, to engage with the council and its needs assessment subcommittee to review and provide input while developing the preliminary needs assessment.

Prior to releasing the draft preliminary needs assessment for public comment on Oct. 1, the Department released five supporting technical memoranda (tech memos) — Material Quantity, Collection Services, Service Contracts and Cost Structure, Infrastructure and Capacity, and End Markets and invited the subcommittee to

provide feedback. It is our understanding that these will be included as appendices to the preliminary needs assessment. As such, we offer feedback and recommendations on both the draft report and the tech memos to reinforce alignment to the statutory intent, and to strengthen the report as a tool for the Department's development of performance goals and for CAA's development of Washington's first program plan.

Our comments center on the following issues:

1. Data Availability, Access and Limitations
2. Statutory Alignment and Requirements
3. Cost Analysis and Assumptions
4. Definitions, Terminology and Methodological Consistency
5. Organics and Compostable Materials
6. End Markets and Material Flow Analysis
7. Regional and Jurisdiction-Level Analysis
8. Facility and Infrastructure Capacity
9. Refill and Reuse Analysis
10. Connecting the Assessment and Tech Memos
11. Cross-Cutting Considerations
12. Questions to Address

CAA recognizes that the preliminary needs assessment is intended to establish an initial baseline and additional data gathering and analyses will be conducted in 2027 through the full needs assessment. The final preliminary needs assessment should nevertheless clearly identify unresolved statutory requirements, data-quality concerns, analytical gaps, describe the additional information needed and provide a specific plan for addressing those issues in the full needs assessment. It should also preserve flexibility for the PRO to supplement the assessment with more current or detailed information as program planning advances.

CAA appreciates the Department's continued engagement with the council, PRO, service providers and other interest holders.

Sincerely,



Julie Gilbertson
Washington State Program Manager
Circular Action Alliance

CAA Feedback and Recommendations

Data Availability, Access and Limitations

CAA recommends that the preliminary assessment clearly identify all datasets and sources used, the known limitations or uncertainties associated with the data, and articulate areas where information or data was unavailable or incomplete. Where data limitations affect the scope, methodology, or interpretation of the analysis, the assessment should describe those constraints and, as appropriate, distinguish between conclusions supported by available data and areas where additional information may be needed.

In addition, the methodological descriptions should allow a technically informed reader to understand and, where practicable, reproduce the results. Where findings rely on assumptions, modeled values, outlier exclusions, regional aggregation, or incomplete survey responses, those elements should be presented alongside the applicable findings rather than only in general limitations sections. The draft assessment describes many of the data sources used, but it does not always provide enough information to understand how individual datasets were reconciled, adjusted, or translated into statewide and regional findings nor link back to the tech memo(s) where relevant data or datasets may be described in greater detail.

The preliminary assessment should distinguish between findings supported by direct data and findings that remain preliminary because of incomplete, inconsistent, or unavailable information. It should also explain how the Department and consultants intend to address each major limitation in the 2027 full needs assessment. Greater transparency regarding data sources, assumptions, and limitations will improve understandings of the basis for the assessment and support appropriate interpretation of its findings.

The preliminary assessment should also identify which underlying data can be made available in a disaggregated form, subject to appropriate protections for confidential business information. Access to accompanying data used in the needs assessments is required in statute, per RCW 70A.208.110(2)(c). CAA will carry out its own research to build the program plan through supplemental analysis to gather data detailed enough to evaluate regional service gaps, model program scenarios, develop reimbursement approaches, establish performance baselines, build out a program budget and producer fees. We would also like to compare our research with any accompany data used in the needs assessments.

For example,

- Provide the underlying service-level data by county, city and other jurisdiction or covered entity type used to support the assessment;
- Provide facility inventories, including Ecology permitted and permit exempt facility names, locations, capacities, and classifications;
- Provide supporting datasets including material recovery facilities (MRFs), compost facilities, transfer stations and drop-off locations;
- Provide the underlying cost, survey, contractor/contract and end-market datasets used in the analyses; and
- Clarify which supporting datasets are publicly available and which are subject to confidentiality limitations.

Statutory Alignment and Requirements

CAA recommends that the preliminary assessment and subsequent full needs assessment clearly connect its scope, analyses and findings to the applicable statutory requirements. Where the assessment interprets or applies statutory terms or requirements, the basis for that interpretation should be transparent and consistently reflected throughout the document. Clearly distinguishing statutory requirements from analytical choices, recommendations, or areas considered for additional analysis would improve clarity and help the reader understand how the assessment relates to the legislative framework.

For example,

- Include a compliance matrix to identify how the assessment addresses each of the statutory requirements;
- Clarify how the cost per ton addresses the statutory requirement for total annual collection and processing service costs required pursuant to RCW 70A.208.110(3)(c) and (i);
- Provide additional information for MRFs regarding tons processed and sold, composition of materials sold, technologies used and facility fees;
- Provide additional information for compost facilities regarding technologies used, tons processed and sold, facility fees and characteristics affecting acceptance of compostable packaging; and
- Clarify the basis for conclusions regarding market capacity and responsible end markets given the limitations of available data.

Cost Analysis and Assumptions

CAA recommends additional clarity regarding the methodology, data sources, assumptions and limitations underlying cost estimates presented in the preliminary assessment. Cost analyses should provide sufficient context to understand what activities and cost categories are included, how estimates were developed, and

where uncertainty or data limitations may affect the results. Consistent treatment and documentation of cost assumptions would improve transparency and facilitate meaningful review of the analysis.

For example,

- Reconsider reliance on cost-per-ton metrics where differences in service conditions limit comparability;
- Account for differences in service frequency, material mix, pay-as-you-throw (PAYT) structures, multifamily service, and urban versus rural conditions;
- Consider cost-per-household or cost-per-stop metrics to better connect costs with the services provided;
- Clearly distinguish between collection costs, processing costs, and other charges; and
- Address limitations associated with inconsistent cost reporting and limited participation in the underlying data collection efforts.

Definitions, Terminology and Methodological Consistency

CAA recommends consistent use of definitions, terminology, classifications and analytical methods throughout the preliminary assessment. Where terms have a statutory definition or a specific methodological meaning, the assessment should clearly identify and apply that meaning. Aligning terminology and analytical approaches across sections, appendices, data tables, and technical analyses would reduce ambiguity and improve the comparability and interpretation of findings.

For example,

- Terms such as “introduced,” “generated,” “collected,” “recycled,” “processed,” and “composted” should be used consistently with the statute throughout the assessment or clearly defined when the assessment uses a proxy or introduces a new definition or additional context that is not defined in statute;
- Apply consistent definitions for multifamily housing, rural and urban areas, service providers, public places, organics, refill, reuse, end markets, covered materials, and participation versus access;
- Consider revising definitions for multifamily housing and rural areas;
- Clarify and consistently apply classifications for compostable packaging and paper products; and
- Use consistent terminology when referring to technical memos, technical analyses, appendices and other needs assessment materials so that readers and interest holders can clearly understand how the supporting analyses were used or intersect and relate back to the assessment.

Organics and Compostable Materials

CAA recommends that the assessment clearly describe how organic materials and compostable materials are defined, categorized, and evaluated, including the data and assumptions used in the analysis. The assessment should distinguish among material characteristics, collection and processing considerations, and available management pathways where those distinctions affect the analysis. Clearly documenting these factors would provide readers with a more transparent basis for evaluating conclusions concerning organics and compostable materials.

For example,

- Of the organics facilities included in the assessment, denote which facilities are permitted to accept food waste and clarify the relationship between food-waste acceptance and compostable-packaging acceptance in the assessment;
- Distinguish a facility's acceptance of compostable materials from its ability to process those materials;
- Address potential limitations associated with survey response rates when characterizing compostable-material acceptance;
- Clarify the basis for facility estimates of investments exceeding $1 million;
- Provide capacity estimates by feedstock type, including yard waste, food waste, and compostable materials; and
- Consider a more detailed facility inventory and permit-based analysis of organics infrastructure.

End Markets and Material Flow Analysis

CAA recommends greater transparency regarding the information and methodology used to characterize material flows and end markets. The assessment should clearly identify the points in the material-management system addressed by the analysis, the available evidence regarding material destinations, and any limitations that restrict the ability to characterize downstream movement or end-market outcomes. Clearly distinguishing documented material flows from assumptions or areas where information is unavailable would strengthen the usefulness of this analysis.

For example,

- Provide information on actual material destinations rather than relying solely on identification of potential markets;
- Distinguish between materials moving through brokers and materials going directly to markets;

- Provide information on local, regional, and export destinations where available;
- Clarify distinctions among manufacturers, processors, reclaimers, beneficiation facilities, and end markets;
- Provide additional information regarding end-market capacity limitations, MRF outbound quality, and bale specifications; and
- Further verify information supporting responsible end-market determinations before drawing conclusions.

Regional and Jurisdiction-Level Analysis

CAA recommends that the assessment clearly distinguish limitations of the assessments' findings when presented in a broad regional approach, and those opportunities where further analysis may be necessary by a jurisdiction-specific data or finding. While regional analyses can provide some statewide context, the risk is the regional approach can overly generalize findings and miss the nuances of what the study is intended to uncover or surface through a more detailed, county-level and city-level analysis. Key differences among Washington jurisdictions may affect how statewide or regional findings are interpreted or applied. Where jurisdiction-level information is unavailable or regional information is used as a proxy, the assessment should clearly identify that limitation and explain the basis for the analytical approach.

For example,

- Provide greater geographic specificity, including county, city, or other jurisdiction, service area, facility service area (i.e., MRF-shed), where available;
- Supplement broad regional averages with more localized information to better identify and not miss the nuances or critical differences in service access, availability and infrastructure; and
- Consider whether Ecology-region summaries adequately reflect conditions relevant to program planning at the jurisdictional level for an accurate picture of Washington's statewide system and to support the future EPR program.

Facility and Infrastructure Capacity

CAA recommends that the assessment clearly document the data, assumptions, and methodologies used to characterize existing facility and infrastructure capacity. The analysis should distinguish, where relevant and supported by available information, between existing capacity, utilization, operational constraints, and potential future capacity rather than treating these concepts interchangeably. Identifying data limitations and the basis for capacity-related conclusions would

provide a clearer understanding of existing conditions and potential infrastructure considerations.

For example,

- Provide facility-specific capacity and throughput information;
- Include permitted and permit exempt transfer station and facility inventories and additional information on processing technologies and operational constraints;
- Identify potential facility expansion opportunities and future capacity requirements such as capital improvement plans included in the Ecology-approved or most current draft county and city solid waste management plans;
- Address transportation and transfer and re-load logistics as part of the infrastructure analysis; and
- More clearly characterize the state's reliance on the identified larger MRFs when presenting conclusions regarding infrastructure capacity.

Refill and Reuse Analysis

CAA recommends that the preliminary assessment clearly define the scope and methodology used to evaluate refill and reuse, and identify the data sources and assumptions supporting the analysis. Because refill and reuse models may vary by material, product, system, and application, the assessment should provide sufficient context to understand what activities are included and the extent to which available information supports broader conclusions. Clearly identify data limitations, existing practices, and areas requiring further information.

For example,

- Apply consistent definitions of refill and reuse and clarify the covered-material scope of the analysis;
- Avoid conflating distinct refill and reuse models;
- Distinguish among refill-at-home, refill-on-the-go, return-from-home, return-on-the-go, and closed-loop foodservice systems;
- Reevaluate whether existing refill infrastructure is fully represented;
- Provide additional detail to support the use of the refill and reuse analysis for program planning; and
- Strengthen alignment between refill/reuse terminology used and applicable statutory terminology.

Connecting the Assessment and Tech Memos

In general, CAA recommends the draft preliminary assessment be revised to strengthen the connections between the report and the five tech memos to better inform program planning. This includes refining the terminology, measurements, and data presentation across the draft preliminary assessment and five technical memos so the relationship between the reported information and the requirements of Chapter 70A.208 RCW is clear.

Individually and collectively, the five tech memos provide a useful initial inventory of Washington's existing system. However, several sections require additional data, information, context and analysis to show how the information can support the development of a program plan and implementation of the RRA.

Additional information would be helpful to understand:

- Material Quantity: how estimates based on waste generation and collection will be reconciled with producer-reported quantities of covered materials introduced into Washington;
- Collection Services: the jurisdiction-level, housing-type, and collection-method information underlying regional estimates, particularly for multifamily residences, drop-off collection, public places, refill and reuse, and organics services;
- Service Contracts and Cost Structure: how the estimated recycling service cost of approximately $432 per ton should be interpreted given the limited number of data points, inconsistent cost definitions, and substantial variation in local service arrangements;
- Infrastructure and Capacity: the practical capacity of material recovery facilities, transfer stations, drop-off sites, and compost facilities after considering accepted materials, contamination, equipment constraints, operating schedules, planned improvements, transportation, and regional access; and
- End Markets: whether identified markets are currently receiving Washington-generated covered materials and whether those markets provide sufficient, stable, responsible, and economically practical capacity for recyclable and compostable materials.

The preliminary assessment should connect findings across the five tech memos rather than present them as separate inventories. For example:

- Conclusions about available collection service should be evaluated together with material quantities, processing capacity, contract structures, costs, and verified end-market availability. This integrated analysis is necessary to

identify where apparent capacity may not translate into practical statewide service; and
- While the draft preliminary assessment is intended to serve as a summary report, it should clearly explain how the analyses in the five technical memos are incorporated into within the summary and how differences in scope, reporting periods, definitions and data quality were addressed.

Cross-Cutting Considerations

There were several key areas for consideration that overlap, including:

- The assessment should consistently distinguish covered materials under Chapter 70A.208 RCW from candidate materials, potential covered materials, noncovered materials, and broader waste categories;
- Where estimates include materials outside the scope of RRA, the assessment should identify those materials and explain how they were separated from covered-material estimates;
- Material categories should align with the statewide collection lists and the categories that will be used for producer reporting and program planning; and
- Tables, figures, and regional summaries should also clearly indicate whether values represent covered materials, candidate materials, or the broader waste stream. For example, where the Material Quantity tech memo assumes that material generated or collected is equivalent to material introduced by producers, the report should identify this as a preliminary proxy and explain how producer-reported data will be incorporated into the full needs assessment.

Recommended Questions to Address

CAA recommends the following questions be addressed:

- How were noncovered materials removed from material quantity estimates, and where do estimates continue to include candidate or potential covered materials?
- How were commercially collected and self-hauled quantities reconciled, and what controls were used to avoid omissions or double counting?
- How were regional service-access estimates developed when survey response rates were limited and data were supplemented through contracts, registrations, public records, and desktop research?
- How were cost data normalized when reported costs, revenues, rates, service components, and tonnages were not consistently defined?
- How was facility capacity evaluated when operators used different capacity measures and provided limited operational information?

- What evidence confirms that Washington-generated materials currently reach the end markets identified in the inventory?