

Organics Management to Reduce Methane and Climate Change Workgroup

Meeting #10 Notes (December 2, 2-4pm)

- I. Welcome and Agenda Overview
- II. Continue Topic #6 Policy Discussion

a. Policy 4: Industrial symbiosis

Strengths/Concerns/Issues/Questions

- Mona D.: Industrial symbiosis is near and dear. Has been chatting with commerce about a fiber pod (i.e. recycled wood, recycled cotton, etc.)
- Sam W.: If looking at anything going in and out of quarantine, there would need to be conversation with the apple industry because we want to protect them with apple maggots.
- Kent K.: Already steam treat yard debris in metal roll off containers in Okanogan. We could build a facility where steam grates are under concrete. Okanogan currently has manifold under aluminum grates with steam holes.
- Laurie D.: Rob Duff has been hired by Commerce to head implementation of industrial symbiosis and would be good to include in this discussion.
- Amy C.: Regulate and issue permits for moving green waste between areas. They would want more info and studies about the treatment and would like to be involved in conversation since permits have to go through validation.

b. Policy 5: Pilot Pay-As-You-Throw for commercial generators

Strengths/Concerns/Issues/Questions

- Sam W.: A concern is the calibration of the scales and how frequently this needs to happen. This is expensive for small haulers. People could contend their weights. This can be an issue with implementation. Trucks going between types of generators complicates this.
- Brad L.: The tolerance that is allowed is a Dept. of Ag question (Weights & Measures Division). Doing this for each generator is a challenge. Different sources end up subsidizing each other.

- III. Topic #7 Policy Discussion

a. Policy 1: Expand bans on toxic chemicals – pesticides (clopyralid, aminopyralid, and picloram) and limits on other toxic chemicals

Strengths/Concerns/Issues/Questions

- Shannon M.: PFAs in drinking water is hard to test (feasibility issues). Is there a good way to test this in soil?
 - Heather T.: This chemical family has been around for decades. Labs are busy developing standards, and the EPA is approving them. It is a rapidly evolving field and will be improving and kicking in the next few years.
- Sam W.: Clopyralid is widely used in hay. If you feed a horse, it passes through and then manure gets composted, but the chemical is still in there. There are lots of issues beyond banning the chemical for at-home use because it is still in commercial use.
- Kate K.: Composting industry in WA and across the U.S. have been wanting to see a clopyralid ban for a long time. It seems like a good idea. On PFAs issue, Ecology has been working hard to develop a standard. For PFAs and biosolids/recycled waste generally, it makes sense that this issue would be held by Ecology, and we wouldn't want legislation to undermine the work being done by Ecology.
- Laure D.: Echoes concerns that don't want legislation to get out ahead within state on PFAs and nationally on PFAs. Ecology is engaged on several levels – drinking water, water quality standards, and cleanup standards – and has added to the definition of the hazardous substance list. We are nowhere near having standards or developing regulatory requirements; this is in the beginning stages. Other than drinking water (issued via Dept. of Health), this is in beginning stages of dealing with. WA is as far in front nationally (along with Michigan) as can be. Concur with comment that it would be risky to have legislation in composting in terms of work being done conflicting with Ecology's work.
 - John C.: Agrees with Laurie.

b. Policy 2: Model ordinances/Model contracts

Strengths/Concerns/Issues/Questions

- Shannon M.: How do these proposals address the carbon impacts of organics being landfilled?
 - Heather T.: It is an issue of how we get more stuff in carts and get it to be clean. We want less contamination so there are cleaner feedstocks and better end products.
 - Shannon M.: Daylighting embedded rates could have the opposite effect. Residents might cherry pick services. Also not clear on contracts proposal.
 - Heather T.: - Also, contracts are so we can have more uniform education across the state leading to a better, more uniform collection.
- Paul J.: We support the idea of working to develop model contracts with local governments. This has been a problem.
- Neil E.: Model ordinances that are important are related to zoning and jurisdictions being required to establish proper zoning to site facilities and expand infrastructure as necessary to meet the policy requirements. Jurisdictions have not been able to implement organics diversion programs here largely use that as a reason why they can't. Improve permitting process would help.
 - Carl S.: Aren't solid waste facilities essential facilities under permitting rules? They would have mandatory siting facilities.

- Neil E.: This is true where facilities are publicly owned, but when privately contracted, it's a different legal approach. In CA, privately owned facilities are not generally considered essential public services if not owned by jurisdictions and municipalities. There is especially difficulty with air permitting.
- John C.: I think solid waste facilities are on the list of essential public facilities regardless of whether they are private. Other private utilities have EPFs in Washington, such as power facilities.
- Paul J.: It seems simple to say these solid waste facilities are essential and communities should zone for them, but there is so much to unpack with this. There is a lot of community resistance to site facilities, especially for some communities to take materials from another community (e.g. urban area sending materials to a rural community). We need to consider all the different wrinkles, which may be difficult to overcome.
- Carl S.: RCW 36.70A.200(1)(a) refers to "state and local [...] solid waste handling facilities." I'm not aware of how that has been interpreted in practice here in WA. I would be interested in understanding that better. I agree with the tenor of Paul's comments and our cities will have problems with mandatory siting responsibilities without a lot of conversation. EPF is essentially a mandatory process, although it has not been described to me ever as "easy".
- Neil E.: CA also has mandatory water efficient landscaping ordinances and consideration of other types of ordinances that require compost to be used on certain landscapes/projects. This goes hand in hand with procurement requirements. Any kind of ordinances that may help build markets and have local governments be active partners engaging in/closing the loop on organic materials is a positive.

c. Policy 3: Compostable products

Strengths/Concerns/Issues/Questions

- Sego J.: Very important that non-compostable plastics CANNOT use coloration/tinting required of compostable plastics.
- Sam W.: Wary of making anything a requirement at all composting facilities. Need to make sure the language is clear that it's not a requirement. Anyone can order anything compostable Amazon and it will end up in composting facilities. It's not necessarily beneficial for composters to compost it. Slippery slope with making any language requiring compost facilities to compost products.
 - Heather T.: Ecology regulates online retailers. They can't sell these products in WA.
 - Sego J.: This is part of the point of clarify enforcement on the coloration/tinting requirements - the Amazon example.
- Laurie D.: Have gone through many problems with contamination in recyclables – compost, regular recyclables, colors, resin – and gone through process of changing serviceware and doing those types of things. People getting serviceware at restaurants think they can put it into recycling compost and it's a good thing. Very concerned about introducing compostable packaging/serviceware until we can work out what's really compostable and really have the composting system in place where it can accept it. Not sure Ecology should run a workgroup on this right now. Maybe a topic for the 2023 legislative session for broader concepts.
- Jeanette H.: Labeling point is supporting – want them to be clear. There are technical limitations on stakeholders in the value chain. If there's a workgroup, that would be the place to bring stakeholders together.

- Janet T.: Like the idea of giving Ecology some enforcement authority and strongly support mandatory color marking. We've been working on getting voluntary compliance with that and though there are limitations, but good to start somewhere in color marking direction.
- Neil E.: Our new legislation setting standards for compostable packaging in CA: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1201. We intended to define coloring in the bill. It does not include utensils at this point, but it might get added in through an exclusion. 1/1/2024 is when CA standards will go into effect. Growers are required to buy only organic compost – by many of their customers. Compostable plastics are not allowed in organic compost so must have robust removal process to maintain organic integrity. In the bill, they must show compliance with organic standards by 2026. CA changes may push the whole market (they are 30% of compostable packaging sales).
- Ketsiri D.: As a Public Health inspector, I think color is helpful to distinguish compostable products from contaminants. However, black and brown color sometimes are so close, and hard to separate out. Also, I am not sure labeling is helpful as people are confused biodegradable and compostable and assume the same.
- Jeanette H.: National organic program is a big challenge because of how it is set up. It's not set up to address these type of materials. It will take a multi-stakeholder effort to achieve this. Hopefully, CA bill will support us all in getting there.
 - Neil E.: BPI has done a good job of narrowing down what makes a product compostable and easily identifiable by consumers. WA's problem was that it referred to industry standards for identification of products. This was a grey area that caused some confusion in the bill. There needs to be specific standards that allow for enforcement.
 - [BPI Labeling Guidelines](#)
- Sego J.: Maybe this isn't the time or place, but any consideration of a phase out of plastic produce labels? There are now branding options, compostable label options and probably others I'm not aware of. SPC has [free webinar](#) on the issue and a Jan. 26 webinar ([re produce stickers](#))
- Derek R.: David Allaway in Oregon DEQ is also attempting to define this statewide. You might want to check with their findings but last I heard they getting closer to only accepting feedstock that provide "nutrient value."

d. Policy 4: Incentives and sanctions for source separation

Strengths/Concerns/Issues/Questions

- Sam W.: When looking at sanctions or separately hauling food waste, how does that happen? Who pays for it? We would need to retrofit trucks. Just a food waste truck can increase carbon emissions. Sanctions and having food waste separate from everything else are concerning.
- Neil E.: Under 1383, there are jurisdiction requirements for outreach and education, including multilingual where appropriate. There are requirements for route reviews and lid flipping. Cart tagging and compliance by charging additional fees to generators can happen if there is a problem. There aren't a lot of incentives or sanctions that will address these issues effectively outside of setting up programs. CA policy is more carrot and less stick. Programs are required to be delivered and education and outreach must be done, but jurisdictions define the other pieces.

e. Policy 5: Create statewide contamination reduction campaign

Strengths/Concerns/Issues/Questions

- Kate K.: This is generally a good idea. If we could use social marketing techniques so it is data driven and measurable, that's even better.
- Dawn M.: At this time, Ecology was going to run a statewide campaign. We'd have to say yard waste only since there are facilities across the state that take different things. It's hard when composters aren't taking the same materials.
- Mary H.: Important to clarify this is a statewide contamination **reduction** campaign.
- Neil E.: Have been trying to encourage CalRecycle to do statewide campaign – both what and why it's important that also ties in with recycling. Create better programs and restart fundamental education on recycling and organics.
- Kate K.: Organics in, plastic out is a type of slogan that would apply to everyone. Contamination reduction can help everyone, regardless of if composters accept different feedstocks.

- IV. Presentation to share background on Topic #8: Targets/Performance standards and reporting
 - a. Neil Edgar, California Compost Coalition
 - i. Discussion included interim targets for standards and reporting.
- V. Next meeting: Wednesday, 12/15
 - f. Start policy discussion for Topic #8
- II. Final meeting: 1/6/2022
- VI. Meeting notes and presentations will be posted on www.OrganicsWorkgroup.org