

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)
 - a. Samantha W.: What is the timeline to permit a medium-sized facility and a large-sized facility in CA?
 - b. Heather T.: Are the same small/medium thresholds?
 - i. Nick L.: From the law you referenced, Heather:
 - (5) “Medium compostable material handling facility or operation” means a facility or operation that handles more than 5,000 and not more than 12,500 cubic yards of material, including feedstock, compost material, additives, amendments, and finished compost at any one time.
 - (6) “Small compostable material handling facility or operation” means a facility or operation that handles not more than 5,000 cubic yards of material, including feedstock, compost material, additives, amendments, and finished compost at any one time.
 - c. Travis D.: Is there anything else you would add on expanding the statement on location being the most consequential decision?
 - d. Jay B.: What’s the state of the union on CA reaching capacities?
- 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 on 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.

Input: Permitting/Siting

- Keith J.: Can someone explain to me the need for this addition to the code? This seems like it is set up to help private sector companies that are trying to permit a new site.
- Tim O.: Can you differentiate between what you are proposing and standard permitting process?
- Nick L.: Proposing to introduce another CA bill this year to increase exemption to encourage more community level facilities. Could include that into WA bill now as well.
- Steve V.S.: How long did the renewable energy nonproject SEPA review process take to complete?
 - Jacob L.: 18 months to 2 years for nonproject SEPA review. New parameters reconstructed in statute. Requires the review be done in law.
- Robbie G.: Would these ENV reviews only be for new facilities? What about expansions at existing permitted facilities? Size requirements should
- Fanny S-G.: Suggested language re: the OWML enforcement from the BOMA Health Jurisdictions: Local health jurisdictions are focused on permitting and regulating solid waste businesses that receive and handle these waste streams. Health departments have no access to know which businesses might be affected and we don't have the resources to create an enforcement program for this rule. Organic waste diversion is not directly an imminent public health threat. There should be an option for local County Solid Waste programs to have a role in these efforts. We welcome the idea of collaborating and creating a voluntary compliance program that reduces the need for costly visits to businesses.

- Remove section 70A.205.545 1(d)i – Health Departments are a public entity and if we have to inspect a business because they are not in compliance with this rule, our agency should be paid for our time.
- This rule should provide funding for Ecology to hire a third party to establish a list of businesses that likely need services. Educational mailings should be sent to these businesses.
- Provide funding for Ecology to establish a web portal where businesses can voluntarily report compliance or reasons services are not needed.
- Provide the list to haulers so they can market services to these businesses and haulers confirm which businesses have organic waste collection.
- Haulers must provide a list of businesses that have organic waste collection services to Local Health or County Solid Waste annually.
- Local County Solid Waste or local health jurisdiction may apply enforcement fees such as civil penalties to businesses without organic waste collection services.
- Prior to issuing a penalty under this section, a Jurisdictional Health Department or local County Solid Waste must provide at least two written notices of noncompliance with the requirements of this section to the owner or operator of a business subject to the requirements of this section.

- Julie R. (Ecology): **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 probable significant adverse environmental impacts of types of 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.

Commented [JR1]: Ecology has concerns about changes that would impact the SEPA process and impact to RCW 43.21C.

Commented [DB2]: What number of facilities are expected. If it is a small number, this type of planning is probably not needed.

Commented [DB3]: We determine what will be evaluated during the scoping phase – suggest “types of facilities.”

Could remove this entire sentence as that is the purpose of the work.

(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,. 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 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, highly impacted 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.

Commented [DB4]: This is often very complicated, so unless there are only a few counties involved, suggest deleting.

Commented [DB5]: Note: Other bill language included consultation with Tribes – do we expect Tribes to raise concerns on these? If so, we could add that.

Commented [DB6]: This section is good. It's needed to make sure the various lead agencies use this document. It can be done in several ways, so it isn't likely to be a problem. This helps with the issue of inconsistent application of SEPA by different local agencies.

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.

Input: Air Quality

- Tim O.: These sound like great things to do, but it's going to be a tall order for what Tom said earlier. The reality and science around measuring air emissions from something widely variable as composting is going to make this a real challenge. Instead, where we want to try and go is come up with standards on how we operate, do careful testing, and everybody can operate within certain parameters that are understood to be best management practices and achieve good results in terms of odors and VOCs. Hopefully, do away with source testing. The last one I was involved in cost more like \$100K. It's too costly to do the measurements – and the processes differ greatly day to day. That's just not a sustainable practice. Given the uncertainties, it's not a reasonable approach. I'm hoping we can derail from standard EPA approach where we measure everything again and again and go to best practices to measure easily – just the basics that determine what emissions and efficacy of capture and control measures.
 - Steve VS: Agree with what Tim said, but stakeholder group could talk about difficulties and figure out how to not derail one environment objective for another. Air quality requirements are not roadblocks to overcome. Instead, they exist and are structured to protect public health. I get that the challenges of operations of how to demonstrate should be discussed. Discussion would help to figure out to have all objectives be met better than today within what we have to work with.
 - Chris C.: Second Tim's comments on difficulty of Air testing protocols. US EPA has program for developing Air testing in RTP, NC. Washington should not be expected to do this, imo.
 - Jay B.: Agree with above statements. A discussion would be helpful. A common on (c) that I would add other composting technologies if there's other ways to do it.
- Keith J.: Does emissions include odors?
- Rob D. (Ecology): How does the language account for WSU air emissions study that is currently underway?
 - Tom J: Pilot program being built now with tests in spring and summer. Might not be enough data to be able to hash out answer. Would feed convo with stakeholder group.
 - Tom O.: More money would help solve problem.

- Tom J.: Could you be more specific about what type of credits? Methane? VOCs?
- Rob D. (Ecology): What is the nature of the pollutant – a Clean Air Pollutant? Federal law does not have a way to do credits – clarity would be helpful.
 - Jacob L.: Task force section would be a section of the Clean Air Act.
 - Tom O.: In CA emission credits are on the market – people buy or sell (VOC) has been going strong for some decades.
 - Steve VS.: Budget proviso – not part of CAA? Could be focused on CAA provisions.
 - Heather T.: This is not meant to be part of Clean Air Act.
- Julie R. (Ecology): The stakeholder group should include representatives from local clean air agencies who have sole authority over most air permitting within their jurisdictions. Any recommendations and BMPs created by the workgroup would need to be adopted by each local clean air agency on a voluntary basis. Establishing the stakeholder group by July 1, 2025, is problematic because it is unlikely we will not receive funding to get capacity for this additional work until July 1, 2025. We are also concerned that the two-year timeframe is too short given the complexity of developing these guidelines and ensuring adequate participation among stakeholders.
 - Source Testing: We recognize the importance of establishing source testing protocols to obtain representative data from composting facilities. However, given the inherent uncertainties in composting operations that affect emissions, as well as limitations in our current tools and knowledge, we caution against establishing a highly prescribed testing protocol.
 - Emission Factors: Ecology does not establish or dictate which emission factors (EFs) are used for composting (including for volatile organic compounds and toxic air pollutants), instead accepting EFs established by outside sources. There is an ongoing state-funded composting study by WSU addressing this issue that should be finished in 2026, so this requirement should be calibrated to not conflict with that parallel effort.
 - Best Management Practices: To be a defensible permit requirement under the Air Quality Program’s Minor New Source Review process, additional compliance conditions would have to come in the form of a Best Available Control Technology (BACT) or Best Available Control Technology for Toxics (T-BACT) determination. We are open to discussing BMPs and how they may fit in within our permitting process in more detail.
 - Credit Mechanisms: Credit mechanisms do not exist in the federal or state Clean Air Act except for on-site reductions from future projects (i.e., expansions and modifications). However, credit mechanisms could be of interest to the Climate Pollution Reduction Program for Climate Commitment Act carbon offsets or Clean Fuel Standard credits (although these credits would be for reducing emissions of greenhouse gases, not volatile organic compounds as stated in the bill). CPRP should be involved with any such discussions.

- Hannah S. (King County): Re: 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.

Commented [HS7]: Should this be “organic management facilities” to be inclusive of AD etc.?

- Re Sec. 1(c): Adopting baseline emissions factors for aerated static pile composting operations;

Commented [EK8]: What about other methods?

- Ron J. (City of Olympia): When it comes to Lines (1) and (2), why not just focus on the CBSM strategy, unless the plan is to develop traditional information/education materials as well as to have a CBSM approach? I find the two sentences confusing, because Line (1) contains little detail. Or add the detail about a general education program, which is further mentioned in line (4).
 - While it’s true CBSM has shown to be effective at behavior change, it’s also true that where they were successful, it required long-term and sustained efforts. Successful programs such as the anti-smoking campaign, forest-fire and litter campaigns were decades-long efforts. They were successful due to sustained efforts that led to, at least with anti-smoking, broad reaching laws and ultimately, behavior change.
 - The approach being proposed in this legislation seems fragmented. If the state is charged with developing a CBSM program, then it should be a state-run program with continued efforts. But the proposed language suggest it will be nothing more than a tool-kit for cities and counties to use at their discretion. This piece-meal approach might not have any more success than a traditional education and outreach program but cost a lot whole more to produce. It’s also possible that the benefits and barriers for one community may not match another community. Moreover, we know from the teachings of Doug McKenzie-Mohr (DM) and Nancy Lee (NL) that the best CBSM programs focus on very narrow topics. In the case of DM, I’ve heard him say that you can’t just look at recycling in general, but it’s important to get down to the specific item, i.e., aluminum can, newspaper, plastic bottle, etc. I suspect the same for organics.
 - It’s going to be quite challenging to develop a CBSM approach when you need to understand why someone won’t put in meat scraps, or other very specific food items, or on the flipside, why a certain material contaminate is being disposed in organics – and those could be vastly different depending on the community and part of the state.
 - We’re also struck by the fact the proposed legislation is not following a more traditional and linear track; one that might start with education and outreach and voluntary compliance, and when that does not work, move to a more direct and targeted CBSM strategy. And if those efforts plateau, move to mandates and requirements. There have already been two organics bills passed that are mandating organics in some instances and wasting less food. This proposed bill (in its entirety) also includes mandates and requirements. But now also CBSM approach. This all seems somewhat contradictory and might result in a CBSM strategy not being as effective as it could be.

- If there was one overarching suggestion, it is to rewrite this section and be more strategic in the approach. The education and outreach needs to acknowledge recently passed laws around organics and somehow build upon those.
- Section 4. Grant selection performance data requirement: Line (3). Local government needs to be consulted during the development of metrics to ensure they have an equitable opportunity to meet the requirement. Additionally, are these the metrics mentioned in section 3(5)?

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:

Commented [RJ9]: It is not clear what is trying to be accomplished in this section. Is it an education and outreach program (information campaign and toolkit), or a full CBSM program. Or some combination.

I'm assuming it's a combination of E&O program with a CBSM element or using CBSM methodologies.

Our knowledge of CBSM is that they need long-term, broad, and consistent use to truly be effective. But that is not how this section is framed. It's saying a toolkit will be developed for voluntary use by cities and counties. But the toolkit is going to be constructed using certain communities, most likely, and yet the barriers and benefits may not match other communities.

If a CBSM approach is to be used, it will need to be administered by the state, across the state.

Commented [RJ10]: There is no way to measure what customers do in their homes. The best way we know of is a capture study of the residential, multi-family, and commercial waste sectors. But those are expensive and labor intensive, and require requisite skill in how to conduct them.

#5 needs a lot more thought in how that measurement might be achieved. We are still struggling with how to collect data for the compost procurement and use law.

(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.

Input: Education

- Sam L.: Questions – in statute, programs must include a CBSM program? Must seems prescriptive/too strong. Date of 2029 seems far away? Seems like it should be earlier.
 - Heather T.: Stormwater permits have required behavior change programs.
 - Katie B.: Share the same concerns as Samantha about timeline. 2029 seems far away. Education component is very important. This should come first over a mandate. Big opportunities in residential and commercial space to make improvements. Echo concerns about social marketing piece and making sure it's the right component when we're talking about education.
- Nick L.: Like the inclusion of performance-based metrics, which is lacking in CA. It's one thing to hand out money and another thing to be strategic about how money is used.
- Travis D.: Education performance metric – will department develop and distribute a tool? Is there a requirement around using the tool and returning the info? Re grant (item 3): what is this fixing? Every new level of reporting shifts time away from people doing the work. Want to make sure reporting requirements are adding value. What does this fix?
 - Hannah S.: Re performance metrics (3): Great to try and get data on impact and track that. Worried about what Travis was saying. If we put in tracking on impact for grants, is that going to make us do less? It's tricky to measure and don't want that to reduce the

amount of work for grants. It's expensive to do studies on impact. It only requirements for local governments to report on metrics to get funding, but what about the other entities that could get funding? Do they not have to report same metrics? Why is it only local governments?

- Ron J.: Echo Travis and Hannah re: performance metrics and the tie back to grant funding. How are we supposed to measure effectiveness? You're basically trying to measure what people are doing in their households. It's not necessarily fair to compare this with stormwater management. With solid waste, people are making decisions to put things into the bin. You can't see it right away. In terms of timeline, I think it's better to go slower than quicker than this. As we know about CBSM programs, they are very long-term – Doug McKenzie-Mohr and Nancy Lee – so it takes a while for everything to happen. Look at prime example of smoking in the 1970s. Pick individual item/behavior and identify specific barriers. Concerned about that language.
- Keith J.: Stakeholder input is important for any education and outreach program that you develop. Different counties have different acceptance criteria for their composting facilities considering it's going to be a statewide generalized education/outreach program. Statewide generalized program could be an issue.
- Travis D.: Additional comments just for notes: 1. Being overly prescriptive of the CBSM strategy should be evaluated further. I am curious how many CBSM campaigns in a community can be successful at the same time. 2. With the additional of the performance metric, but we don't know what it will take to implement what has been passed so far and the costs keep going up on the admin side. 3. Every new level of reporting shifts resources from the people doing the actual work to those doing the administration, reporting, and reporting review. I understand funding comes with strings related to accountability and data, but I would like to have the opportunity to make sure that all of these reporting requirements address real concern or provide a real value.
 - P.S. – The question about how many CBSM campaigns can work is a genuine question, not a biased statement.
- Robbette: I would agree with timeline as a composter on the eastern side of the state recently incorporated into the BOMA and soon to see residential in parts of our counties. No education in our areas have existed and this is needed now not closer to the mandatory deadline of 2030.
- Micah B.: I know of jurisdictions that already do not apply for Local Solid Waste Financial Assistance grants due to the burden of the process. Performance measurement is important, but if the type of reporting required costs a large % of the total grant funding I could see more jurisdictions choose not to apply.
 - Another thought, in the Stormwater permit CBSM requirement, jurisdictions are required to target specific audiences, not the entirety of their residents or businesses. As a tenet of CBSM, selecting a particular audience is important, and so performance metrics measuring overall adoption and % of in bin participation for all residents might not demonstrate much behavior change.

- Socorro M.: Re section 3.2: pilot a strategy or more likely will be a suite of strategies. Potentially mention best practices that are used in a few municipalities in North America.
- Katie B.: Want to circle back on the timeline comments. From our perspective, if this is the right time to do this and have a 3rd party do education, we're not going to question that. These social marketing programs might take longer to stand up, especially if it's done in a thoughtful way. Want to emphasize that education needs to happen before mandates on industry.
- Julie R. (Ecology): **Sec. 5. 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.

Commented [JR11]: This type of education and outreach is very specific to the type of community due to the many layers of existing infrastructure and facility differences. It will require significant investment to be done well.

Commented [JR12]: This will require significant resources.

Grant section performance data requirement

Sec. 6. 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.

Commented [JR13]: Ecology suggests all grant recipients be required to provide data, not just local governments.

(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.

- Hannah S. (King County): Re Section 4(3): KC is concerned that these metrics could significantly reduce the effectiveness of grant funding. Program impacts can be challenging/expensive to measure. Also, why are local governments the only ones that would have to provide metric data? Why not the other types of organizations?

Commented [JR14]: Ecology suggests changing this language from must to “The department may adopt rules.” The specific requirements around this can also be written into grant guidelines.

VI. Wrap-up & Adjourn (4:25-4:30)

a. Next Meeting: Wednesday, November 13 – Multi-family source separation; Enforcement