



2022 Organics Management Law

Mason County SWAC Meeting
June 28, 2023



THAWING PERMAFROST

COAL MINING

COAL PLANTS

AIR TRANSPORT

OIL PRODUCTION

INDUSTRIAL PROCESSES

FERTILIZATION

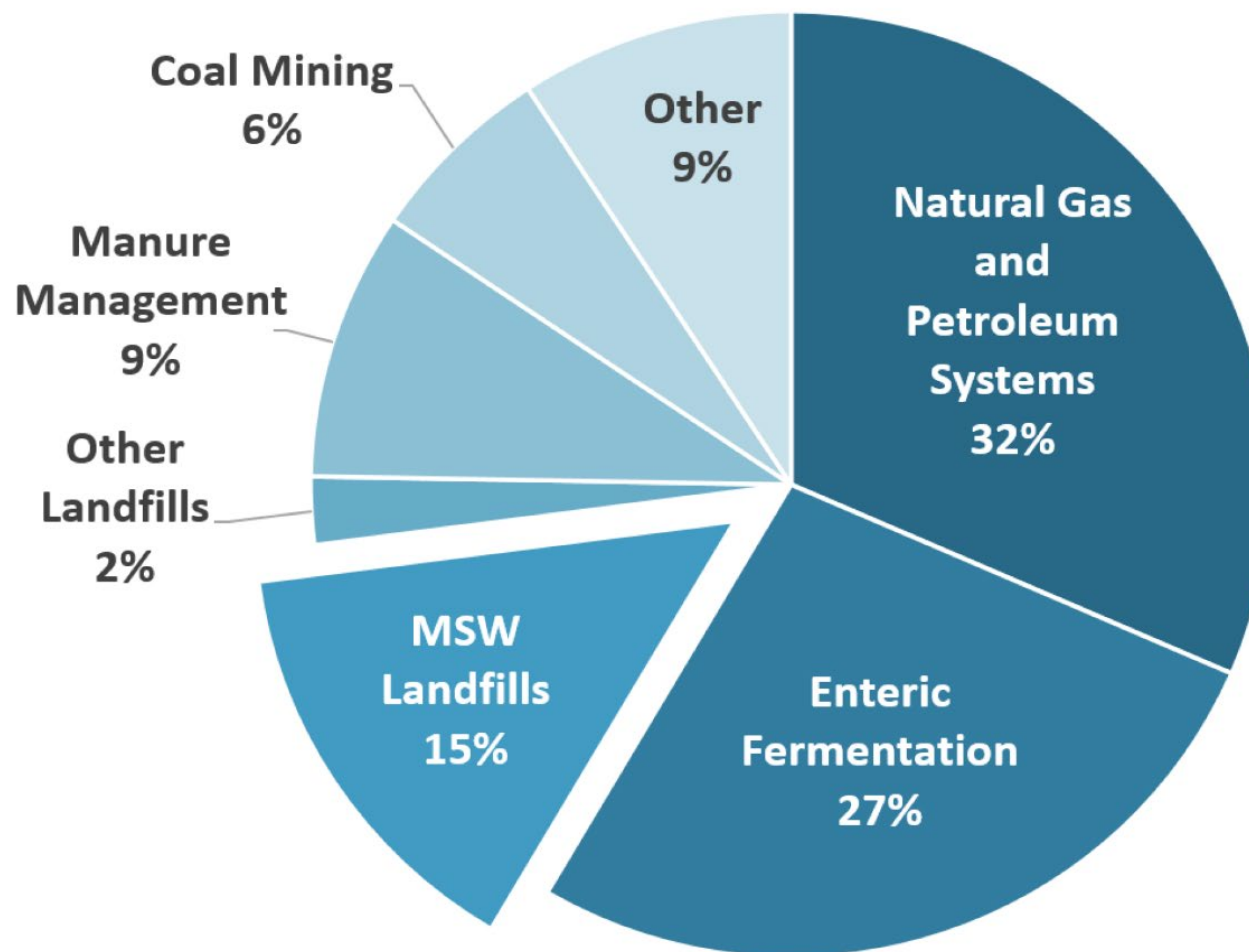
LAND TRANSPORT

LANDFILLS



Why Organics?

2020 U.S. Methane Emissions, By Source



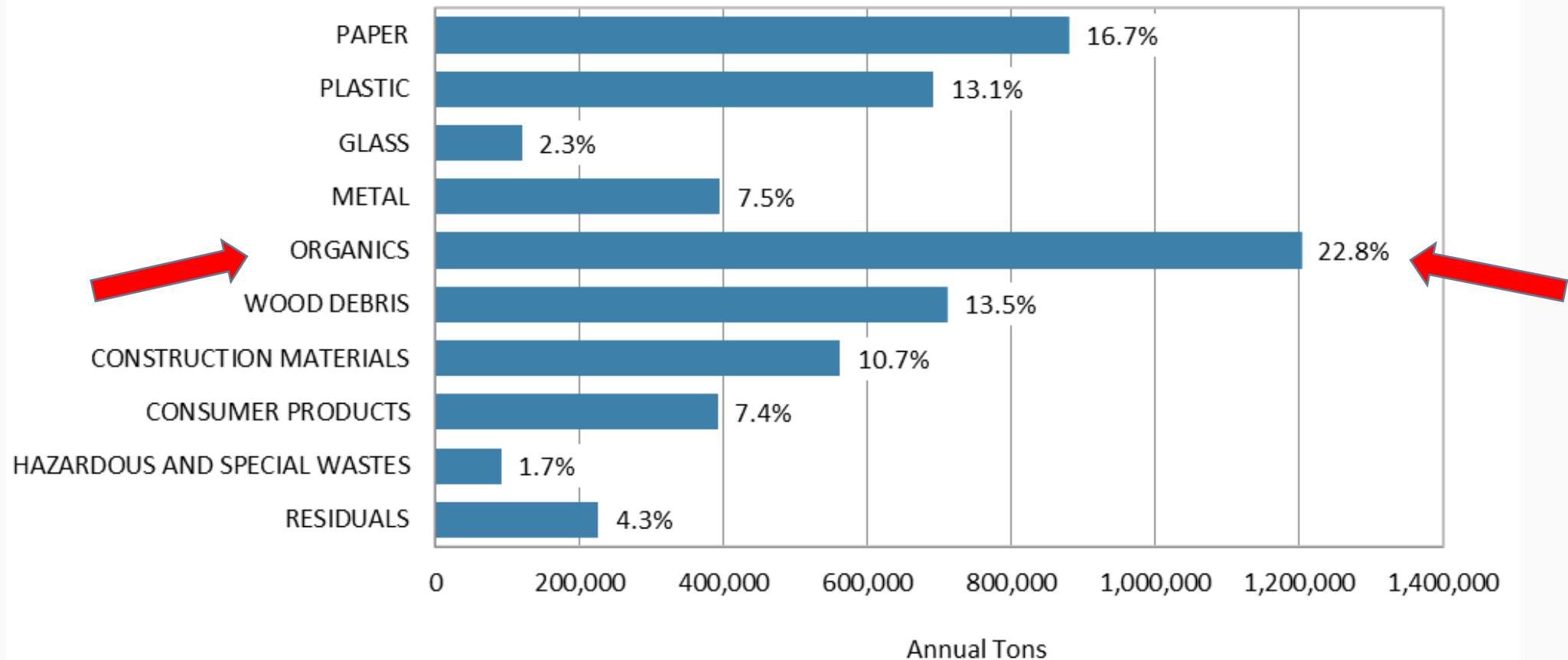
Note: All emission estimates from the *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2020*. U.S. EPA. 2022.

Methane is WHY

Methane is a potent greenhouse gas with a much higher Global Warming Potential (GWP) than CO₂

		GWP ₂₀	GWP ₁₀₀
	Lifetime (years)	(over 20 years)	(over 100 years)
Carbon dioxide (CO ₂)	Varies (can be thousands)	1	1
Methane (CH ₄)	12.4	84	28
Nitrous oxide (N ₂ O)	121.0	264	265
Tetrafluoromethane (CF ₄)	50,000.0	4880	6630

Overall Statewide Disposed Waste Stream Composition by Material Class, 2020-21



Research

Prevention

Collection

Processing

Markets

“Agriculture and the food system are key to global climate change responses.”

IPCC Special Report on Land 2019

Organics Management Law

Reduce methane emissions by diverting organics from landfills

Formerly known as HB1799

- 9 Parts
- Added or amended more than 20 RCWs
- Many impacts to state and local governments, businesses and residents



GOALS

Divert 75% of previously disposed organic materials from landfills by 2030

Rescue 20% of previously disposed edible food for human consumption by 2025

Organic Materials Management

Research

Prevention

Collection

Processing

Markets

Research

Prevention

Collection

Processing

Markets

Organic Management Law



Research

1. Adequacy of funding for local solid waste management

Collection & management

2. Business organics management
3. Residential and non-residential collection

Processing

4. Recycled organics facility siting
5. Compostable product labeling

Markets

6. Compost procurement and reporting
7. Agricultural organic material purchases

Prevention

8. Good Samaritan laws
9. Washington Center for Sustainable Food Management



Organics Management Law Timeline



- Prevention
- Collection
- Processing
- Markets

GOALS

A 75% reduction of organic material to landfills by 2030

Rescue 20% of previously disposed food for consumption

Jun 2022

- Good Samaritan Law Updates
- Sustainable Farms and Fields Grants begin

Jan 2023

- Local government adoption of Compost Procurement Ordinances if required

Jul 2023

- Local Solid Waste Funding Study due
- Ecology posts determination of where business organic material requirements apply.
- WSDA Reimbursement Program begins for farmers

Jan 2024

- Local Solid Waste Management Plans identify priority sites for new facilities
- Comprehensive plans to allow organic management facility siting
- Organics management requirements for businesses generating 8 cubic yards of organic material begin.
- Food Center Launch
- Producers of compostable products must meet labeling requirements and submit declarations

Jul 2024

- Enforcement begins for requirement for products labeled as “compostable”

Dec 2024

- Compost Procurement Ordinance Reporting begins

Jan 2025

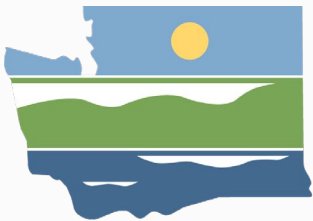
- Organics management requirements for businesses generating at least 4 cubic yards or organic material per week begin.
- Ecology shares model ordinances that disincentivize commercial organic material disposal

Jan 2026

- Organics management requirements for businesses generating at least 4 cubic yards per week of solid waste begin.

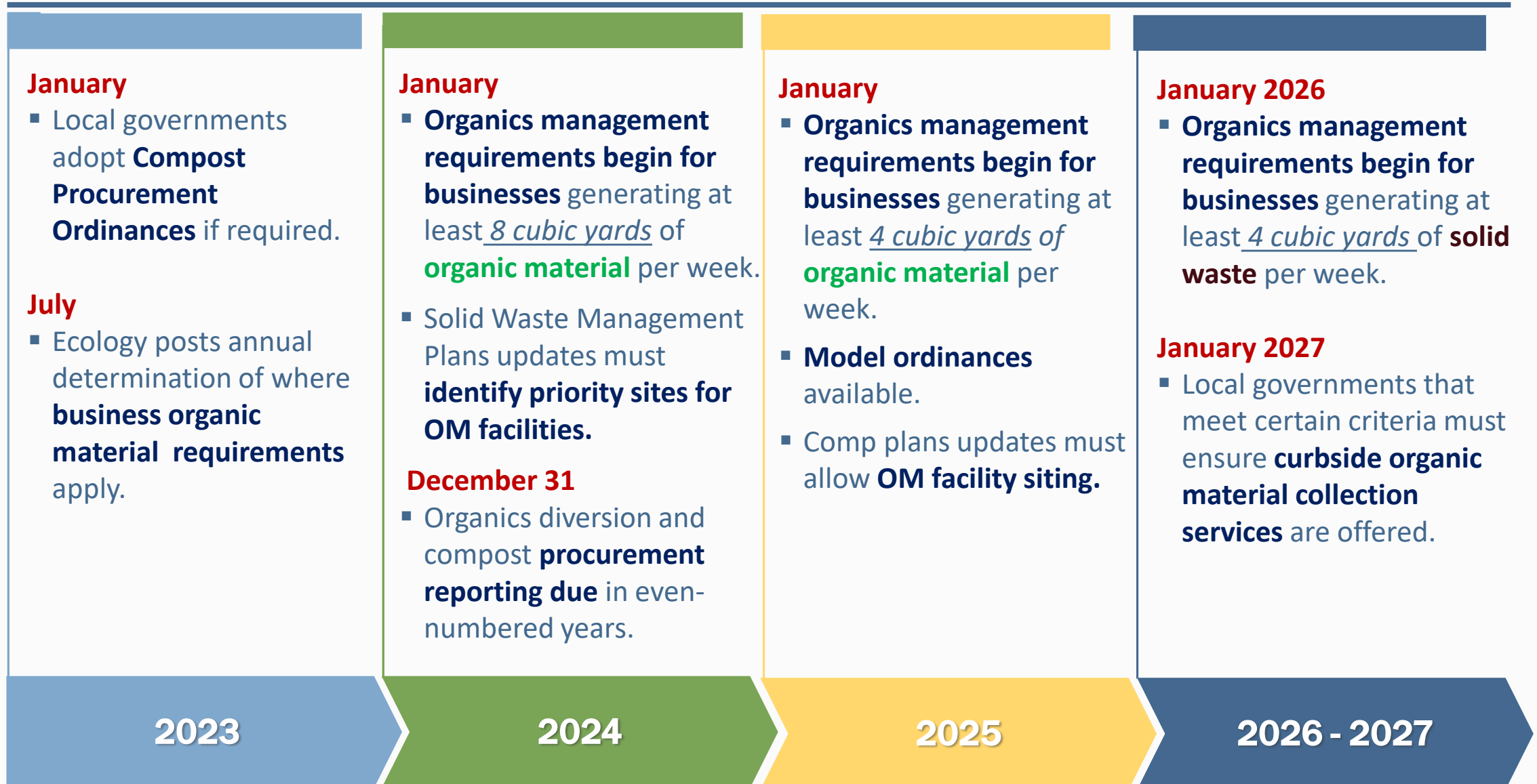
Jan 2027

- Local governments that meet certain criteria must ensure curbside organic material collection services are offered.



DEPARTMENT OF
ECOLOGY
State of Washington

Organics Management Law Timeline for Local Governments



Compost Procurement Ordinance (CPO)

RCW 43.19A.150

Research

Prevention

Collection

Processing

Markets

Compost Procurement Ordinance (CPO)

Who Must Adopt an Ordinance by January 1, 2023?

- Counties and cities with a population of more than 25,000; *or*
- Counties with a population of 25,000 or fewer that contract to provide, or require the UTC-franchised hauler(s) in their county to provide residential curbside organic material services; *or*
- Cities with a population of 25,000 or fewer that directly provide, contract to provide or require the UTC-franchised hauler(s) in their jurisdiction to provide residential curbside organic material services. ***Towns are exempted from this requirement.***

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	A	B	C	D	E	F
1	Mason County <i>2022 Organics Management Law compost procurement and collection provisions</i>		<i>Requirement</i>	Compost procurement ordinance (CPO) adoption and reporting requirements	Business organic material (OM) collection requirements	2027 residential and "non-residential" OM collection requirements
<i>RCW</i>			43.19A.150	70A.205.545	70A.205.540	
<i>More details</i>			CPO focus sheet & overview	Business collection focus sheet	<i>More details in criteria below. A waiver process will be developed.</i>	
<i>Timeline</i>			CPO adoption - January 1, 2023 Reporting every 2 years starting in December 2024	Phased in from January 1, 2024 to January 1, 2026	Beginning January 1, 2027	
5	Jurisdiction Name	2022 Population	Current OM Collection Services	Status <i>see criteria below</i>	Status <i>see criteria below</i>	Status <i>see criteria below</i>
6	Shelton	10,430	Residential - Contract Business with food - No	CPO Requirements Apply	Exempt	Exempt
7	Unincorporated	55,770	Residential - No Business with food - No	N/A	Exempt	2027 Resid./Small Non-Resid. Collection Requirements Apply in UGAs for incorporated cities with populations of more than 25,000 (none at this time) and in wholly unincorporated UGAs (Belfair & Allyn), unless a waiver is issued.
8	Mason County <i>plans under the Growth Management Act</i>	66,200	No minimum service level for curbside organics	CPO Requirements Apply	N/A	N/A
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Klickitat County

Lewis County

Lincoln County

Mason County

Okanagan County

Pacific County

Pend Oreille County

Pierce County

San Juan County

Skagit County

Skamania County

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Compost Procurement Ordinance (CPO)

Who Must Adopt an Ordinance by January 1, 2023?

131 jurisdictions - 104 cities, and 27 counties*

So far we've received and uploaded these into BOX:

- 32 adopted CPOs from cities (31%)
- 15 adopted CPOs from counties (59%)
- 47 adopted CPOs total (36%)

*As of June 6, 2023



Reporting Requirements

1. Organic material **diverted from disposal**
Total tons of organic material collected by **all curbside programs** they directly provide, contract to provide, or require the UTC-franchised hauler(s) to provide.
2. The **volume** of compost **purchased** each year, and
3. The **source** of the compost purchased.

Reporting Requirements

Organic material diverted from disposal

Cities report the following:

- Total tons of organic material collected by all curbside programs they directly provide, contract to provide, or require the UTC-franchised hauler(s) to provide.
- Total tons of organic material collected at **drop-off sites** they operate, contract with a third-party to operate, or provide vouchers to residents to use.

Reporting Requirements

Organic material diverted from disposal

Counties report the following:

- Total tons of organic material collected at **drop-off sites** they operate, contract with a third-party to operate, or provide vouchers to their residents to use.
- Total tons collected by residential curbside programs they **contract with a hauler** to provide, they require the **UTC-franchised hauler(s)** to provide in their county.

Reporting Requirements

Compost purchases

Cities and counties should report compost directly purchased by them and for compost purchased by contractors they hire.

This includes:

- The source or sources of the compost purchased each year
- The volume and cost of compost purchased each year from each source

Reporting Requirements

Compost purchases – collective purchasing

Only report the volume and cost of the compost purchased under those agreements for use by your jurisdictions.

Reporting Requirements

Reports due to Ecology

- First report due by December 31, 2024, on 2023 data
- Following reports on even-numbered years –2026, 2028, 2030 etc. on previous 2 years data
- Reports will be submitted in an Ecology online portal
 - Scheduled to be live in Q3 2024

Education requirements

Develop strategies to inform residents about:

- The value of compost
- How the jurisdiction uses compost in its operations



Business Organic Management Requirements

Research

Prevention

Collection

Processing

Markets

What is a “business”?

“Business” means a commercial or public entity including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity.

Note: This definition includes public, nonprofit entities such as **schools** and hospitals

“Business” does not include a multifamily residential entity.

Business Organics Management Requirements

Based on:

1. If year-round curbside organics collection service including food is available to businesses
2. Local compost facilities are able and willing to accept additional materials
3. The amount of organic material and solid waste produced



Where do the new requirements apply?

By July 1, 2023

Ecology must post which jurisdictions have organics material collection services (including food waste) available to businesses, *and*

Identify organic management facilities that have the ability to accept more volume.



Research

Prevention

Collection

Processing

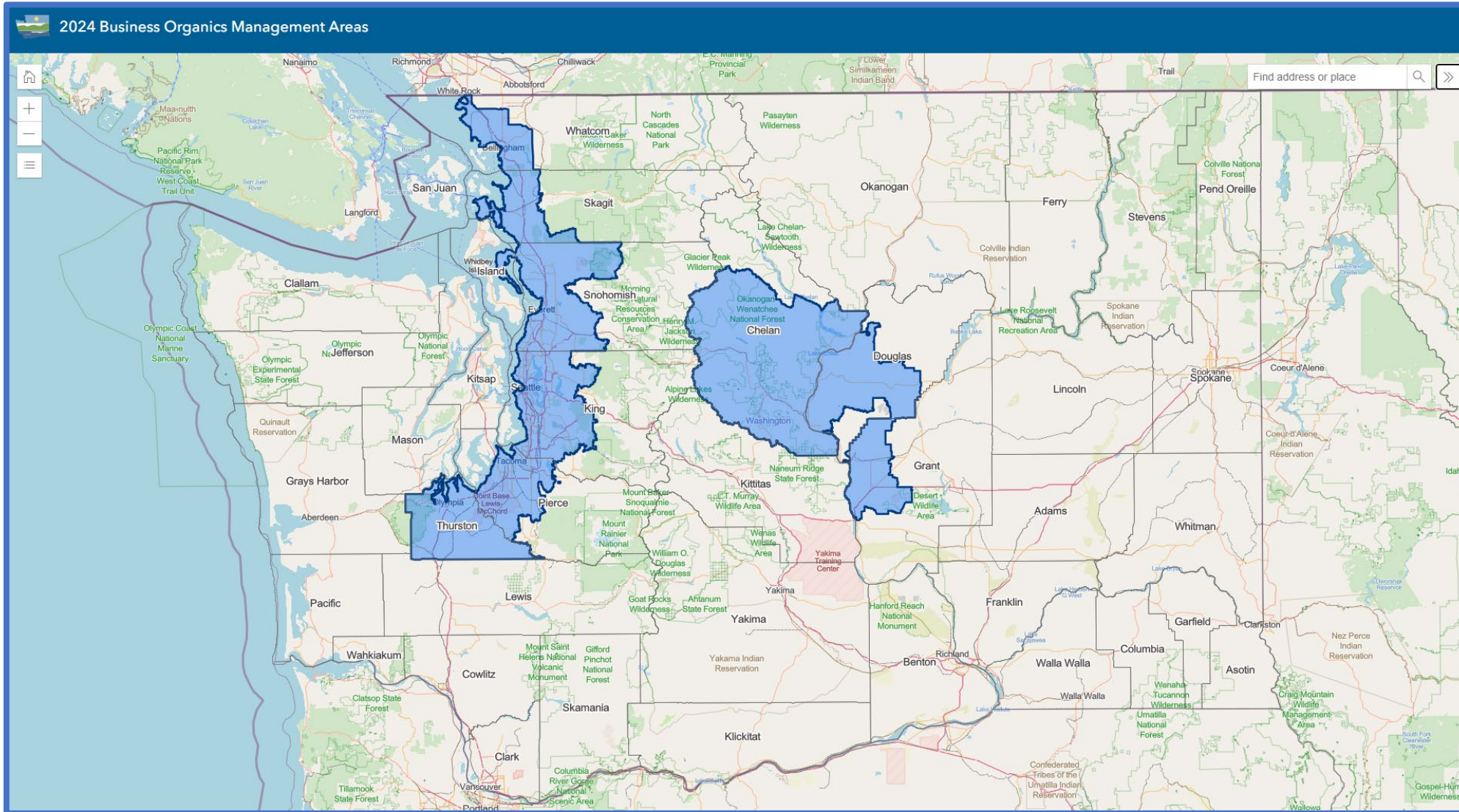
Markets

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2024 Business Organics Management Areas (BOMA)

*Areas in the state where some businesses are required to subscribe
an organics management service, self-haul their organics or manage them on-site.*

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**Requirements
apply**

Starting January 1, 2024
to business generating
more than **8 cubic yards**
of organic material
waste per week.

Starting January 1, 2025
to business generating
more than **4 cubic yards**
of organic material
waste per week.

Starting January 1, 2026
to business generating
more than **4 cubic yards**
of solid waste per week.

[2024 Business Organics Management Areas \(wa.gov\)](https://wa.gov)

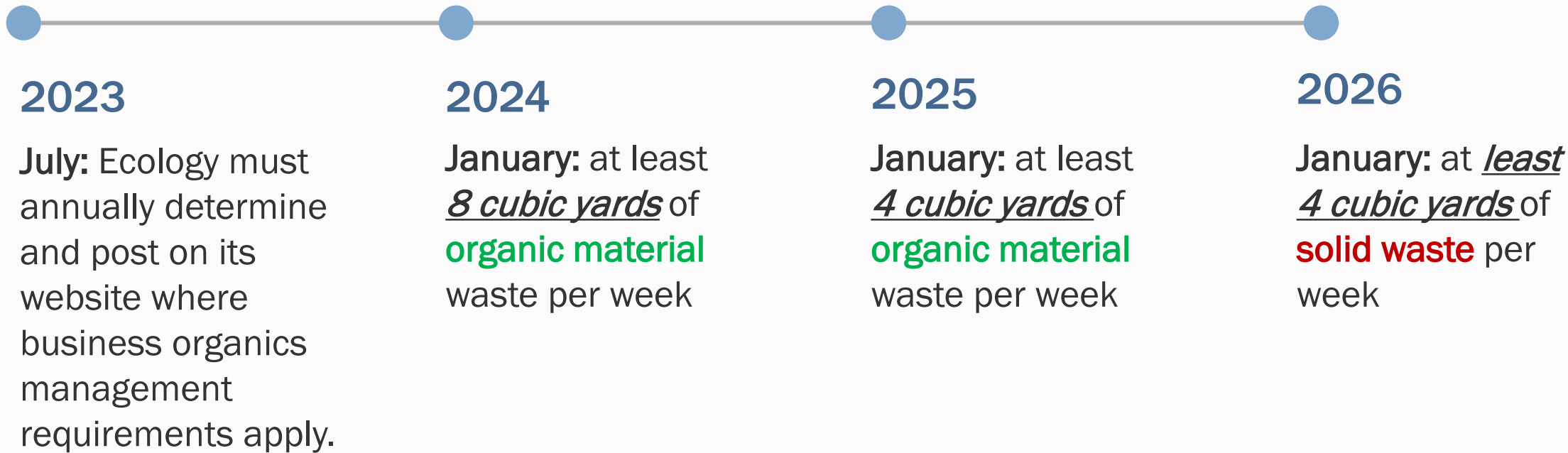
Who must arrange for organic materials management services?

Businesses generating:

- Jan. 1, 2024 - at least eight cubic yards of **organic material** waste per week
- Jan. 1, 2025 - at least four cubic yards of **organic material** waste per week
- Jan. 1, 2026 - at least four cubic yards of **solid waste** per week

Business Organics Management Timeline

Based on available service and volumes of organic material and solid waste produced



Research

Prevention

Collection

Processing

Markets

What do we count?

Organic waste includes:

1. Food waste (from fruits, vegetables, meats, dairy products, fish, shellfish, nuts, seeds, grains, and similar materials that results from the storage, preparation, cooking, handling, selling, or serving of food for human consumption)
2. Other organic waste: manure, food processing waste, wood waste, etc.
3. Waste from gardening and landscape work

What do we count?

Do not count wastes:

1. That are managed on-site
2. Generated from the growth and harvest of food or fiber that are managed off-site by another business engaged in the growth and harvest of food or fiber;
3. That are managed by a business that enters into a voluntary agreement to sell or donate organic materials to another business for off-site use; and
4. From a natural disaster

Are there any exemptions?

Exemptions may apply if:

- A. No haulers to collect organics & food waste from businesses
- B. The compost facility does not have the ability to process additional organics from businesses.

Counties, cities, or towns can be exempted from these requirements by providing written notification to Ecology that either A and/or B above are true for all or a portion of their jurisdiction.

Jurisdiction needs to send a note to Ecology explaining how exemptions apply.

What are the options?

- Separate organic waste and subscribe to a collection service
- Manage organic waste on-site
- Self-haul organic waste to a compost facility
- If you grow, harvest, or process food or fiber, enter into a agreement to sell or donate organic materials to another business for off-site use.

How will this be enforced?

- The new law gives jurisdictional health departments the option to enforce the business organics management requirements.
- If we do not meet the goals, there will be future regulations



2027 Residential & Non-residential Requirements RCW 70A.205.540

Residential/non-residential

January 1, 2027

Jurisdictions that implement a local solid waste plan must ensure organic materials services are available every-other-week or at least 26 weeks a year to:

- All residential customers
- All nonresidential customers that generate >.25 cy organic material per week

The service needs to be offered, but there is no requirement that customers subscribe to the service.



Residential/non-residential

Categorically exempt

- Dispose <5,000 tons solid waste
- Population less than 25,000
- Population 25,000-50,000 that did not have curbside as of July 1, 2022 (Pasco, Longview)

Residential/non-residential

Waivers

- Economic feasibility (distance to processing facility with capacity)
- Capacity at facilities where organic materials could feasibly and economically be delivered
- Restrictions in the transport of organic materials under chapter [17.24](#) RCW (Apple maggots)
- Other
 - *Anticipated*: Census tracts and Urban Growth Areas (UGAs) that include incorporated areas that are categorically exempted

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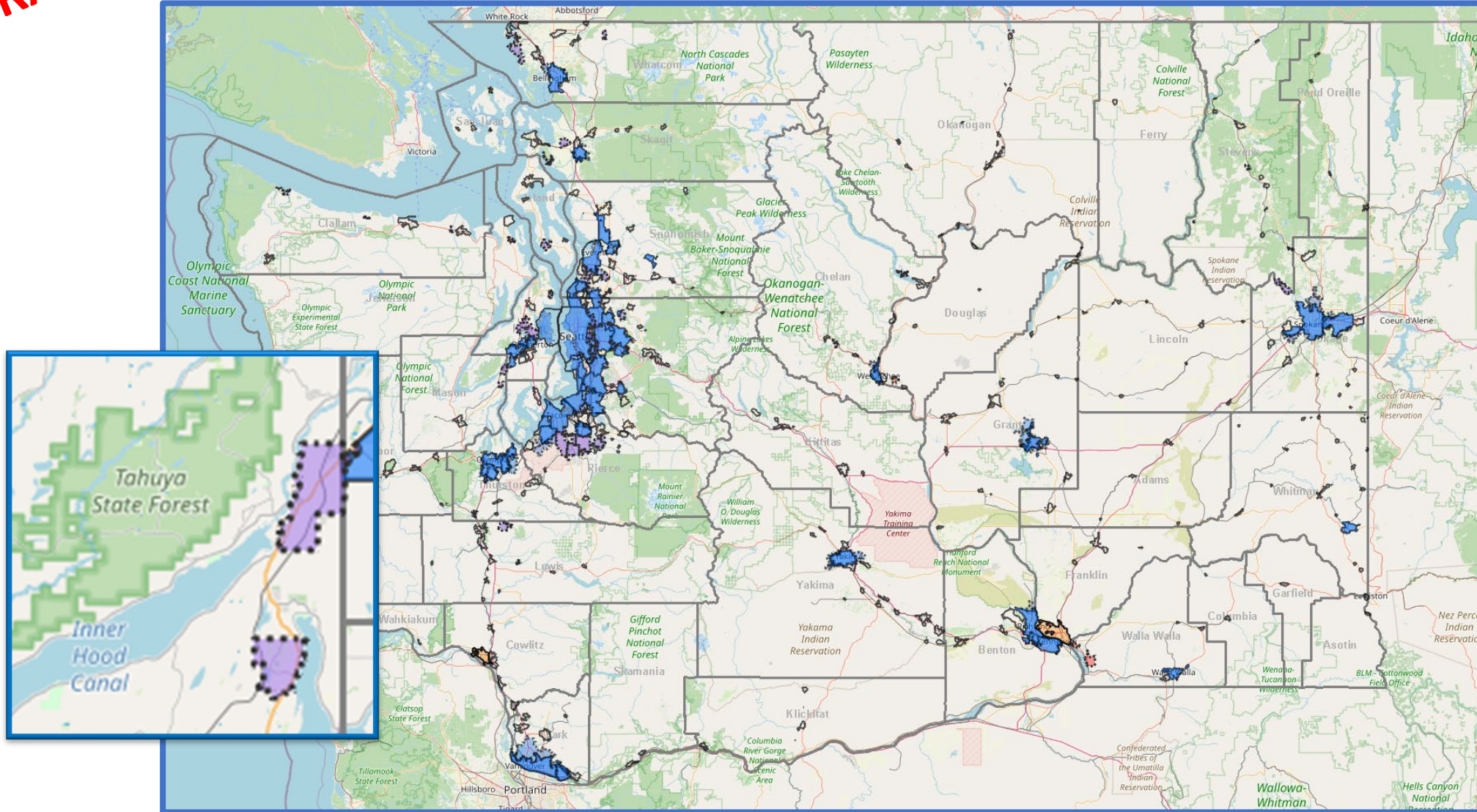
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2022 Organics Management Law – 2027 Collection Requirements

Areas in the state where curbside organic material service is required to be available to all residential and non-residential customers at least 26 weeks annually starting January 1, 2027

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Requirements apply
Incorporated cities with
populations of more
than 25,000.



Requirements Apply
UGAs for cities with a
population of more than
25,000.



Requirements apply
Wholly unincorporated
UGAs in counties with an
unincorporated
population of more than
25,000.



Exempt- All cities,
towns, and
unincorporated areas
with no fill are exempt.



Exempt
Wholly unincorporated
UGAs in counties with an
unincorporated
population of 25,000 or
fewer.



Exempt
Cities with 25,001 to
50,000 people without
curbside OM collection
as of July, 2022.

Waiver required to be exempted in these areas.

Rules: To write or not to write

- [RCW 70A.205.540](#) Organic solid waste services – Fees – Exceptions.
 - Waivers
- [RCW 70A.205.540](#) Organic solid waste services – Fees – Exceptions.
 - If goals are not achieved
- [Chapter 70A.207 RCW](#) WA Center for Sustainable Food Management
 - Necessary to implement chapter
- [Chapter 70A.455 RCW](#) Plastic Product Degradability RCW 70A.455.120 (1)
 - Necessary to implement chapter

To find out more...

- Visit our resources for local governments on compost procurement, facility siting and more.

<https://app.box.com/s/r6jdrswnwbchuo9kme3qa4gdf2uawhfk>.

- Subscribe to our Organics Management email news at <https://tinyurl.com/OrganicsLaw>
 - Set up your account, choose **Solid Waste Management**, and then **Organics Management**.





Thank you!

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