

## Organics Management to Reduce Methane and Climate Change Workgroup

### Meeting #12 Notes (January 6, 2-4pm)

- I. Welcome and Agenda Overview
- II. Big picture discussion and input on legislation

#### Concerns/Issues/Questions

- The bill has been introduced as [HB 1799](#) (Rep Fitzgibbon) and SB [5731](#) (Sen Das).
- Derek R.: Multifamily concerns, which were lumped in with commercial in rollout timeline. Is that the case with this bill? This is the most significant opportunity and hope to move multifamily up in the process if possible.
  - Jacob L.: Section 201 has a definition of businesses that excludes multifamily residential. Multifamily would be covered when jurisdiction-wide policies begin taking effect.
- Ketsiri DB.: For part I sec. 101 (b), I think it will be helpful to write out what is the volume that was disposed in 2015, and what we want to achieve.
- Sam W.: Clarification about workgroup purpose, which was to have language for 2023 session.
  - Senator Das.: Goal was always to have a bill for 2022.
- Kate K.: Part 5 – funding and incentives – sustainable farms and fields. Does the grant program already exist (without funding)? Don't see where the funding is coming from and how this is different from what already exists.
  - Jacob L.: Section 501 – plain text is preexisting law. This is amending the existing sustainable farms and fields programs. Legislature likely through operating budget would figure out how it would be funded.
- Paul J.: Bill is complex. Appreciate exemptions in the bill for jurisdictions to below 25K. Does that apply to cities and counties? Census tracks of less than 75 per square mile. How did that end up in the bill? Dividing areas by census tracks is a strange thing – could be counties where this causes a checkerboard. It could be confusing. Initial thinking is that 2027 seems like a tight timeline to comply with everything on bill based on the experience in CA. Need time to figure out infrastructure and would like to listen to the advice of CA. Appreciate grant programs but concerned about funding dedicated to infrastructure and local government costs. Concerned about CA's impact on ratepayers. Really pleased with procurement section and changes made there; could still use some details like getting away from arbitrary amounts by local government. Worried about money and infrastructure development timelines.
  - Jacob: Section 102 is specific to each jurisdiction that implements a solid waste plan. It would apply to counties based on this. It could be made clearer. Will need some interpretation from different groups.
- Jeanette H.: Wanted to flag that the addition of definition of organic materials (section 101 and 201) and would like to add compostable packaging to that definition. Wanted to also flag labeling requirements in section 805 and 803, which have the same products, but two different labeling requirements proposed. These requirements should be consistent but prefers section 803. Section 805 requires color markings – some colors may not be possible; section 803 is broader and includes striping and design patterns.
  - Jacob: Sections 803 and 805 are existing law. 803 is products and 805 is specific to food service and film products. Thus, 805 is a narrower subset of 803.

- Michael S.: I have concerns that anaerobic digesters (AD) are not giving equal treatment with compost. I see AD in the definition section but would like to ask that it be given equal treatment with compost. We content that AD is one of the most effective and efficient ways to reduce organic derived methane. It recovers the energy into a renewable energy source in addition to recovery of nutrients. Funding and procurement needs to also support AD end use market (nutrient) development. This will help tremendously.
  - Dawn MM.: Organic materials management includes AD.
  - Michael S.: Thanks Dawn, but there is no assistance for AD in funding and procurement. I don't see OMM only Compost. Am I missing it?
- Samantha L.: Thanks for hard work on this, especially on Good Samaritan law. Will likely have concerns about labeling aspects in the bill.
- Sam W.: Concerned of siting and compost facilities and dates being too aggressive. 75% reduction from landfill by 2030 is really aggressive and worried about having facilities to support this goal. Who will fund the construction of more kitchens to handle the recovered food? Jan. 2027 goal is also a concern as all facilities are at capacity right now. Not sure how we can have permitting process allow all of this to happen in narrow timeline.
- Craig J.: Here in Kitsap County some recycling centers charge people to bring in their recyclables and others are free. I'm concerned if private citizens are going to be required to pay for their recycling, they may choose to dump stuff at the side of the road. Is there a hope to remove the costs for regular citizens?
- Majken R.: The procurement specifics are now covered in an ordinance approach. Cedar Grove is talking with stakeholders about this piece and how it is incorporated.
- Kate K.: Certain parts of bill language (especially sections 5 and 7 about incentives and purchasing procurements) have language that says compost must be produced at a site with a solid waste handling permit. What if they have a biosolids permit? Don't want to preclude them from being involved.
  - Dawn MM.: The Department of Ecology also recommended that the compost subsidies not be limited to permitted solid waste facilities.
- Neil E.: On the timelines, maintaining a fairly rigorous timelines for establishing programs is important. If there aren't collection programs set up, will not have the infrastructure. Need collection in place before infrastructure will be built. Climate change is part of it and want to avoid critical climate impacts. Could be flexibility on the jurisdiction-by-jurisdiction basis to allow for some sort of forgiveness process, especially where infrastructure isn't in place and could provide extensions. Need to rate based (in statute) on which operators can then go to the bank and borrow money to develop facilities. The cost for solid waste services is undervalued. His own rate went up \$5 per month and these rate increases are small compared to the significant impact the individual can have on personal climate impacts.
- Samantha L.: Unclear about how organic waste material is going to be measured and requiring business to compost. Many restaurants only have one garbage can. How will someone know if they are meeting the requirement? Issues with labeling in section 806 and will oppose.
  - Neil E.: In CA, it depends on the amount of total waste service per week. It under a certain amount, they can be exempt. It is based on total waste – not just organic waste. Also based on waste characterization done in the past on the waste stream.
- Ketsiri DB.: Need clarification about Sec 811 about plastic produce stickers. The department that mentioned here to provide technical assistance and guidance is which department? City and county? Also concerned about ASTM standard that mentioned is for composting, not for AD. Will AD be able to degrade them?
  - Jacob: "Department" in section 811 is Department of Ecology.
  - Neil E.: AD doesn't degrade compostable products.
  - Sejo J.: Nor do plastic produce stickers degrade in anaerobic systems.

- Tim O.: One element not in the draft: need to be an effort made to have uniform permitting environment in the state. In general, trying to permit a composting facility in WA is highly variable depending on which AQ district you are in or who your regulator is. Need a uniform language and set of rules so that developers know what they're in for and can plan. Want the rules to be science based. There is poor science haunting CA in permitting. Ecology should have an SME in-house to help other jurisdictions understanding the science and how to apply it. Sensible permitting would help achieve the goals of the bill in a timely manner. Want language of the bill to set goals and go in-depth on emissions factors and risk factors. Underlying emission assumptions need a fresh look. Make it a goal to get something more sensible. Agrees with Craig on impact on neighbors. This is what science needs to be brought back in. There's a tug of war between regulators and facility owners and would like everyone working in the same direction.
  - Craig K.: Support looking at WSU studies. Oppose changing the permitting overall system. State implementation is part of the federal Clean Air Act. We're waiting to see what WSU study is going to say on emission factors. If we're going to talk about goals, we need to think about impacts on neighbors of the facilities. If we set goals, need to set goals to not impact surrounding neighbors.
  - Heather T.: GMA part talks about siting within industrial areas.
  - Neil E.: Agree that can't have facilities that are going to cause impact on neighbors. The goal in CA is to have a permitting ombudsman and someone that understands unique requirements and can help navigate the local specifics. Maybe provide a uniform permitting application – land, water, and air.
- Laurie D.: New facilities have to address environmental justice impacts also. Just placing a facility into an industrial area does not solve that issue.
  - Craig K.: Agrees.
  - Sam W.: Agrees with Laurie and with Craig that putting a facility in a neighborhood and industrial area without technology makes them a bad neighbor. It's not a great business model because if moving into an area that impacts the area, want to be a good neighbor as well from a compost operator perspective. If it's not operated correctly, you will be a bad neighbor regardless of where the facility is.

### III. Research needs for 2023

#### a. Food waste source reduction/diversion/rescue/rescue groups

##### Data Gaps and Research Needs

- Craig K.: There's a new report from EPA in December about GHG reductions and environmental benefits to reducing food loss and waste. The report found that the goals couldn't be achieved by recycling alone, but by upstream reduction in production of food. The biggest GHG reductions will come from upstream production in food. Working on food loss in certain areas will have bigger impacts. Someone needs to look at report to factor in reductions upstream compared to recycling.
  - [https://www.epa.gov/system/files/documents/2021-11/from-farm-to-kitchen-the-environmental-impacts-of-u.s.-food-waste\\_508-tagged.pdf](https://www.epa.gov/system/files/documents/2021-11/from-farm-to-kitchen-the-environmental-impacts-of-u.s.-food-waste_508-tagged.pdf) - "Halving FLW in households, restaurants, and the food processing sector will have the greatest environmental benefits. Halving the FLW in retail and institutional food service (schools) will have minimal environmental benefits. The environmental benefits presented in

this chapter can only be achieved through the prevention (i.e., source reduction) of food waste. Recycling food waste will not achieve these benefits.”

- Heather T.: Needs of food hubs and kitchens and getting secondary value out of food. Would be helpful to define the need.
- Rod W.: Where is the baseline data about food waste coming from? There are a couple of reports that differ drastically (Ecology’s Use Food Well plan and Cascadia). Need to map flows and understand what is there and where.
  - Derek R.: To add to Rod’s point...reconciling the demand on the procurement side and the overall municipal demand shortage
- Aaron C.: Need data to understand viable capacity of food partners since they need to be positioned to receive more rescued food.
- Sego J.: We could really benefit from studies that would document the amount of food waste that can be diverted from landfill in programs/locations that accept certified compostable packaging compared to without accepting compostable packaging. In other words, does compostable packaging increase capture of food waste for processing (or not)?

## **b. Sources & Sectors**

### **Data Gaps and Research Needs**

- Aaron C.: Looking upstream at producers – what product is not getting to market?
- Heather T. – Need food date labeling research for WA – change the rules.

## **c. Financials/end-markets/purchasing, Soil health/nitrogen cycling, Regenerative agriculture**

### **Data Gaps and Research Needs**

- Paul J.: Understand how diverting that much from landfills will affect funding. What are the long-term implications for programs?
- Heather T.: Understand climate credits related to soil health. Need a model for how that would work. Need a model for WA to access climate change credits.

## **d. Energy generation/Credits/Carbon sequestration/Nutrient recovery/Incentives Equity**

### **Data Gaps and Research Needs**

- Kate K.: Need to have a better model with data to support it. How much carbon sequestration benefit/overall GHG benefit (including synthetic fertilizer offset) can get from different soil and cropping types? WSU is doing this.

### **e. Permitting/Air/Water/Odors/Monitoring (include siting and current facilities)**

#### **Data Gaps and Research Needs**

- Heather T.: Nothing in 2022 bill that addresses these topics. Need to help develop policy language for the 2023 bill on this. Highly technical work.
  - Tim O.: Agrees with Heather that we need to have a common view of the science if we're going to have reliable view of the odor and air emissions.

### **f. Local governments/UTC (funding, financing, collection, rates, etc., collection approaches, embedded rates; disposal rates/tipping fees; infrastructure/new technologies, geographic issues/Apple maggot/Localized/Rail**

#### **Data Gaps and Research Needs**

- Paul J.: About infrastructure, need to know how many facilities are needed and how big. What will they cost? How much time do we have to build it out?
  - Rod W.: Agree with Paul. California has worked on the policy for a decade or more and still estimates the need for 50-100+ facilities to meet goals.
  - Carl S.: Agree and reinforce Paul's comments.
- Heather T.: Innovative new technologies – how to incentivize? Good language of what would be helpful to make that happen? Apple Maggots – is there a way to do new innovation on that issue?
- Carl S.: What is the rate base implications around construction of facilities?

### **g. Education/Generator behavior change/Source reduction/Technical assistance/ Contamination/Labeling**

#### **Data Gaps and Research Needs**

- Heather T.: Need to start thinking about compostable food ware. Make a subcommittee on this topic for this summer. There are lots of questions and what to do about it, including how it intersects with various technologies.
- Jeanette H.: Such an important topic. Need to know best practices and systems that work. This is the crux of whether this succeeds or fails. Review of best practices.

## h. Targets/Performance standards and reporting

### Data Gaps and Research Needs

- Sam W.: Is the target how many facilities in which jurisdictions need to be permitted to meet targets? Tonnages required and feedstock breakdown? Helpful to define type of technologies needed to meet demands.
- John C.: Feasibility of 75% and applies to cities of 25K+ in populations. How realistic is it to get 75% reduction in dealing with 50 cities in state. Most of these in King Co already offer food waste, at least residentially. Waste characterization studies could help define this – is 75% doable? Applies to any businesses that produces ½ cubic yard, but not a time period attached.
  - Mary H.: Based on 2015 data a 75% reduction in organics disposed would amount to at least a 1-million-ton reduction.
- Tim O.: Need to focus on creating more market demand. Need effort in planning for this side of the equation as well (e.g., Ag might look like it can use a lot, but have to convince farmers. How do we do that? Can't assume counties and cities can absorb all the materials we're talking about.)
  - Michael S.: Agree with Tim. This is also true for digestate. We have given away product, we have an agronomist helping farmers to AB testing and it is still a slog. We need help to de-risk for farmers.
  - Neil E.: Had 4 infrastructure surveys in CA. This info is important in better understanding on how to meet market needs of increased supply.  
<https://www2.calrecycle.ca.gov/Publications/Download/1401>

IV. Meeting notes and presentations will be posted on [www.OrganicsWorkgroup.org](http://www.OrganicsWorkgroup.org)

V. Expect some additional stakeholder meetings in the next interim.