

APWA Washington Fall 2024 Conference



New State Organics Management Rules – What's Next?

October 10, 2024

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Overview

What is organic material?

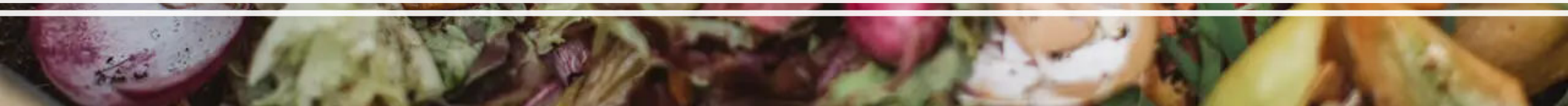
Why do we care?

What are the rules?

How are rules being implemented?



WHAT IS ORGANIC MATERIAL?



What is organic material?

- » **Materials from living sources like plants, animals, and microorganisms that are biodegradable and can be broken down into simple organic molecules.**
- » **Examples include:**
 - » Food waste: leftover food, coffee grounds, eggshells, apple cores, and other food byproducts
 - » Green waste: lawn clippings, leaves, and woody debris
 - » Livestock Manure
 - » Biosolids

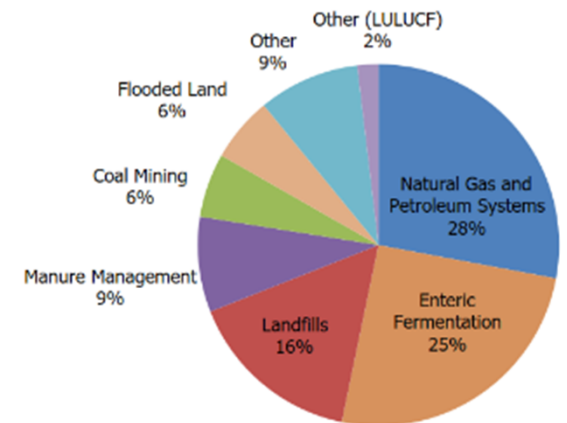


WHY DO WE CARE?

Organic waste can produce greenhouse gases

- » Organic materials in landfills decompose under anerobic conditions and produce methane (CH_4) and carbon dioxide (CO_2)
- » Methane is a strong greenhouse gas
- » Methane is 20-25 times more potent than carbon dioxide
- » Sustainable Management of Food (Wasted Food Recovery)

**U.S. Methane Emissions,
By Source**



Greenhouse gases are not good



Greenhouse gases trap heat in the atmosphere and cause Global Warming

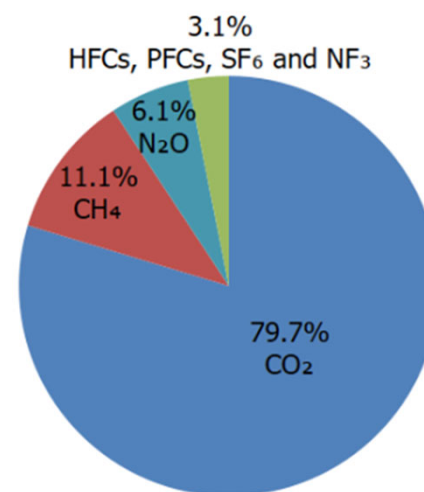


The main culprits: Carbon Dioxide, Methane, Nitrous Oxide & Fluorinated Gases



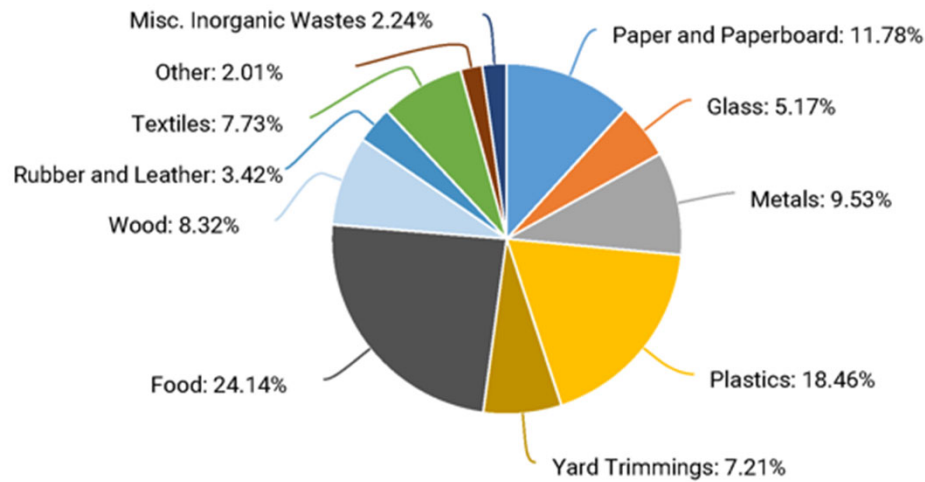
Do our part to reduce GHGs and it's the Law!

Overview of Greenhouse Gas Emissions



Total MSW Landfill by Material, 2018

146.1 million tons

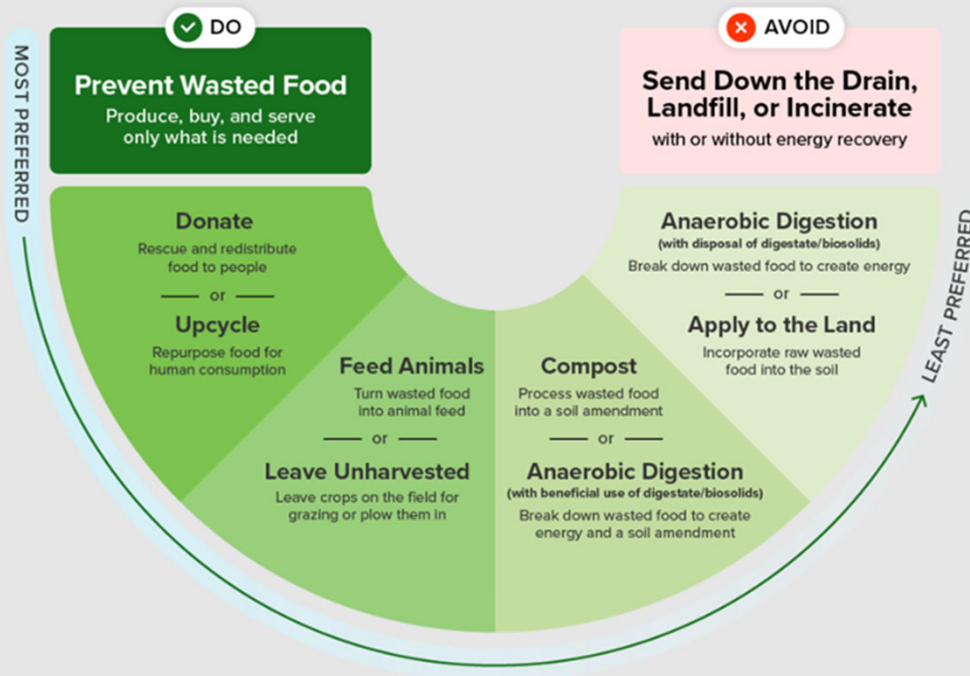


- **Food Waste is the single most type of waste reaching our landfills**
- **Constitutes ~24% of overall MSW wastestream that is landfilled**



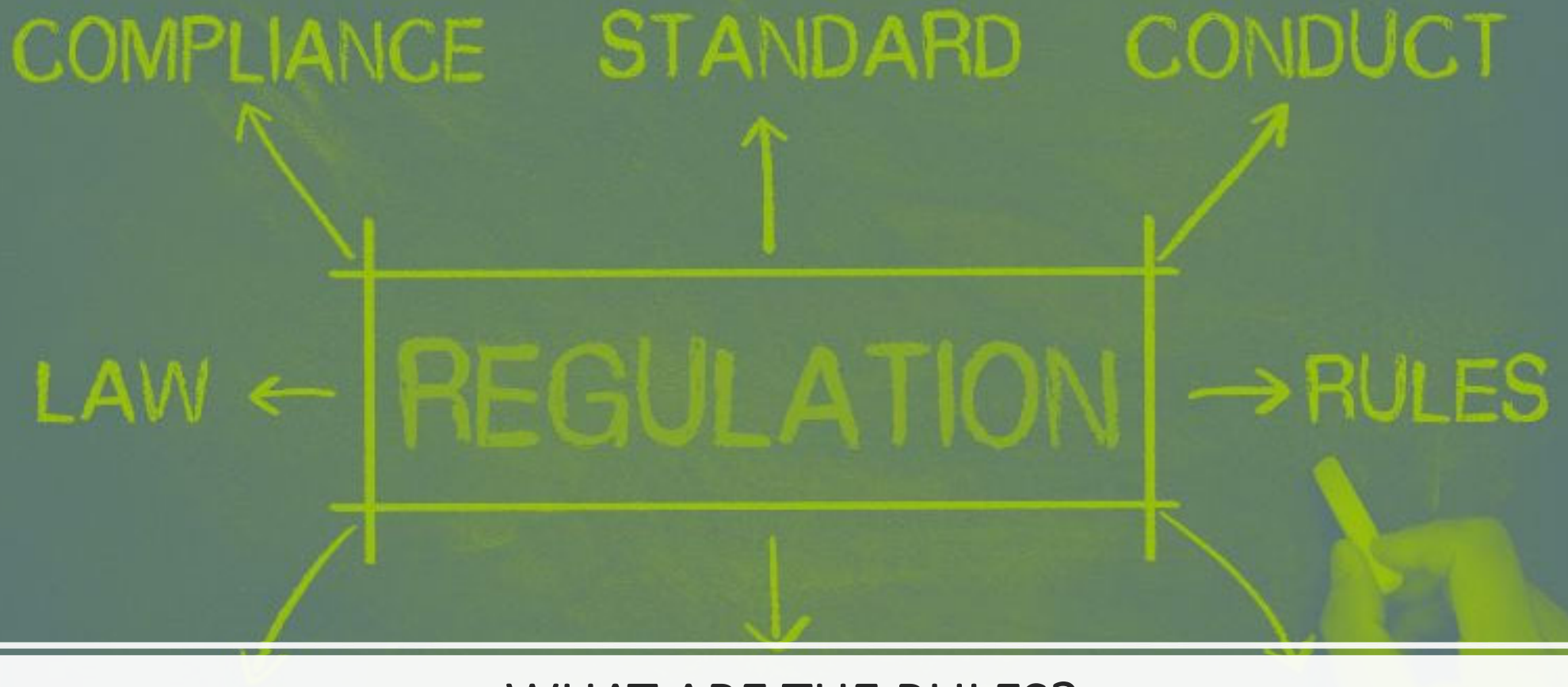
Wasted Food Scale

How to reduce the environmental impacts of wasted food



Food recovery can help reduce hunger

- Help to reduce hunger in the U.S.
- Food recover opportunities
- EPA's wasted food scale
- Purpose is to prioritize actions that prevent and divert wasted from disposal.



WHAT ARE THE RULES?



Washington State Organic Management Rules

- The State Legislature passed organics management laws in 2022 and 2024.
 - HB 1799: (passed in 2022)
 - HB 2301: (passed in 2024)
- These rules aim to divert organic materials away from landfills through prevention, food rescue, and organics management facilities.
- Support State's 2021 CCA
- These actions will help Washington achieve its 2030 goal to reduce organic material in the landfill by 75%.

What are the State's goals?

- » Divert 75% of previously disposed organic materials from landfills by 2030.
- » Rescue 20% of previously disposed edible food for human consumption by 2025.



HOW ARE RULES BEING IMPLEMENTED?

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"This plan will be much easier not
to implement than the last plan
we didn't implement."

Implementation is a multi-pronged approach



RESIDENTIAL & NON-
RESIDENTIAL COLLECTION
REQUIREMENTS



BUSINESS COLLECTION
REQUIREMENTS



COMPOST PROCUREMENT
REQUIREMENTS



CENTER FOR SUSTAINABLE
FOOD MANAGEMENT



ORGANICS MANAGEMENT
FACILITY SITES



FOOD DONATIONS AND
FARMS



COMPOSTABLE
PRODUCTS LABELING

Residential & Non-Residential collection requirements

- RCW 70A.205.540 – *Source-separated organic solid waste collection services*
- Applies to jurisdictions that implement a local solid waste plan under RCW 70A.205.040 (and are not categorically exempt)
- Beginning April 1, 2027, collection services are required year-round to (1) all single-family residents and (2) nonresidential customers that generate >0.25 cy per week of organic materials (participation is elective)
- Beginning April 1, 2030, collections for the above are no longer elective
- Also beginning April 1, 2030, organics collection service must include the acceptance of food waste year-round and may collect food waste source-separated or comingled with other organics





Residential & Non-Residential collection requirements – cont.

- **Categorically exempt jurisdictions include those that:**
 - Generate <5,000 tons of solid waste per year
 - Communities with populations <25,000 people
 - Census tracts with population density of <75 people per square mile that are serviced by the jurisdiction and located in unincorporated areas of a county
- **In addition, Ecology may issue a waiver for up to 5 years based on factors such as distance to organics management facilities, facility capacity, etc.**

Business collection requirements

- » **RCW 70A.205.545 – *Certain businesses must arrange for organic materials management services***
- » **Requirements depend on:**
 - » If collection service is available in the area
 - » If local compost facilities have capacity
- » **Compliance is phased in based on the volume or organic waste and solid waste generated by the business**



Business collection phasing in



2023

July: Ecology must annually determine and post on website where business collection requirements apply.

2024

January: at least 8 cubic yards of organic material waste per week

2025

January: at least 4 cubic yards of organic material waste per week

2026

January: at least 4 cubic yards of **solid waste** per week

Exemptions to requirements for businesses

- Organic materials are managed onsite.
- Organic materials from growing or harvesting food or fiber are used offsite by a business for growing food or fiber.
- Organic materials are sold or donated to another business for offsite use.
- Organic materials are generated from a natural disaster.
- Organic materials are self-hauled to an organics materials management facility.



Compost procurement ordinance (CPO)

- » *RCW 43.19A.150 – Cities and counties required to adopt procurement ordinance*
- » A jurisdiction with >25,000 residents and provides organics collection per RCW 70A.205 must adopt a CPO by January 1, 2023.
- » The CPO shall plan for use of compost
- » By March 31, 2025, and each March 31st thereafter, each jurisdiction that adopts a CPO must submit a report to Ecology covering the previous year's compost procurement activities.



Center for Sustainable Food Management

- RCW 70A.207 – Washington Center for Substantiable Food Management (“the Food Center”) originated in January 2024
- The Food Center coordinates statewide food waste reduction efforts in service of Washington meeting its food waste and recovery goals.

Food Waste Reduction Act

- » To address food waste and wasted food in Washington, the 2019 Washington Legislature unanimously passed the Food Waste Reduction Act, now codified as RCW 70A. 205.715.
- » The law established statewide food waste reduction goals, relative to 2015 levels, including a focus on reducing the amount of wasted edible food.



Use Food Well Washington Plan

- » RCW 70A.205.715 – Food waste reduction
- » “Use Food Well Washington Plan”
- » Food reduction planning that includes prevention, rescue, and recovery

Washington Food Waste Reduction Goals

1,158,746 tons
of edible and inedible
food waste is generated
annually in Washington
2015 Baseline Data



By 2025, we will:

Rescue **78,012 tons** of edible food waste for human consumption

By 2030, we will:

Reduce edible food waste by at least **195,032 tons (50%)**

Reduce total annual food waste by at least **579,373 tons (50%)**

Organics management facility sites

- » More processing capacity is needed to meet the state's goals.
- » Beginning July 2024, jurisdictions updating their SWMPs must identify siting areas for organic management facilities.



Food donations and farms

- » Amends the Washington State Good Samaritan Act to make it easier to donate food.
- » Farmers and compost facilities also benefit through a program that reimburses farmers that purchase compost and compost spreading equipment



Compostable Product Labeling

- Labels for compostable products must meet specific requirements for degradability and have specific product labeling with a logo of a third-party certifier.
- Products labeled as either biodegradable, degradable, oxo-degradable, or any other similar term are **prohibited**. This is in the hope of reducing misleading, confusing, and deceptive labeling practices around sustainable products, also known as greenwashing.
- **Note:** Products made from 100% wood fibers or any other fiber-based material are exempt from the new labeling rules. Fiber-based products cannot contain any plastic additives, waxes, coatings, etc. to be labeled "compostable."



More Information

- » Visit resources for local governments on the Organics Management Law at <https://app.box.com/s/r6jdrsxnwbchuo9kme3qa4gdf2uawhfk>
- » Subscribe to Organics Management email news at <https://tinyurl.com/OrganicsLaw>



Questions?

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See What's *Possible*.

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