

Compostable Products Advisory Committee Meeting Summary

Meeting #5: Tuesday February 6, 2024 | 10:00 AM – 12:00 PM

Location: Zoom

Attendance

Members of the Advisory Council, Washington Department of Ecology (Ecology), Cascadia Consulting Group (Cascadia), and the public attended the meeting.

12 out of 26 Advisory Committee members attended (those who attended are marked with *):

Name	Affiliation
Alex Truelove	BPI
Amy Clow*	WSDA
Patti Stacey	Kittitas County
Chris Averyt	City of Spokane
Dan Corum*	City of Tacoma
Gena Jain*	City of Kirkland
Heather Trim*	Zero Waste Washington
Janet Thoman	CMA
Jay Blazey*	Cedar Grove
Jenny Slepian*	Eco Products
Kate Kurtz*	City of Seattle
Liv Johansson*	WORC
Lewis Griffith	City of Tacoma
Ryan Dicks*	Pierce County

Name	Affiliation
Mark Chidester	City of Richland
Reingard Rieger*	Tilth Alliance
Ron Jones*	City of Olympia
Samantha Louderback	Washington Hospitality Association
Samantha Winkle	Waste Connections
Scott Deatherage	Barr-Tech
Shannon Pinc	NatureWorks
Alli Kingfisher*	Ecology
Wendy Weiker	Republic Services
Peter Godlewski	Association of WA Businesses
Zonell Tateishi	Yakima County
Rod Whittaker*	WRRRA

2 Washington Department of Ecology (Ecology) members attended, but did not participate as Advisory Committee members:

- Cullen Naumoff
- Chery Sullivan

3 staff from Cascadia Consulting Group (Cascadia) attended as meeting facilitators and support:

- Maddie Seibert
- Hannah Swee
- Taylor Magee

8 members of the public attended.

Meeting goals

- Review research progress and confirming some next steps
- Review workgroup outputs related to definition of compostable products
- Refine the list of issues previously raised at meetings

Agenda

Duration	Agenda Item
10 min	Welcome, agenda, & objectives
15 min	Where we are and where we're going
85 min	Review and discuss challenges identified
5 min	Public comment
5 min	Closing remarks and preview next steps

Where We Are & where We're Headed

Update from Definition Workgroup

- **The Compostable Definition Workgroup is a subgroup of the Advisory Committee that met in January.**
- **The goal of the Working Group was to establish a definition that can provide bounds to the Advisory Committee's discussions** as they establish recommendations on the management of compostable products.
- **Below is the original proposed definition:**
 - A product labeled as "compostable" that is sold, offered for sale, or distributed for use in Washington by a producer must:
 - a. Meet ASTM standard specification D6400;
 - b. Meet ASTM standard specification D6868; or
 - c. Be comprised of wood, which includes renewable wood, or fiber-based substrate only.
 - A product described in subsection (1)(a) or (b) of this section must:
 - a. Meet labeling requirements established under the United States federal trade commission's guides; and
 - b. Feature labeling that:
 - i. Meets industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities;
 - ii. Uses a logo indicating the product has been certified by a recognized third-party independent verification body as meeting the ASTM standard specification;
 - iii. Displays the word "compostable," where possible, indicating the product has been tested by a recognized third-party independent body and meets the ASTM standard specification; and
 - iv. Uses green, beige, or brown labeling, color striping, or other green, beige, or brown symbols, colors, tinting, marks, or design patterns that help differentiate compostable items from noncompostable items.

- **The definition was shaped from an existing definition used by WA State in RCW 70A.455.040.**
The Working Group determined that the first part of the provided definition was not helpful in the ACs discussion, and took it out, as well as added an explicit call out to paper products.
- **The new, modified proposed definition presented to the Committee is:**
 - A product labeled as "compostable" that is sold, offered for sale, or distributed for use in Washington by a producer must:
 - Meet ASTM standard specification D6400;
 - Meet ASTM standard specification D6868;
 - Be comprised of wood, which includes renewable wood, or fiber-based substrate only; or
 - Be comprised at least 99% of wood, which includes renewable wood or fiber-based packaging materials. The remaining 1% must not contain any plastic or polymer additives or coatings.
- **Discussion:**
 - The definition looked good, aside from part "C" - which should say 100% comprised of wood, with no glues or other materials.
 - The proposed definition still does not include paper products, and instead groups paper and wood together when the two must be treated separately. Fiber-based packaging is considered differently than paper.
 - Section "D" could be rephrased to say products should be comprised of at least 99% paper.
 - Lined paper products are called out in ASTM D6868.
 - This definition still reads as a labeling definition, and the phrasing should be changed to something like: "a compostable product sold, offered for sale, ..."
- **Comments from members of the public:**
 - 100% would be excluding any poly film for paper cups? or would it not
 - I would suggest clarifying in section D that it is "natural, plant-based" fiber.

Research Progress Update

- **Notable changes to the research plan:** The research team is moving away from written information requests to manufacturers to answer the question: "What percentage of compostable products distributed in Washington are composted?", citing very few responses received after several outreach attempts to 60+ manufacturers. Instead, the project team will pivot to modeling capture rates of compostable products using waste characterization data from Seattle and King County. Findings from capture rate analysis will be shared at the March meeting.

Review and Discuss Challenges

Introduction to the Top Challenges Identified

- **Challenge identification process so far:** Advisory Committee members answered discussion questions in December and January, then Cascadia grouped the 87 relevant MURAL comments into themes and highlighted the top nine challenges for group discussion.
- **The top nine challenges identified are:**
 1. Concern that compostable products may not break down in real facility conditions

2. Consumer confusion leading to increased contamination
 3. Lack of jurisdictional consistency across the state
 4. Concerns over facility capacity
 5. Look-alikes cause contamination in compost
 6. Diversion rates of organics (food waste/compostable products/organics) are low
 7. Concerns over enforcement of labeling and/or use of products
 8. Concerns over funding
 9. Lack of consistency across facilities in what they accept and their compost practices
- **Comments/ questions regarding the identified challenges:**
 - Clarification on the compost practices challenge?
 - The challenge includes the technology a facility may use or their compost system. It may include differences in compost times across facilities. It could also include the variance in screening practices across facilities.
 - Could we divide the challenges into two buckets, one regarding the compostable products themselves, and the other focusing on compost facilities?
 - What is meant by funding for challenge #8?
 - Comments indicated there is little funding allocated for enforcing labeling laws and that funding is a concern on the facility side to expand operations.
 - Funding for enforcement could be added to #7.
 - It may be helpful to have the list broken into their respective stakeholder groups.
 - What were the 17 'main' themes? Also, #1 and #9 seem similar or could be grouped together, unless I'm missing something.
 - Not sure if this is in this group's scope, but my team is concerned that 1799 defines manure as compostable. Do we have to accept manure to comply with 1799?

MURAL Discussion

- **The AC was divided into two breakout groups to discuss all nine of the identified challenges.**

The AC answered questions about each challenge:

 - Did we get the issue right? If not, how would you change the issue statement?
 - Why is it an issue?
 - Who is it an issue for?
 - How does this impact you?
 - What initial solutions should we consider around this issue area?
 - **Takeaways from the MURAL discussion across the two breakout groups, organized by challenge and question asked, follow:**
1. **Concern that compostable products may not break down in real facility conditions.**
 1. **Did we get the issue right? If not, how would you change the issue statement?**
 - a. AC members agreed that this is a top issue
 - b. Consider changing wording from "real" to "varying"
 2. **Why is it an issue?**
 - a. Leads to end product contamination
 - b. If real world results don't meet lab results, it creates problems for facilities.

- c. If products aren't breaking down, it raises questions of if they should be allowed in compost systems. Compostable products not breaking down then act as traditional plastics, polluting the environment
 - d. Facilities have different capacities for products, with varying capacity.
 - e. Some products advertised as compostable are not compostable, putting strain on facilities
 - f. Facilities need a marketable end-product
 - 3. Who is it an issue for?**
 - a. Facilities, end market users, local governments
 - 4. How does this impact you?**
 - a. Contaminated end products are bad products for consumers
 - 5. What initial solutions should we consider around this issue area?**
 - a. Increased testing for end products
 - b. Research and documentation to note the ideal conditions for compostable product breakdown
 - c. Stronger enforcement is needed
2. Consumer confusion leading to increased contamination.
- 1. Did we get the issue right? If not, how would you change the issue statement?**
 - a. Mis-labeled items play a role here
 - b. Lack of general organics education is a key issue
 - c. Consumer confusion is two-fold: both mis-labeled items, as well as not understanding what items can be composted
 - d. We don't want to blame the consumer- perhaps rephrase the challenge.
 - 2. Why is it an issue?**
 - a. Product labeling is unclear
 - b. Compostable plastic acts as "green garbage"
 - c. Complicates the messaging of what can go into compost- food is easy but compostable products are confusing
 - 3. Who is it an issue for?**
 - a. Facilities experiencing contamination, end users buying compost, local governments
 - 4. How does this impact you?**
 - a. Can't sell contaminated compost
 - b. Challenges in educating consumers
 - 5. What initial solutions should we consider around this issue area?**
 - a. Ban certain products- like condiment packets
 - b. Fund education
 - c. Fund active enforcement for labeling laws
 - d. Define compostable with parameters such as "accepted by 60%+ or 90%+ of facilities in WA"
 - e. Consistency of cart colors across WA
 - f. Banning plastic look-alikes
3. Lack of jurisdictional consistency across the state.
- 1. Did we get the issue right? If not, how would you change the issue statement?**

- a. Provide clarity/distinction on type of consistency- cart colors/collection frequency vs. facility processes
 - b. Questions if consistency is possible given the different facility conditions
 - 2. Why is it an issue?**
 - a. Feedstocks accepted by facilities and their processes differ
 - b. Inconsistent compost guidelines increase confusion (compostable products acceptable in one jurisdiction and not another)
 - c. Makes uniform application of standards like ATSM difficult
 - 3. Who is it an issue for?**
 - a. Consumers, facilities, regulators- difficult to implement and enforce standards, producers
 - 4. How does this impact you?**
 - a. Customers (of product manufacturers) are confused as to what is compostable, as rules are inconsistent
 - 5. What initial solutions should we consider around this issue area?**
 - a. Ban all non-compostable items
 - b. Ban items that are not universally accepted across the state
 - c. All solutions need input from composters
4. Concerns over facility capacity.
- 1. Did we get the issue right? If not, how would you change the issue statement?**
 - a. Questions over what capacity means in this context: material accepted, amount of material, type of material, etc.
 - 2. Why is it an issue?**
 - a. Composting service ware typically takes more time, decreasing throughput at facilities.
 - b. More materials going into the system means more capacity is needed
 - c. Need enough food and yard waste to balance the compostable products in feedstocks
 - 3. Who is it an issue for?**
 - a. Composters who prioritize a faster processing time
 - b. Anyone looking to divert more material
 - 4. How does this impact you?**
 - a. N/A
 - 5. What initial solutions should we consider around this issue area?**
 - a. Increase enforcement so facilities have more control over what they receive
 - b. Set statewide goals and allow locals to implement in ways that work for their jurisdictions
 - c. Additional funding to expand capacity
 - d. Transparent and more frequent reporting to understand the issues facilities are facing
5. Look-alikes cause contamination in compost
- 1. Did we get the issue right? If not, how would you change the issue statement?**
 - a. Specifically focus on products that look like they're compostable and are not certified
 - 2. Why is it an issue?**
 - a. Undermines facility trust in accepting products
 - b. Creates physical contamination

3. **Who is it an issue for?**
 - a. Everyone- residents, haulers, businesses, compost facilities
4. **How does this impact you?**
 - a. Higher facility operating costs to remove contamination
 - b. Customers less willing to purchase end-product with any visible signs of contamination
5. **What initial solutions should we consider around this issue area?**
 - a. Ban compostable plastic look-alikes
 - b. Enforce labeling restrictions, specifically for products labeled “eco” or “made from plants”
 - c. Use consistent color coding or labeling to denote a compostable product- traditional plastics should not be allowed to use the same color scheme/design elements as compostable products
 - d. Align compostable standards with WA compost facilities
6. **Diversion rates of organics (food waste/compostable products/ organics) are low.**
 1. **Did we get the issue right? If not, how would you change the issue statement?**
 - a. Suggest removing the phrase in parenthesis.
 - b. The main issue is that food waste diversion is low
 - c. Raises the question: do compostable products help divert more food waste?
 - d. Compostable products and diversion of food waste are two separate issues- want to be sure that compostable products can help drive ore food waste diversion
 - e. Low diversion may currently be a problem- but with HB1799 the inverse may soon be an issue (too many organics entering the organics waste stream)
 2. **Why is it an issue?**
 - a. ZWWA found that compostable products help divert food waste
 - b. A Seattle report from many years ago had the same findings
 - c. Compostable food containers make sorting food waste easier on the consumer side- no need to empty out container to put food waste separately
 - d. As diversion rates increase, new challenges will arise (contamination)
 3. **Who is it an issue for?**
 - a. Increased methane in landfills is an issue for everyone
 - b. Presents local issues, a need to educate local businesses and residents
 4. **How does this impact you?**
 - a. Climate change impacts everyone
 - b. Losing potential nutrients- increased food waste diversion leads to more compost
 5. **What initial solutions should we consider around this issue area?**
 - a. Consumer education to reduce confusion
 - b. Specified outreach catered to individual audiences, such as technical on the ground assistance when necessary
 - c. Additional studies to determine if packaging increases diversion
 - d. Do certain types of packaging help more than others?
7. **Concerns over enforcement of labeling and/or use of products**
 1. **Did we get the issue right? If not, how would you change the issue statement?**

- a. Important note: committee recommendations will not be directly enforced, and there are laws already coming into effect
- 2. Why is it an issue?**
 - a. People buy products from all over, difficult to enforce
 - b. Online commerce presents major hurdle
 - c. Questions over who will be the focus of enforcement- consumers or businesses?
 - d. Who will be responsible to enforce?
- 3. Who is it an issue for?**
 - a. Retailers, regulators and facility operators, jurisdictions, restaurants
- 4. How does this impact you?**
 - a. N/A
- 5. What initial solutions should we consider around this issue area?**
 - a. Funding for pro-active enforcement program
 - b. Consistent statewide standard would make enforcement easier
 - c. Technical assistance from ECY to jurisdictions
 - d. ECY has already reached out to Amazon and asked them to remove all products from their platform
 - e. ECY registration is a helpful tool
- 8. Concerns over funding**
 - 1. Did we get the issue right? If not, how would you change the issue statement?**
 - a. Seeking clarity for what this challenge includes
 - b. Funding is integral to all other challenges- may be best to include funding as a consideration for all challenges rather than a standalone challenge
 - 2. Why is it an issue?**
 - a. Need funding for enforcement
 - b. Solid waste enforcement has been historically underfunded at a state level
 - c. Funding is needed for facilities to expand
 - d. Funding for outreach stakeholder groups
 - 3. Who is it an issue for?**
 - a. Local governments; regulators and facilities that process products
 - 4. How does this impact you?**
 - a. Lack of enforcement leads to more contamination at facilities (need to fund enforcement)
 - 5. What initial solutions should we consider around this issue area?**
 - a. Direct funding for active enforcement program
- 9. Lack of consistency across facilities in what they accept and their compost practices.**
 - 1. Did we get the issue right? If not, how would you change the issue statement?**
 - a. Related to issue #3
 - b. Inconsistent compost processing conditions
 - 2. Why is it an issue?**
 - a. Lack of consistency makes it difficult to educate consumers
 - b. Leads to customer confusion

- c. Raises questions about if there should be feedstock requirements across the state, requiring facilities to accept a minimum amount of compostable products, or to accept food waste
- 3. Who is it an issue for?**
 - a. Consumers, facilities, haulers, and local government
- 4. How does this impact you?**
 - a. Can push the industry forward- drives innovation
 - b. Adjusting compost time/changing processing conditions is a huge challenge
- 5. What initial solutions should we consider around this issue area?**

Public Comment

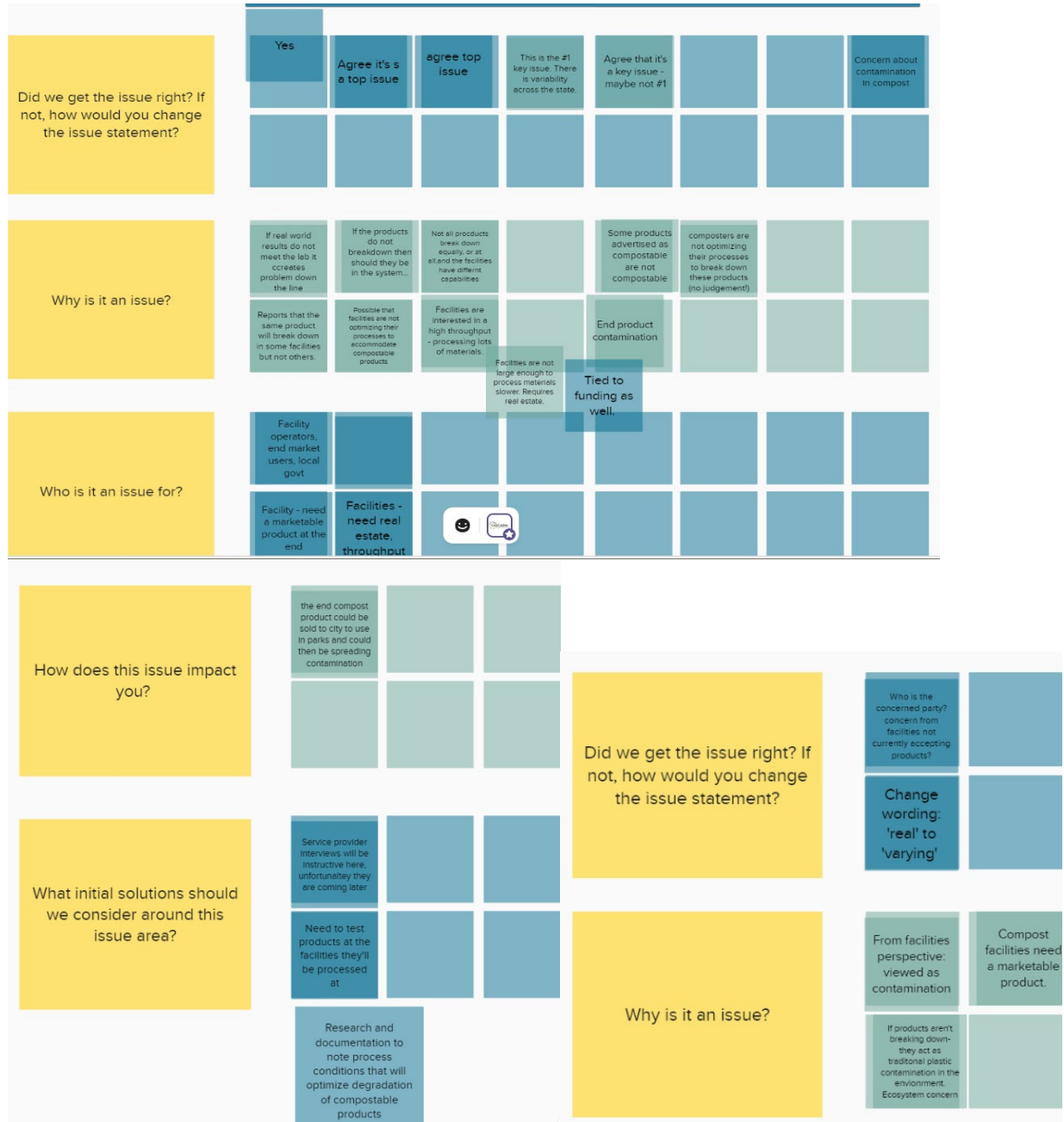
- Great discussion today. Were PFAS and other toxicity concerns raised as part of the list of challenges? Did they simply not make it into the top 9? Thanks.
 - Thanks for this question! PFAS and other toxicity concerns were raised but did not make it into the top 9.
- Home compostability is called out in the legislation. How do we differentiate labels and standards for home compostability and industrial compostability?

Next Steps

The March AC meeting will take place on March 5th from 10:00am-12:00pm.

Appendix, MURAL Board Activity

1: Concern that compostable products may not break down in real facility conditions

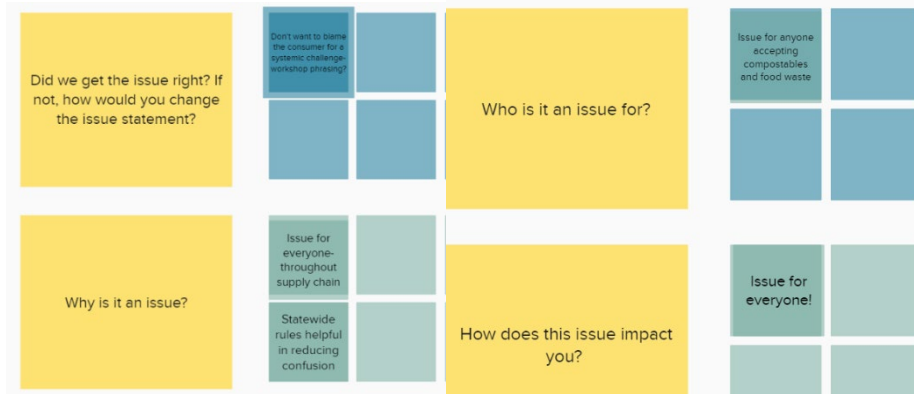


Who is it an issue for?	Compost facilities- end product being clean and marketable	consumers- confusion in assuming all compostable products will break down, in all conditions
How does this issue impact you?	Impacts growers- need a good/clean end compost product	
What initial solutions should we consider around this issue area?	Testing in a wide variety of compost processes	CMA/BPI- facilities accept one/ another method, standard testing?
	Stronger enforcement tools- foster trust between consumers and producers	Eco-products will specifically test with facilities, responsibility Falls on producers

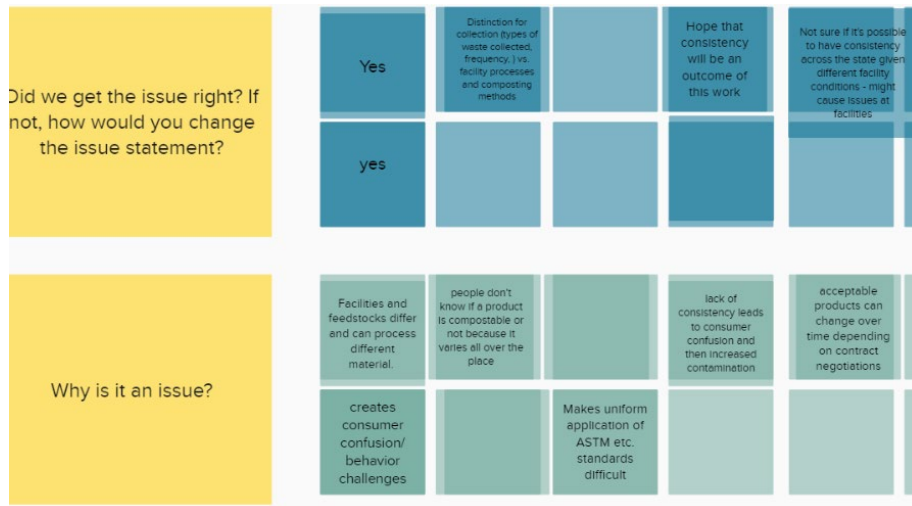
2: Consumer confusion leading to increased contamination

Did we get the issue right? If not, how would you change the issue statement?	Somewhat. It's not entirely confusion as some items labeled compostable don't work for WA facilities	Lack of general organics education also an issue.		Two issues: confusion over labeled compostable and stuff that shouldn't go in organics	I think so. Need to consider people may think they know, are doing the right thing.
Why is it an issue?	Yes, confusion does lead to contamination. It also leads to frustrated consumers				
Who is it an issue for?	Not clear if some products are compostable or not	compostable plastic is like "green" garbage	teaching people to put things like look like recyclables into compost	Complicates the message of what can go into the compost - food is easy plastics confusing	
How does this issue impact you?	Facility operators, end users of compost	it also leads to feelings that 'it is too complicated', 'it doesn't matter'	Look-alikes	Consumer behavior around single-use items	
What initial solutions should we consider around this issue area?	Facilities experience contamination	End users	local govt		
			Primarily the facility but in reality everyone in the chain		
	Local govts aren't clear on what's compostable either - means things are more likely to go into the trash if they can't advise	can't sell contaminated compost		Challenges in educating customers	
	Ban products (like condiment packets)	Define compostable to be something that would be accepted by 60%+ or 90%+ of facilities	Consistency of bin colors across the state	Significant education	banning plastic look alike compostables
	Fund education. Fund active enforcement for labeling				

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3: Lack of jurisdictional consistency across the state



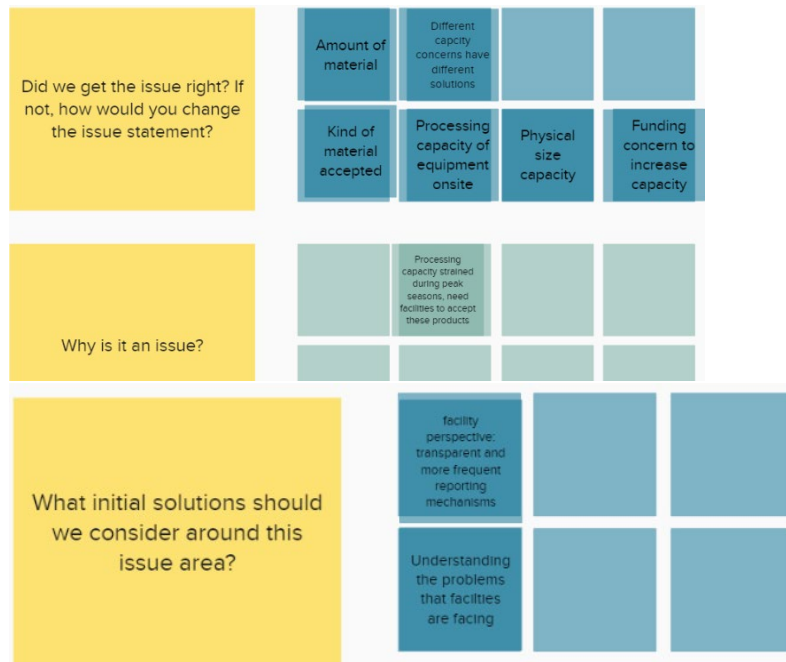
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			Who is it an issue for?	Consumers	Facilities		Regulators- difficult to implement / enforce standards
				all of us			
Did we get the issue right? If not, how would you change the issue statement?	Specificity on which inconsistency is most problematic		How does this issue impact you?	Our customers are confused as to what is compostable or not because it's different wherever they go	Messaging from municipalities and haulers changes community to community, and is sometimes wrong		
	Ordinances, accepted materials ... ?			I see a lot of consumer confusion in my work with waste prevention ambassadors			
Why is it an issue?	Local control issue- complex		What initial solutions should we consider around this issue area?	Ban things that are not compostable across the state	Ex. ban condiment packets across the state	develop a clear and simple way to understand what is compostable and what not (realizing this is not easy)	
				Ban things that are not universally accepted across the state			
Who is it an issue for?	Consumers	Facilities					
	everyone	Producers					
How does this issue impact you?	you don't know the things people have access to, and the practices they may bring with them. Creates contamination						
What initial solutions should we consider around this issue area?	All solutions need input from composters- don't want to dictate processes to them.						

4: Concerns over facility capacity

Did we get the issue right? If not, how would you change the issue statement?		Suggest bucketing this issue with another since it's less directly related to compostable products		Issue may not be capacity for products but whether facilities that accept products are present and close enough to a jurisdiction		There is capacity in volume and capacity for various materials
		Could look like concern about facility capacity to accept food waste				
Why is it an issue?	Composting serviceware typically takes more time, which decreases throughput at the facilities	more materials going into the system means more capacity is needed	If more businesses put more materials into the compost (esp. if materials look like a lot of paper cups), will have impacts			
	Need sufficient amounts of food and yard waste to balance the compostables in the mix					
Who is it an issue for?	Anyone wanting to divert more material					
	Composters who prioritize a faster processing time					
How does this issue impact you?						
What initial solutions should we consider around this issue area?	Put more teeth on enforcement so facilities have more control over what they receive	Set statewide goals and allow locals to implement in ways that work for the jurisdiction		Additional funding to expanding capacity		
	Put this under enforcement					

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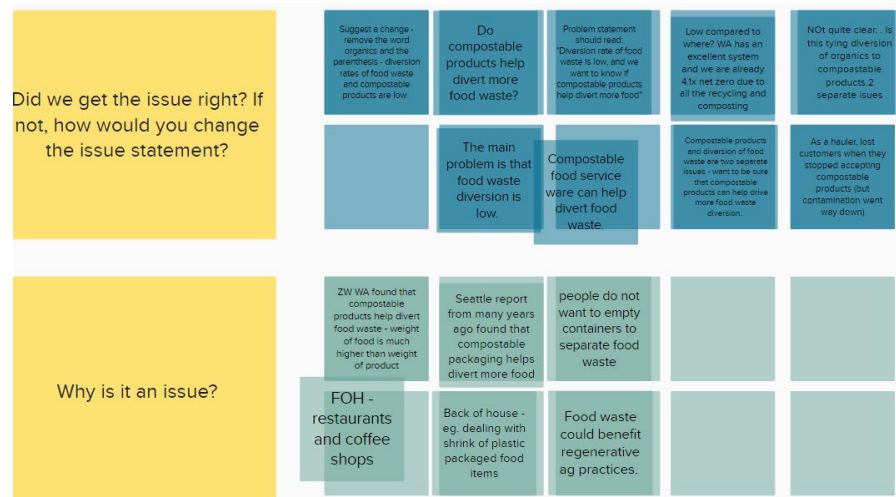


5: Look-alikes cause contamination in compost

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6: Diversion rate of organics (food waste/compostable products/organics) are low



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Who is it an issue for?	anyone concerned about climate change	Landfill operators may want the methane producing material.			
	methane in landfill is an issue for all of us	WA law already in effect.			
How does this issue impact you?	climate change				Did we get the issue right? If not, how would you change the issue statement?
	loosing nutrients				
What initial solutions should we consider around this issue area?	more research needed	additional study done to confirm ZW WA study findings	Set statewide goals and give local govt funding authority to implement changes in a way that works for the community	Need to know if some compostables help even less waste more than others (e.g., collection bags, vs. takeout containers, vs. utensils)	issue at the present- maybe not in the future with HB 1799
	consumer education in addition to reducing confusion				Perhaps too many organics in the waste stream with HB 1799
Who is it an issue for?					Why is it an issue?
	Presents very local issues- education of businesses and residents				As diversion increases- new challenges will arise (contamination)
	issue for those setting up a franchise agreement				
How does this issue impact you?					
What initial solutions should we consider around this issue area?					
	Specified education and outreach- commercial vs. residential				
	Commercial: communicate with everyone involved- OTG technical assistance				

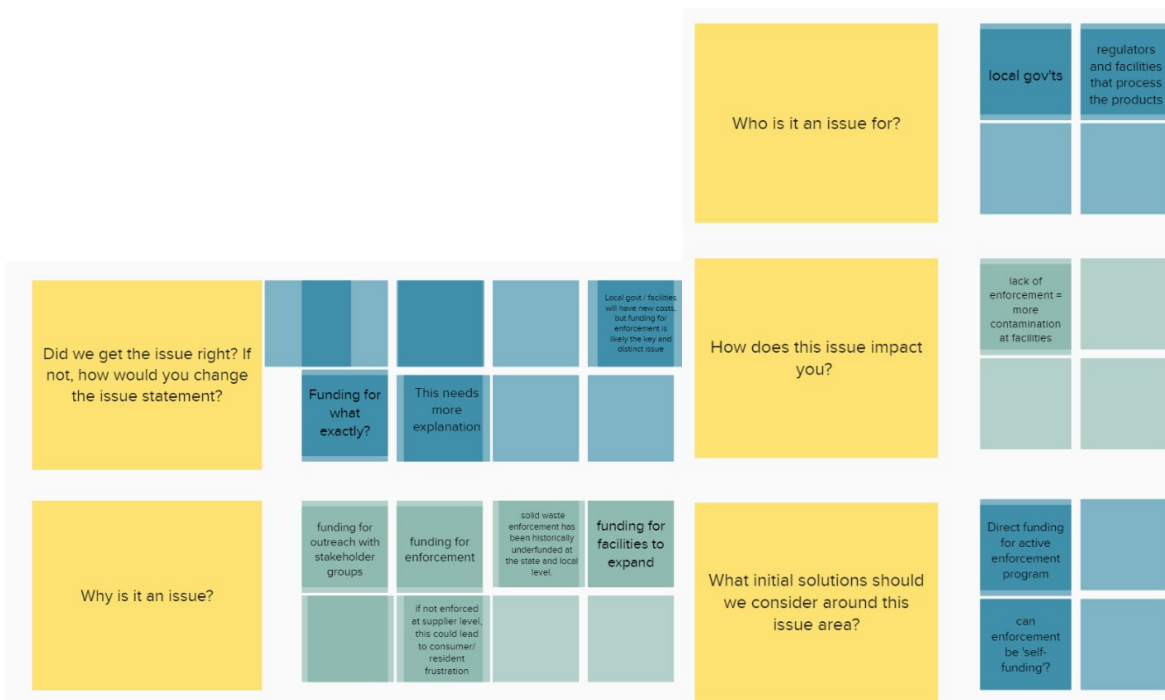
7: Concerns over enforcement of labeling and/or use of products

<p>Did we get the issue right? If not, how would you change the issue statement?</p>	<p>Note that Committee recommendations will not be directly enforced. There ARE laws already coming into effect.</p>		
<p>Why is it an issue?</p>	<p>People buy their products from all over the place</p>	<p>Difficult to enforce with online commerce. Proactive enforcement vs complaint based</p>	<p>Legal standard won't help without enforcement and so many products can enter the state through online commerce</p>
	<p>Who will be responsible to enforce?</p>	<p>who will be focus of enforcement? consumer or businesses?</p>	
<p>Who is it an issue for?</p>	<p>retailers</p>	<p>Regulators and facility operators</p>	<p>restaurants</p>
	<p>jurisdictions/ municipalities</p>		
<p>How does this issue impact you?</p>	<p>awareness raising amongst above stakeholders</p>	<p>funding for enforcement</p>	<p>Hard to enforce every restaurant, retailers, etc...</p>
	<p>enforcement of suppliers, I think, will help increase consumer trust</p>		
<p>What initial solutions should we consider around this issue area?</p>	<p>Funding for pro-active enforcement program</p>	<p>A consistent statewide standard will make enforcement easier. Less confusion, more evident if someone is breaking the law.</p>	<p>Technical assistance from ECY to jurisdictions</p>
	<p>WA Hospitality Association provides webinars to share information with members.</p>	<p>ECY has reached out directly to Amazon and asked them to remove products from their platform.</p>	<p>empower consumers to report</p>
			<p>Easy reporting form.</p>
			<p>Clear direction and understanding about enforcement jurisdiction</p>
			<p>Do solid waste employees and contractors even have the legal capability to write citations?</p>

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8: Concerns over funding





9: Lack of consistency across facilities in what they accept and their compost practices

