

Meeting #7 Agenda (October 24, 3-4:30pm)

- I. Welcome, Agenda Overview (3:00-3:05)
- II. Matthew Cotton, Integrated Waste Management Consulting: CalRecycle Small/Medium Report + Q&A (3:05-3:25)
- III. Julie Colehour, C+C: Social Marketing + Q&A (3:25-3:40)
- IV. **Policy Feedback/Discussion: Permitting, siting, and air quality (3:40-4:15)**

Organics Siting Provisions

Sec. 1.

(1) The department of ecology shall prepare nonproject environmental impact statements, pursuant to RCW 43.21C.030, that assess and disclose the probable significant adverse environmental impacts, and that identify related mitigation measures, for composting and anaerobic digestion organic material management facilities regulated under chapter 70A.205 RCW. The environmental impact statement prepared under this section must consider the probably significant adverse environmental impacts of each type of facility based the relative sizes of facilities and feedstocks used by facilities.

(2) The scope of a nonproject environmental review shall be limited to the probable, significant adverse environmental impacts in geographic areas that are suitable for the applicable organic material management facility type. The department of ecology may consider standard attributes for likely development, proximity to existing or complementary facilities, and planned corridors for the transportation of organic material inputs and products.

(3)(a) The scope of nonproject environmental impact statements must consider, as appropriate, analysis of the significant adverse environmental impacts, including direct, indirect, and cumulative impacts to each element of the environment as defined in WAC 197-11-444 as existed as of January 1, 2025.

(b) The nonproject environmental impact statements must identify measures to avoid, minimize, and mitigate probable significant adverse environmental impacts identified during the review. These include measures to mitigate probable significant adverse environmental impacts to elements of the environment as defined in WAC 197-11-444 as it existed as of January 1, 2025, tribal rights, interests, and resources, including tribal cultural resources, as identified in RCW 70A.65.305, and overburdened communities as defined in RCW 70A.02.010. The department of ecology shall consult with federally recognized Indian tribes and other agencies with expertise in identification and mitigation of probable, significant adverse environmental impacts. The department of ecology shall further specify when probable, significant adverse environmental impacts cannot be mitigated.

(c) The nonproject environmental impact statements must be supplemented by summary informational documents, created by the department of ecology for intended use by organic material management facility developers and permitting authorities, that identify the permitting processes, relevant federal, state, or local permitting authorities, and similar requirements potentially applicable to anaerobic digestion facilities and composting facilities.

(4) In defining the scope of nonproject review of anaerobic digestion and composting facilities, the department of ecology shall request input from agencies, federally recognized Indian tribes, industry, stakeholders, local governments, and the public and must provide opportunities for the engagement of tribes, overburdened communities, and stakeholders that self-identify an interest in participating in the processes.

Sec. 2.

(1) A lead agency conducting a project-level environmental review under this chapter of a compost or anaerobic digestion facilities project identified in section 1(1) must consider a nonproject environmental impact statement prepared pursuant to section 1 in order to identify and mitigate project-level probable significant adverse environmental impacts.

(2)(a) Project-level environmental review conducted pursuant to this chapter of a composting or anaerobic digestion facility project identified in section 1(1) must begin with review of the applicable nonproject environmental impact statement prepared pursuant to section 1. The review must address any probable significant adverse environmental impacts associated with the proposal that were not analyzed in the nonproject environmental impact statements prepared pursuant to RCW 43.21C.535. The review must identify any mitigation measures specific to the project for probable significant adverse environmental impacts.

(b) Lead agencies reviewing site-specific project proposals for composting and anaerobic digestion facility projects under this chapter shall use the nonproject review described in this section through one of the following methods and in accordance with WAC 197-11-600, as it existed as of January 1, 2025:

(i) Use of the nonproject review unchanged, in accordance with RCW 43.21C.034, if the project does not cause any probable significant adverse environmental impact not identified in the nonproject review;

(ii) Preparation of an addendum;

(iii) Incorporation by reference; or

(iv) Preparation of a supplemental environmental impact statement.

(3) Composting or anaerobic digestion facility project proposals following the recommendations developed in the nonproject environment review completed pursuant to section 1 must be considered to have mitigated the probable significant adverse project-specific environmental impacts under this chapter for which recommendations were specifically developed unless the project-specific environmental review identifies project-level probable significant adverse environmental impacts not addressed in the nonproject environmental review.

Air quality

Sec. 1. A new section is added

In order to standardize the application of siting and operations of composting facilities across Washington, the department must establish a stakeholder group by July 1, 2025 for a two year term to address organic management facilities. The stakeholder group must consider:

- a. Permitting guidance and a checklist for use by the department, authorities and compost facility operators to use to assure complete documentation is provided with initial applications for permits;
- b. Establishing source testing protocols so that all testing of emissions from compost facilities is conducted in a manner that gives confidence to department and authority staff that the emissions are adequately measured;
- c. Adopting baseline emissions factors for aerated static pile composting operations;
- d. Developing best management practices, for optional inclusion as a permit condition by the department or authorities, for compost facility operators to reduce emissions;
- e. Studying emissions factors for volatile organic compounds and toxic air pollutants and work with composting facility operators to help develop emissions reduction strategies; and
- f. Considering allowing composting facility operators to receive credit, such as through the generation and use of an offset credit, in recognition of the decrease in landfill emissions of volatile organic compounds associated with increase organic materials management through composting rather than landfilling.

V. Policy Feedback/Discussion: Education (4:15-4:25)

Education and performance metric

Sec. 3. A new section is added to RCW 70A.207 to read as follows:

- (1) The department must develop an education and outreach program focused on residential organics source separate participation and contamination reduction.
- (2) The program must include a community-based social marketing program to determine barriers and identify motivators and pilot a strategy to motivate WA residents to source separate their residential waste more and accurately in order to reduce contamination and increase a clean organics stream. The department must hire an independent third party to research, including testing different terminologies, and develop the social marketing program.
- (3) Upon the completion of the independent third party research and development under subsection (2) of this section, the department must develop a toolkit for counties and cities to implement the education and outreach program, which they can use optionally.
- (4) No later than January 1, 2029, the department must implement a statewide education campaign that compliments the county and city educational toolkit developed under (3) of this section.
- (5) As part of the toolkit, the department must develop a performance metric system for use by counties and cities to measure resident use of organics bins, including the percentage of food waste that is source separated, placed in the appropriate location for curbside, multi-family, or other organic material container collection services, and levels of contamination. The department must provide the metric and technical assistance to counties and cities.

Grant section performance data requirement

Sec. 4. RCW 70A.207.050 and 2024 c 341 s 202 are each amended to read as follows:

- (1) The department, through the center, must develop and administer grant programs to support the implementation of the requirements of chapter 341, Laws of 2024 and chapter 180, Laws of 2022, with priority given to grants that support the implementation of RCW 70A.205.540 and 70A.205.545. Eligible recipients of grants under this section may include businesses that are subject to organic material management requirements, local governments, federally recognized Indian tribes and federally recognized Indian tribal government entities, nonprofit organizations, or organic material management facilities. Eligible expenses by grant recipients include education, outreach, technical assistance, indoor and outdoor infrastructure, transportation and processing infrastructure, and enforcement costs.
- (2) The department may not require, as a condition of financial assistance under this section, that matching funds be made available by a local government recipient. The department must provide assistance to each local government that demonstrates eligibility for grant assistance under this section.
- (3) The department must require, as a condition of financial assistance under this section, that a local government recipient provide the department performance metric data. The department must adopt rules to identify the minimum measurement and reporting requirements under this subsection necessary for a local government recipient to be eligible for funding under this section.

- VI. Wrap-up & Adjourn (4:25-4:30)
 - a. Next Meeting: Wednesday, November 13 – Multi-family source separation; Enforcement