

Meeting #7 Agenda (October 4, 12-2pm): Sources and Targets; Geographic Issues (inc. rates, collection approaches, apple maggot, etc.)

- I. Welcome and Overview of Agenda (12:00-12:05)
- II. Amy Clow, Municipal Waste Specialist, WA State Department of Agriculture + Q&A (12:05-12:20)
 - a. How many facilities have the permit to ship in reference to green waste?
 - b. To clarify, once we treat material, in the past, it's been required to go to landfill, once we start organics in the future, will they be allowed to divert (processing) that into organic process or will it have to be in a landfilled?
- III. Chris Thomas, VP, Head of Public Affairs, Divert + Q&A (12:20-12:35)
 - a. The WA solid waste industry has been and is Net Zero for GHG generation for many years for the materials we handle. In 2018 the industry was 4.1 Net Zero GHG Emissions. We are in the process of updating our GHG emissions with the most recent DOE data and using the EPA's WARM Model.
 - b. What happens to the residuals - landfill?
 - c. Cost for each retailer to contract with this service. Do you contract based on their size of food waste which may exclude small grocers?
 - d. I'm a bit unclear as to what you accept across your various operation. Is it only inedible food, or is it also food for donation? If you only accept inedible food, how do you work with your customers to encourage salvage/donating edible food?
 - e. To Chris's point, compostables are generally designed to degrade in compost (thermophilic) conditions, not AD (mesophilic) conditions
 - f. What does inbound delivery methods look like for your facility?
 - g. Could you please clarify at your existing fully integrated facilities in California/east coast what the % of incoming feedstock gets removed through your depackaging or pre-screening processes (i.e. remove the egg cartons and plastic clamshells vs what comes out before the food waste slurry goes into AD system?
 - h. Do you have acceptance standards/rejection policy if loads are mostly plastics or garbage with only some food waste?
- IV. Sean Kawakami, Business Development Manager, Convertus + Q&A (12:35-12:50)
 - a. What are some things you think we can do in WA state to incentivize AD facilities to build here?
 - b. What are your primary incoming feedstock sources?

- V. Heather Trim, Executive Director, Zero Waste Washington + Q&A (12:50-1:05)
 - a. Do you have a map with the locations that were part of the final capacity considerations, Heather?
 - b. To back up Samantha, many facilities are operating close to or at full capacity in high grass season, but only half capacity in the lowest month, February.
 - c. Are you going to apply this analysis to geographic regions? Is that even possible with current available data?
 - d. Have you done any analysis for the facilities need between now and 2030 to meet the 2030 goals?
 - e. Remember that PREVENTION and RESCUE are part of the solution. Hopefully we will be so successful with the first two that we will have less material the needs to be processed.
 - f. I personally compost everything and use it for our garden and plants. I'm wondering if there is an opt-out option to sustain backyard gardening practice.
 - i. I agree with Rose (above) that there should be a way to opt out for those that are processing on site. The crux is to ban organics from the garbage, so that should be considered in any bill language.
 - g. Often a facility may have a permitted capacity based on the plan of operations and how much material they could process in a month without violating the retention time and pile size. Then that top capacity is multiplied by 12 to give them the permitted annual capacity. If they take yard waste, there is huge fluctuation between summer and winter, so the difference between that permitted capacity and total tons processed,
- I. Policy Feedback: Sources and Targets; Geographic Issues (1:05-1:55)
 - a. **Organics Waste Collection Services (CA 1383 regulations)**
 - i. By January 1, 20xx, a jurisdiction shall adopt enforceable ordinance(s), or similarly enforceable mechanisms that are consistent, to mandate that organic waste generators, haulers, and other entities subject to the requirements of this chapter that are subject to the jurisdiction's authority comply with the requirements of this chapter.
 - ii. **"Jurisdiction"** means a city, county, a city and county, or a special district that provides solid waste collection services.
 - iii. **"Organic waste"** includes food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.
 - iv. **Single family**

1. Residents are required to subscribe to and participate in their jurisdiction's organics curbside collection service.
2. Residents are required to properly sort their organic waste into the correct containers.
3. Some jurisdictions will allow residents to self-haul their organic waste. If this is the case, the jurisdiction will provide information about the requirements for self-hauling.

Input: Organics Waste Collection Services (CA 1383 regulations): Single Family: Jurisdictions are required to offer organics collection/drop off. Residents are required to properly sort and participate.

- Logan H.: One critical piece of 1383 was that cities had to negotiate new contracts with haulers. Current contracts don't have these items in here. Haulers need to be able to purchase bins, trucks etc. to make this work.
- Carl S.: Question about how this is operationalized in CA – is it subscribe and participate? How does that work and who enforces?
 - Heather T.: Enforcement on local jurisdiction level.
- Logan H.: Questions – there were significant fines for 1383 in place for cities that were mostly passed to haulers if targets aren't met. MF complexes have challenges with parking and required space – how do we contend with that – other rules may conflict (e.g. enclosures and visibility). We are already running into issues with lack of space for composting.
 - Neil E.: No jurisdiction has had fines yet, but there is a threat that it could happen. Jurisdictions are subject to other fines related to noncompliance. Jurisdictions want to comply with the law. Potential to offer waivers – jurisdictions can issue these if there are space issues, etc.

v. Multifamily Residents and Multifamily Complexes

1. Multifamily complexes of **five units or more** are required to either:
 - a. To subscribe to and participate in their jurisdiction's organics curbside collection service OR
 - b. To self-haul organic waste to a specified composting facility, community composting program, or other collection activity or program.
2. The following activities would be conducted by the multifamily complex property owner or the manager:

- a. Multifamily complexes are required to provide organic waste collection services for Employees and Tenants
- b. They must supply and allow access to an adequate number, size, and location of containers with the correct labels or container colors.
- c. They must also:
 - i. Annually educate employees and tenants on how to properly sort organic waste into the correct bins, AND
 - ii. Provide information to new tenants within 14 days of occupation of the premises.

vi. Multifamily Complex Residents

1. Residents of multifamily complexes must properly sort their organic waste into the correct containers.

Input: Organics Waste Collection Services (CA 1383 regulations): Multifamily: Multifamily Complexes (5+ units) must participate in curbside organics collection or self haul organic waste (including infrastructure and training of residents and employees). MF residents are required to properly sort and participate.

- Carl. S.: What happens to MF 1-4?
 - Neil E.: All MF is considered commercial – so the 1-4 may not apply. CalRecycle is working on compliance.
 - Emily C.: Multi-Family 2-4 units are treated as Single Family
 - Hannah S.: This isn't related to residential, but sort of along the lines of the MF 2-4 question. The current organics management law will require businesses generating 4+ yards of MSW to have organics service. If we were to pass a law like this, then businesses generating less than 4 yards would be the only ones in the state not required to separate organics. Is that under consideration?
- Neil E.: Jurisdictions are required to adopt programs to implement both SF and MF. There are rural exemptions and extensions for later implementation. But there are requirements to have programs and the jurisdictions must figure out how to pay for it. People are doing it in a variety of ways – tax level, rate level or consumer level. Most needed to create new contracts and programs to comply. For bin requirements – only lid color needs to comply.
- Carl S.: MF concern is that buildings don't have physical space – this needs to be accounted for. Need threshold where smallest communities don't/can't participate. Concern would be urban areas paying for the costs of statewide organics diversion, and rural areas not having to participate.

- Neil E.: This has been an issue in CA. Rural areas folks are self-hauling or managing their own waste. There are efficiencies to going after waste in the urban areas and has been discussion about pausing 1383 due to these issues. Need to look at what is best bang for the buck – focus on where the most waste is.
- Rodd P.: Re: scarce room for composting containers . . . WAC 51-50-009 is very clear in requiring local jurisdictions to establish language to ensure proper space is available on new commercial development, including multi family for solid waste, compost, and recycling storage and collection. The basic state code has been in place for 30 years; I've been trying for most of those years to persuade other municipalities and recycling coordinators to actually implement it. I know Olympia/Thurston County has a good program, but for those cities and counties who don't, it's never too late to start designing enclosures for the future.
 - Carl S.: Rod, thanks. I'm particularly thinking of buildings with pre-existing space concerns.
 - Rodd P.: Indeed, existing enclosures are a separate and challenging issue, but also no need to keep on approving inadequate enclosures across the state. Legislators might wonder why it's taken us 30 years to follow their rather simple direction . . . 😊
 - Carl S.: Agree with that. I thought this
- Kent K.: Talked about jurisdictional exemptions. Cities would be exempt under 25K but not at 7.5K? Talk about wanting to lower Washington's exemption? Washington's jurisdiction is at 25,000. Are any counties above that not exempt? We aren't really basing this off of California, because we have a lower threshold.
 - Heather T.: To align with CA, we would need to lower threshold than it is in 1799.
 - Neil E.: There are a number of ways jurisdictions and countries are handled here. Generally, counties that are considered rural where they are below certain population thresholds and other areas of the county incorporated may have higher density and be subject to the requirements. It is not cut and dry. Unincorporated areas are exempt in CA for 79K or less. Lots of exemptions in CA and it's complicated. This requires a substantial analysis of a given situation/county. Certain census tracts fall under those areas that may be considered exempt.
 - Chris R.: Question re: collection requirements moving from areas with 25k to 7500? Do you know how California came up with 7500? If so, should that same number apply to WA? Are we reducing the number just to match California?
- Heather T.: To respond to everyone's concerns about unfunded mandate, our thought is getting CCA money to help local jurisdictions to implementation.

- Carl S.: The 20% increases in CA would raise eyebrows. We would want to see those costs covered by the state – not the ratepayer. This is a large increase in the current economic climate. CAA in particular makes sense because that’s not necessarily just another tax individual residents pay to the party. Flag that that level of rate increase in this environment where affordability differs across the spectrum is likely to raise concerns.
 - Neil E.: To answer Carl's question about rate impacts, we have seen an increase to residential rates of just under 20% and commercial rates of about 30%.
- Ron J.: Getting organics out of landfill and composted is important. At same time, need to think about the complexities of hauling, how much it is worth, and how much it will cost the customer. It takes time and money to order containers. Trucks cost .5M per truck with a 12–18-month lag time. If this bill is implemented, needs to be phased in with adequate time. Each cost is borne by customers through rate paying. WA state is unique with three types of servicing, which also creates complications. This whole thought of single- and multifamily units – that isn’t necessarily congruent with how you provide the service. How a property permits in terms of size may not be concurrent with how you set up service. It is hard to tell how many units are in a MF based on how the account is set up. Contamination is also a concern. Requirements lead to more contamination. We see this with recycling and MF already has challenges with contamination. Feel we should move slower on this and get 1799 working better before we pass new legislation. Is it even worth it to do SF – should we be working on commercial instead? Is it worth it to force thousands of small generators to have a cart? This has a collection impact on the use of trucks. Is that the most efficient way to operate when it ultimately causes extra emissions?
- Julie G.: From a jurisdiction that contracts with a private entity, want to echo the land use planning definition of MF used here will be hard to interpret here. The service provider determines if it’s served as a commercial collection or residential single-family type of service. Any law or language that can recognize that nuance and how the industry serves these residents and the diversity of MF is better – how implementing services to our residents and how it’s operationalized by the service provider so it’s flexible to provide service to the benefit of customer. Also, there is a large diversity of housing type that requires different types of service (need to be flexible and adaptable). Feedstocks can be leveraged for competitive advantage – we think about end destination and end product for the feedstock and then we walk back how collection should work. Need to protect the quality of the end product – requirements will lower the quality and the reputation of the material. Need to carefully consider these items and about the value of end product going to highest and best end use. Need to focus on waste reduction and prevention rather than just diversion. If there is a materials list – would want to give input. Enforcement is concerning – rate impacts will be a concern for residents. Implementation timeline needs to be adequate/realistic. Education – CROP is a useful example to

look and refer to for implementation at the onsite or implementation change at the customer base. Effort to focus on education and outreach at onset to help customers – include funding for this. Need clear language in mandate. If we're looking to address climate goals, look to Oregon Metro example and focus on biggest generators to get the biggest bang for buck. If this is going to be a requirement, perhaps make sure we're very clear. Look at generators. More work to be done.

- Dan C.: Echo thoughts on the issue of space and costs to municipalities and residents, and practicality when it comes to avoiding contamination. Enforcement and looking at the impact of that. Timeline issue is slowing us down. The issue of equity hasn't been raised. We're asking the people with the least financial resources to bearing the biggest burden. Looking at other options other than current composting system.
- Brandon H.: We're using the term commercial in a couple of different ways. We need to define commercial. We've talked about large generators and diversion to food banks and reusing products. We send a lot of our products to organizations like Divert. If we're focused on gas, residential and single family, we'd be missing the mark if we refocused on the narrative where a gap isn't existing.
- Gena J.: Concerns over the number of different types of materials. Likely to be very confusing for residents to know if certain types of textiles are compostable... We are already struggling for residents to recycle correctly.
- Emily C.: Also of note: in CA, "organic waste" collection includes organic recyclables (primarily paper and cardboard), so everyone is required to recycle those materials (usually via mixed recycling service) under SB 1383 as well.
- Kate K.: I have some concerns over the feedstocks listed as "organics" in the slide Heather shared earlier. For example, textiles and carpeting is not likely appropriate for composting and/or AD. Also, if we're focused on reducing methane emissions, our diversion (and salvage) focus should be lasered on food waste.
 - Samantha W.: Agree with Kate.
- Janet T.: Expecting consumers to "properly sort" is a heavy lift. Regardless of education, etc, increased residential collection will come with increased contamination. Will those costs be solely the responsibility of the hauler/composter and municipality to work out? Or are there other options?
 - Emily C.: SB 1383 requires container contamination monitoring, which can be done either by route reviews (lid flipping on every SF, MF and Commercial route) or waste evaluations (waste sorts for each route, rarely done due to being cost prohibitive). The cost of this monitoring has typically been baked into the rates/contracts. In my experience, it's a mix of cities and haulers (and lots of consultants) actually out on the streets doing these route reviews.

- Carl S.: In addition to improperly sorting, what about someone who just refuses to utilize the opportunity for organic waste collection. Never puts a bin out. They are not "participating." Are they ultimately fined at some point?
 - Emily C.: I believe in theory that could happen, but in practice I haven't heard of anyone actually doing this.
- Carl S.: Do we have any information on per capita rate impacts on residents in California?
- Emily C.: Re the concern about empty food waste containers, a number of cities are using split carts, e.g. <https://sswr.com/foodcycle/>
- Ron J.: From our City perspective when it comes to solid waste. - residential and commercial is part collection method, and part customer classification. MF complexes are often served with commercial front-load trucks, roll-off and some rear load for garbage and cardboard. But commingled with side load residential trucks. That said, the waste composition is similar to that of a single-family household. We consider it residential waste. Everything else is commercial, but technically non-residential is a better term. Generally, non-residential waste is more homogenous.
- Emily C.: FWIW, in our software we track commercial waivers issued by jurisdictions in nearly half of California, and there have been very few physical space waivers actually issued. The vast majority of waivers issued have been De Minimis (business generates less than 10-20 gallons of organics per week). One of our customers (a city with population > 500,000) was super concerned about the space issue due to downtown businesses having carts in alleyways, and even they have issued less than 100 physical waivers (but 2500+ de minimis waivers)

b. Good FAQ about California's collection regulations: <https://calrecycle.ca.gov/organics/slcp/faq/collections/>

c. In Washington, <https://app.leg.wa.gov/billsummary?BillNumber=2539&Year=2009&Initiative=false>

This was WRRRA's 2010 promoted bill to have every county SWMP include and emphasize source-separation for recycling and organics collection in their communities. It emphasized source separation by the GENERATOR (and provided for low-income rates by WUTC regulated solid waste collection companies).

II. Next Steps and Adjourn (1:55-2:00)

a. Next meeting: **Tuesday, September 17, 12-2pm**