

# Solid Waste Advisory Committee Meeting

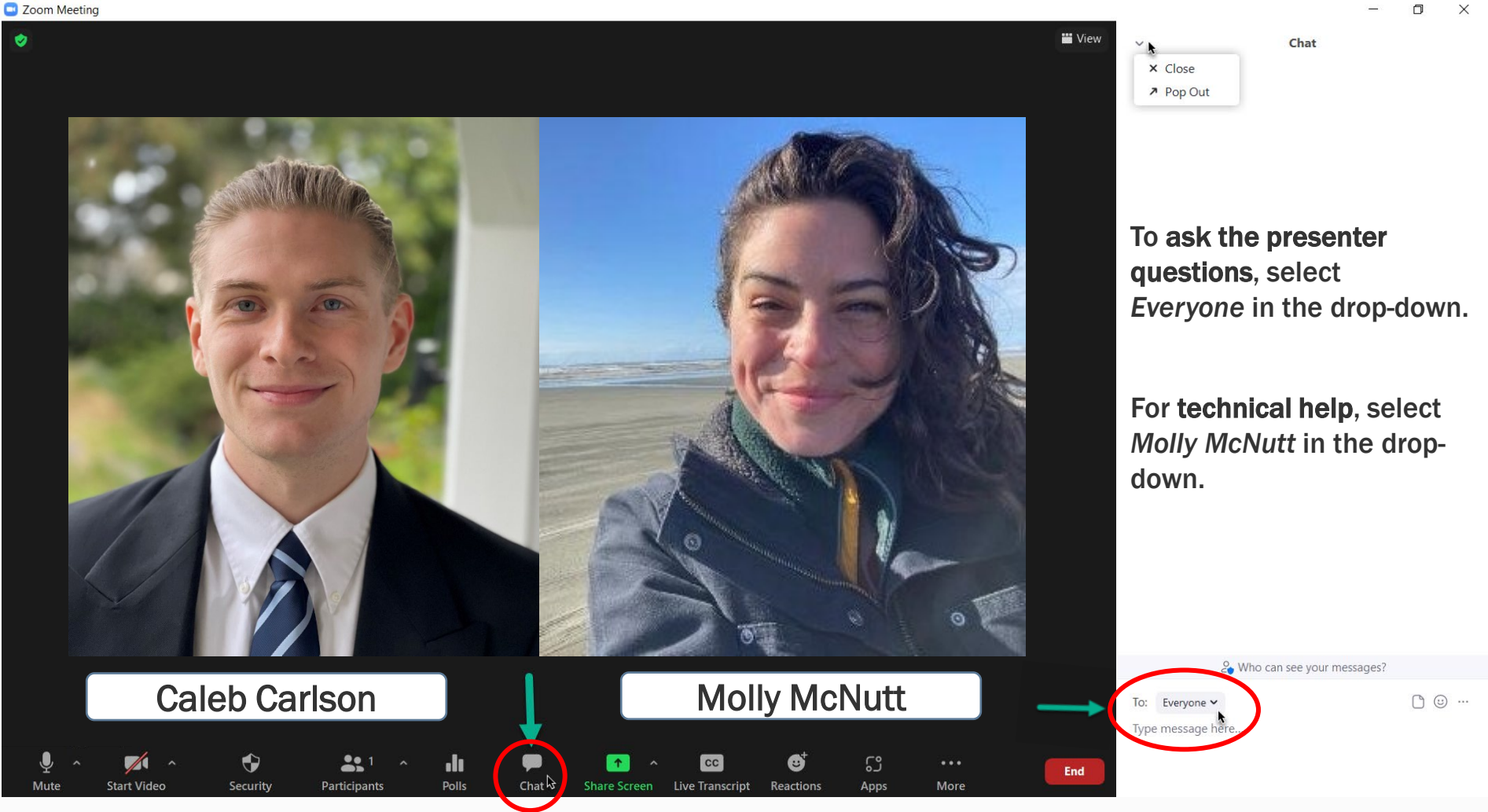
## *Welcome!*

- Please keep your video off unless you are presenting – this will help with internet connectivity.
- We are conducting sound tests before 9:30 am, if you cannot hear us, please connect your audio.
- If you have technical issues, please use the chat box and we will help you troubleshoot.



# Assisting with this meeting:

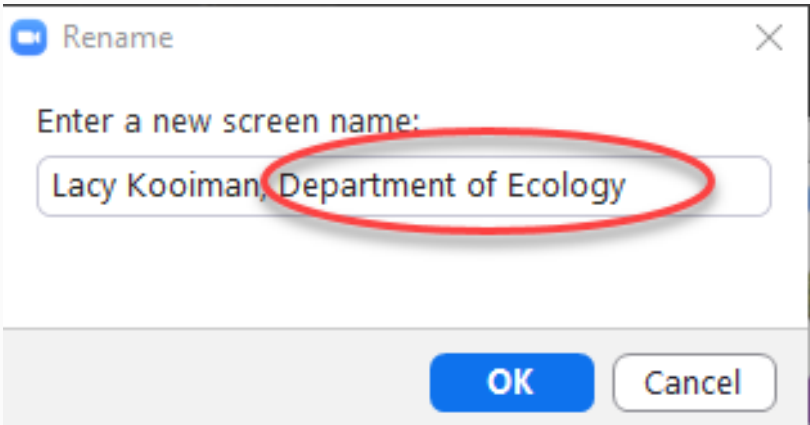
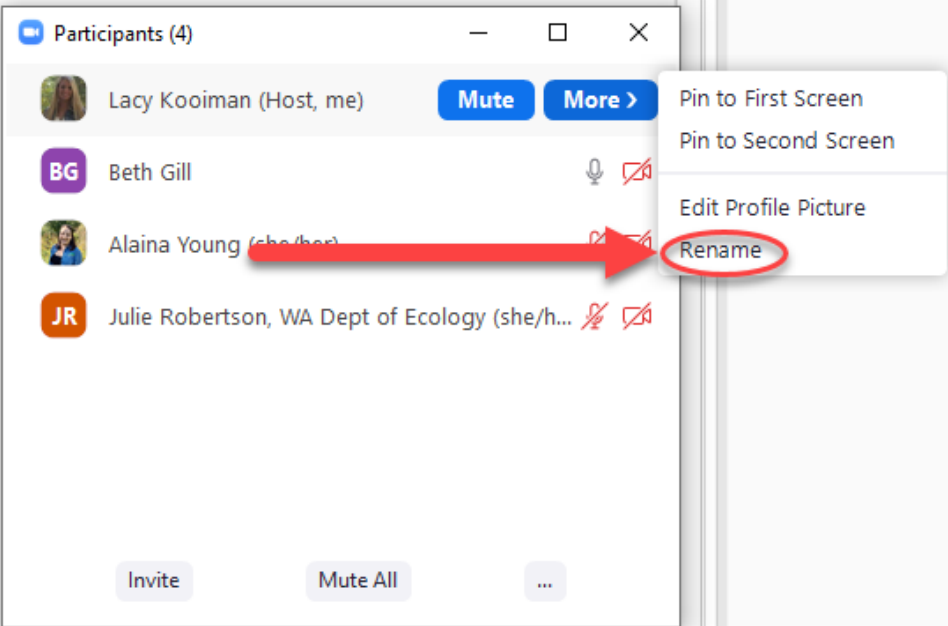
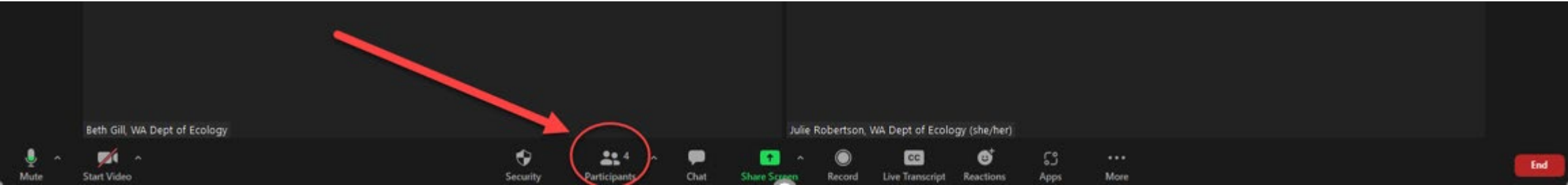
Please use the chat box to ask questions or make comments.



**To ask the presenter questions, select *Everyone* in the drop-down.**

**For technical help, select *Molly McNutt* in the drop-down.**

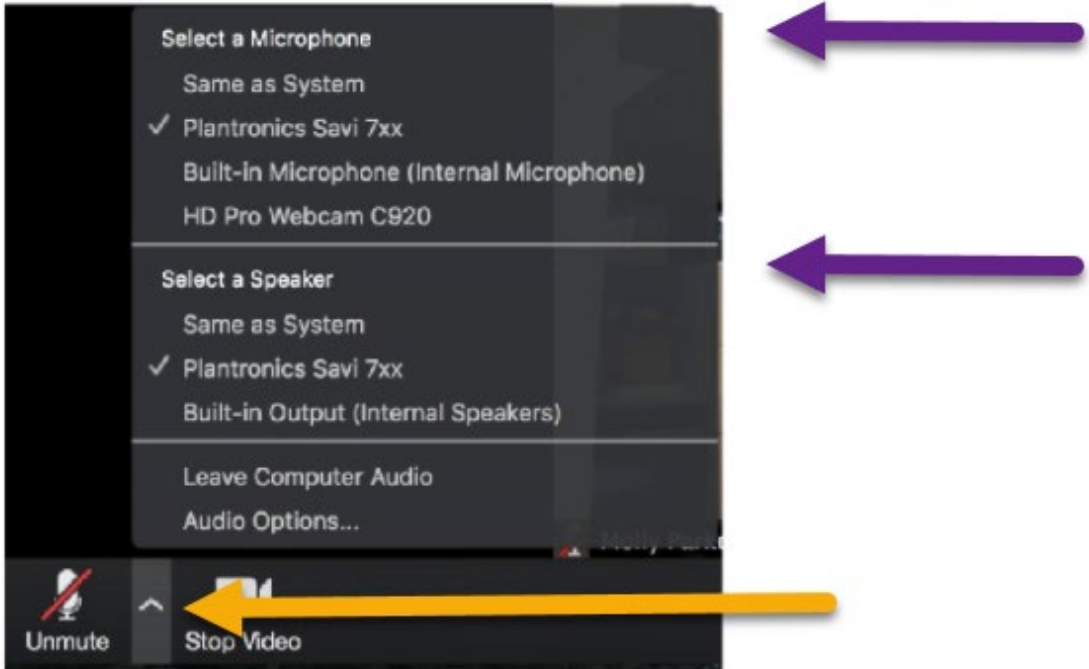
# Zoom Functions: Rename to Add Your Affiliation



# Zoom Functions: Audio Settings

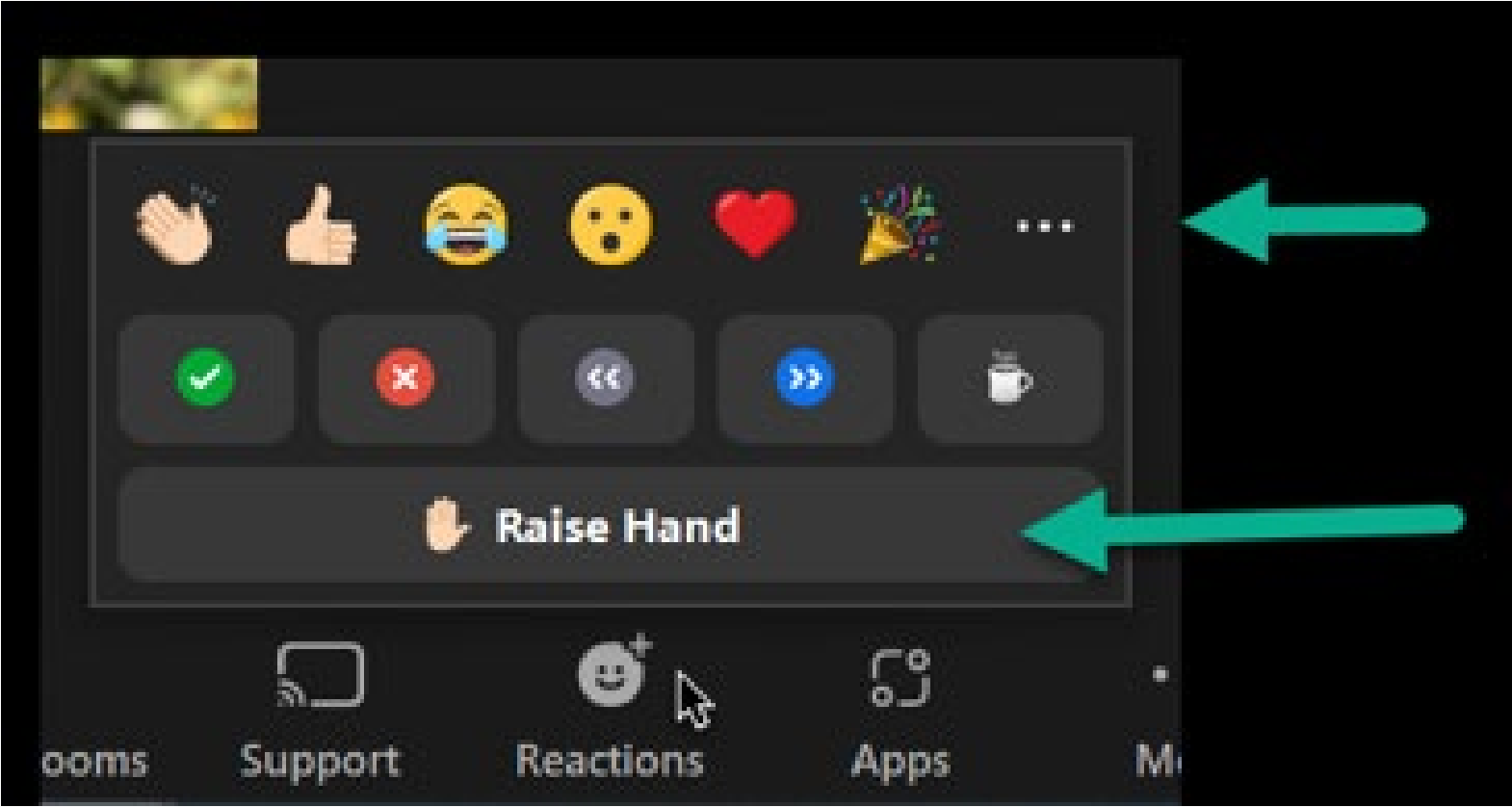
## Mute/Unmute & Audio Settings

You can mute and unmute your microphone. If you click on the arrow next to the mute button (bottom left main Zoom screen), you have additional options for audio settings. You can change your microphone, leave the computer audio or access the audio options.





# Zoom Functions: Raising Your Hand





# Solid Waste Advisory Committee Meeting

May 8, 2024

# Agenda

**Solid Waste Advisory Committee Meeting**  
**May 8, 2024 | 9:30 a.m. – 11:20 a.m.**

## **Call to Order & Zoom Meeting Instructions**

**9:30 a.m. | 5 minutes | Jay Blazey (Vice Chair)**

## **SWAC Update**

**9:35 a.m. | 5 minutes | Jay Blazey (Vice Chair)**

## **Ecology Updates**

**9:40 a.m. | 10 minutes | Peter Lyon, Dept. of Ecology SWM**

## **Battery Stewardship / Electric Vehicle Battery Report**

**9:50 a.m. | 20 minutes | Megan Warfield, Dept. of Ecology SWM**

## **Waste & Toxics Reduction Laws**

**10:10 a.m. | 35 minutes |**

- **Expanded Polystyrene (EPS) and Single-use Plastic Bag Ban – Lauren DiRe, Dept. of Ecology SWM**
- **Single-use Serviceware Law – Carolyn Bowie, Dept. of Ecology SWM**
- **PFAS in Food Packaging – Kathleen Gilligan, Dept. of Ecology HWTR**

## **Compostable Products Advisory Committee**

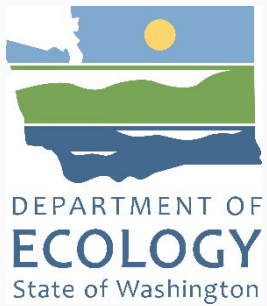
**10:45 a.m. | 20 minutes | Cullen Naumoff Leese, Dept. of Ecology SWM**

## **Member Updates & Roundtable**

**11:05 a.m. | 15 minutes | Jay Blazey (Vice Chair)**

## **Adjourn**





# SWAC Update

Jay Blazey (Vice Chair)





# Ecology Updates

Peter Lyon, Dept. of Ecology SWM

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# Battery Stewardship in Washington



Megan Warfield, Product Stewardship Lead  
Dept. of Ecology SWM

May 8, 2024







# Leading the Charge Battery Stewardship in Washington

Megan Warfield

Solid Waste Management Program

May 2024

## Battery Product Stewardship

- E2SSB 5144 – Providing for responsible environmental management of batteries
- Codified as Chapter 70A.555RCW
- Create a statewide system for the collection and recycling of batteries
  - FREE
  - Open to households & businesses
  - Many types of batteries covered
- Includes 2 studies
  - EV batteries
  - Excluded battery types





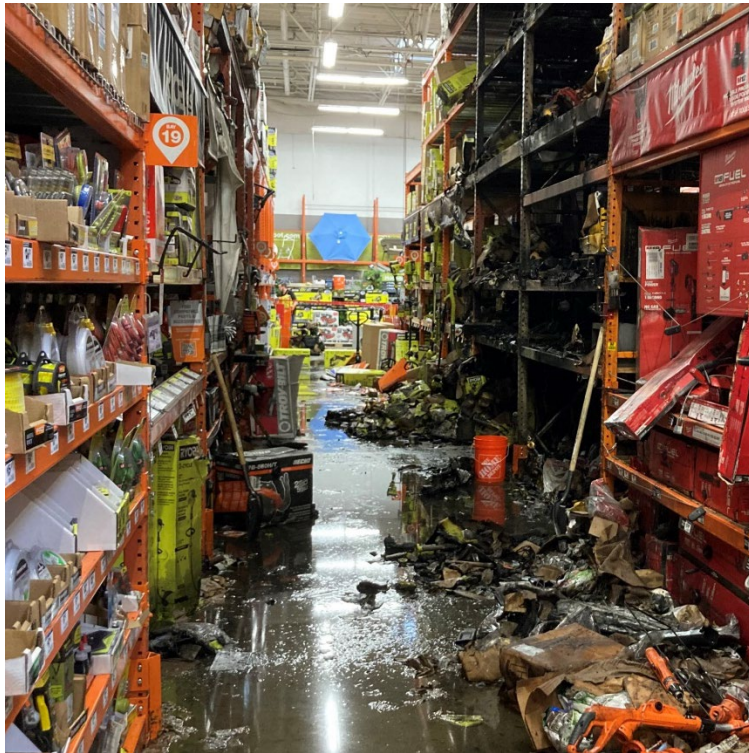
# Why the Bill Passed

- Unprecedented fires and damage to solid waste infrastructure
- Increasingly difficult for solid waste facilities to obtain/afford insurance
- Valuable resources are wasted when batteries are not recycled
- Patchwork of access to recycling services





# Extreme Hazard Posed by Lithium-ion Batteries



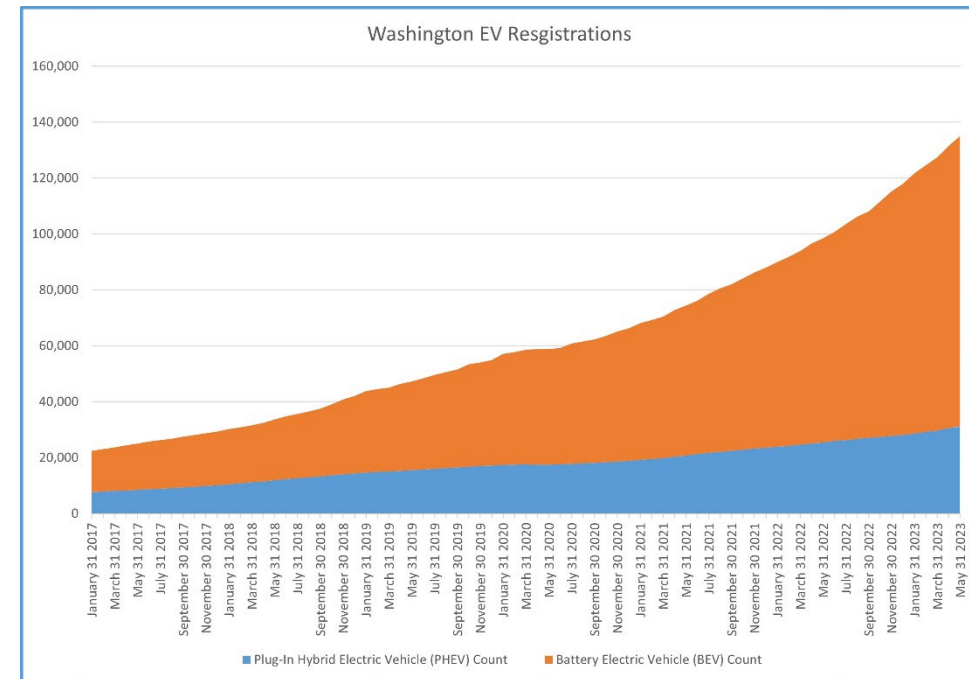
# EV Battery Study & Report

- Recommendations for the collection and management of EV batteries.  
Study included:
  - Current practices in WA
  - Best practices in other jurisdictions
  - Volume and projections
  - Potential pathways for EV batteries
  - Regulatory landscape
  - Economics of battery management
  - Battery chemistries and value



# EVs in Washington

- Currently 135,038 EVs in WA
- EV market share of 16.9% in Q1 2023
  - +7.2% increase over 2022
  - Washington: 14% BEV, 2.9% PHEV
  - National: 8.6%
- 97 ZEV models available in Washington in all vehicle classes



Monthly EV and PHEV registrations in Washington

Source: Ecology's Climate Pollution Reduction Program



# Interested Parties and Partners



Interviews, surveys, and webinars with:

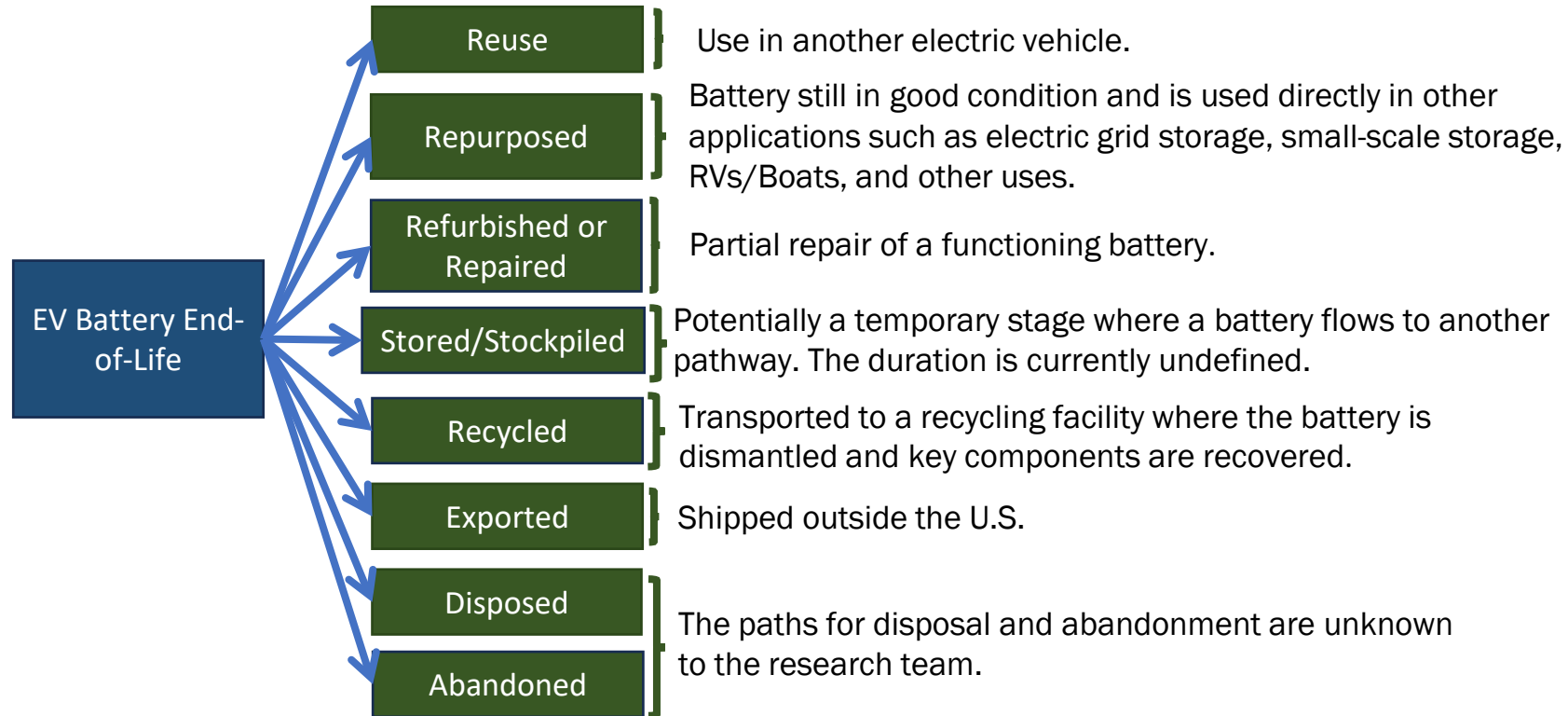
- Wrecking and salvage
- Local governments
- Environmental organizations
- EV manufacturers
- Battery manufacturers
- Battery recyclers
- DIY community
- Emergency responders



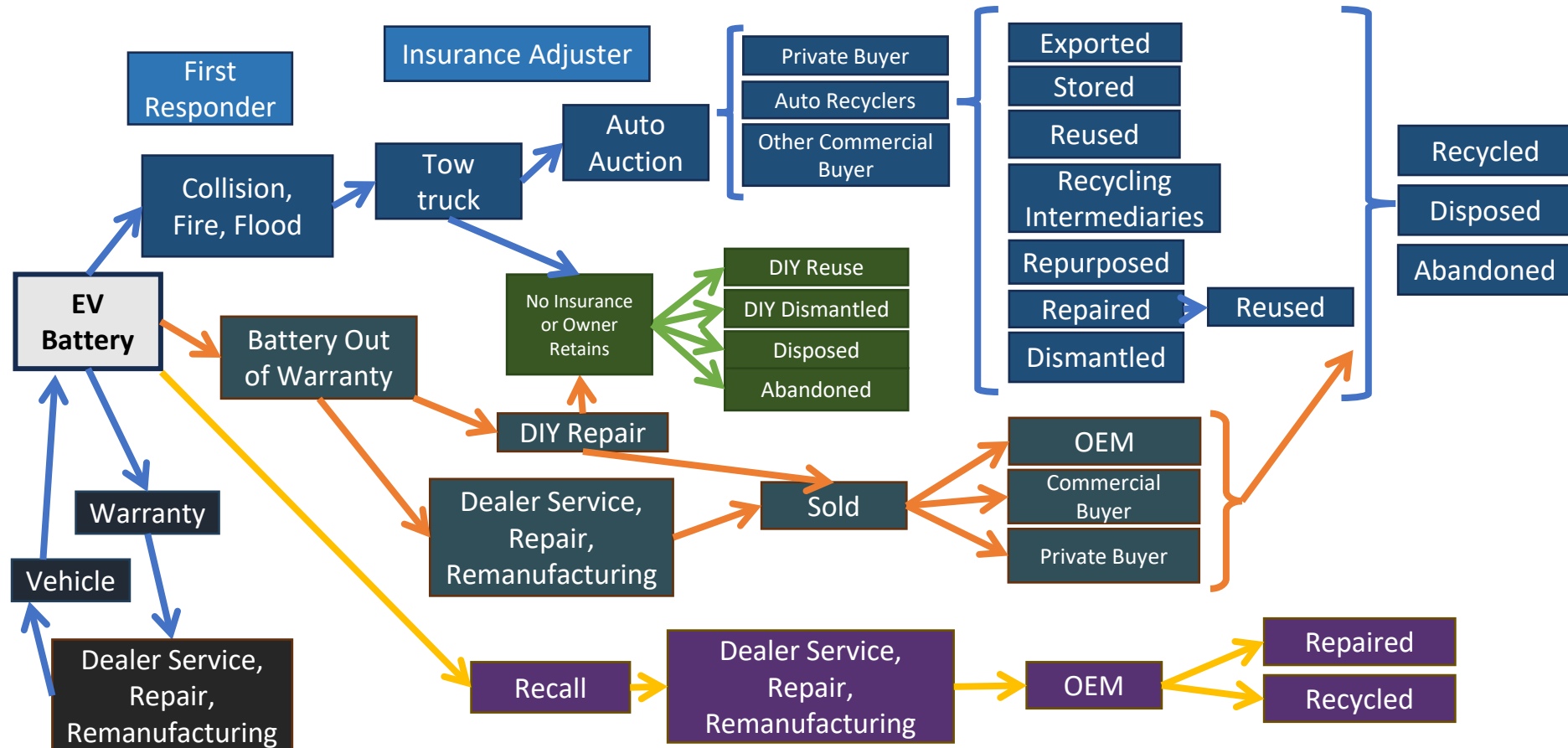
# Emerging Themes

- Industry players are refining procedures to meet federal & state regulation – harmonization is desired
- EV battery recycling is a nascent industry undergoing rapid growth & change
- An active market exists for used EV batteries
- Access to EV battery information would support safe collection, management and safety
- Training on best practices for EV incident response would help first responders
- Varying opinions regarding responsibility for end-of-life management

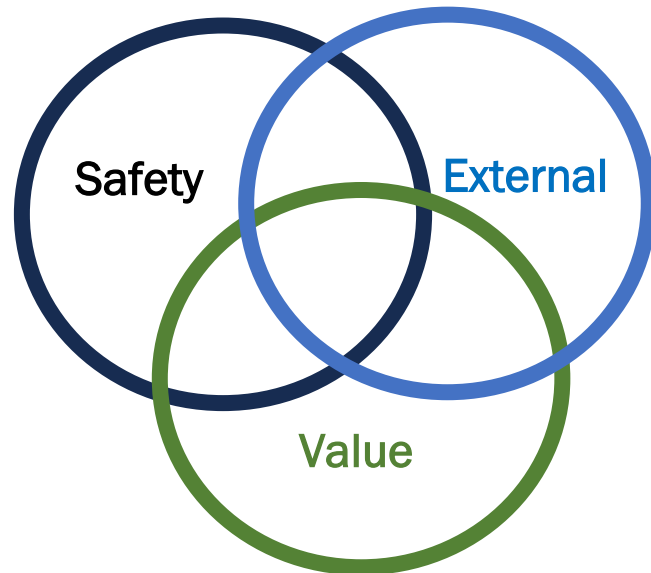
# Simplified Potential Pathways



# Overview of Potential Pathways



# Potential Factors Determining EOL EV Battery Pathways



## Safety Factors

- Visible battery characteristics
  - Physical damages or absence of damage
- Non-visible battery characteristics
  - State of health
  - Internal damage
- Battery chemistry
- Regulatory

## External Factors

- Battery Handler
  - Ability/authority to test battery
- Insured Vehicle
- Warranty
- Regulatory

## Value Factors

- Visible battery characteristics
  - Physical damages or absence of damage
- Non-visible battery characteristics: battery health
- Battery chemistry
- Battery history
  - Manufacture recall
  - Vehicle history: collision, flood, other damage





# Education, Training & Resources

- Create a clearing house
- First responders
  - Need information on how to respond in a variety of situations involving different Evs
  - Facility for testing and training
  - Ways to mitigate or deenergize Li-ion batteries
  - Reduce hazards of thermal runaway
- Second responders
  - Safe transport
- Recyclers
  - Safe dismantling and storage
  - Safe reuse



# Financial Responsibility & Liability

- Pathway informs who may bear responsibility
  - Insurers
  - Vehicle Owner/consumer
  - Battery manufacturer
  - Vehicle manufacturer
  - EV Dismantler
- Potential models
  - Core exchange
  - Extended producer responsibility
  - Insurance requirements (financial assurance)
  - Others?





# Legislative Proposals

SSB 5812 – An act relating to responding to EV fires

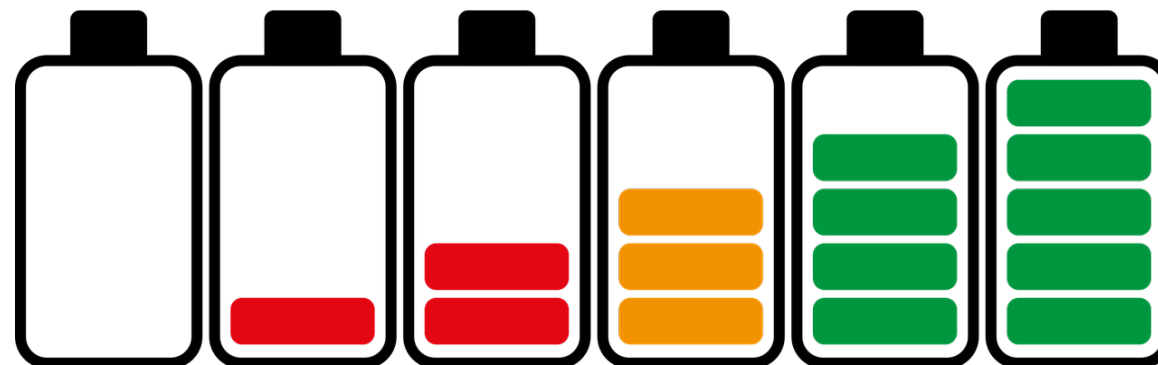
- WSP must study the following elements of EV fires:
  - Impacts to environment and proximate residential areas
  - Best practices for fire response
  - Best practices regarding clean-up and disposal efforts
- WSP must work with:
  - Ecology
  - Local fire protection districts
  - Towing and recovery industry
  - Other entities
- Legislative report due January 1, 2025

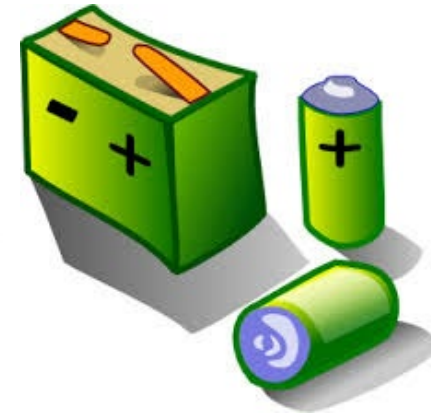
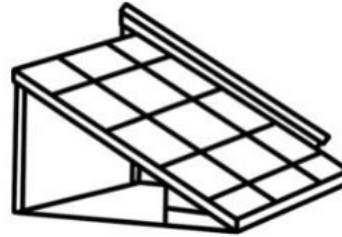


Photo credit: KTVL TV, Denver, CO

# Program Milestones

- Rulemaking begins 2024
- Plans due July 1, 2026
- Program start July 1, 2027
- Medium format batteries included July 1, 2029
- Other tasks:
  - Research and legislative report on EV batteries 2023 & 2024
  - Assessment on excluded battery types in 2027
  - Legislative report in 2027





## Thank you

<https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Our-recycling-programs>



Megan Warfield  
360-701-9683  
megan.warfield@ecy.wa.gov

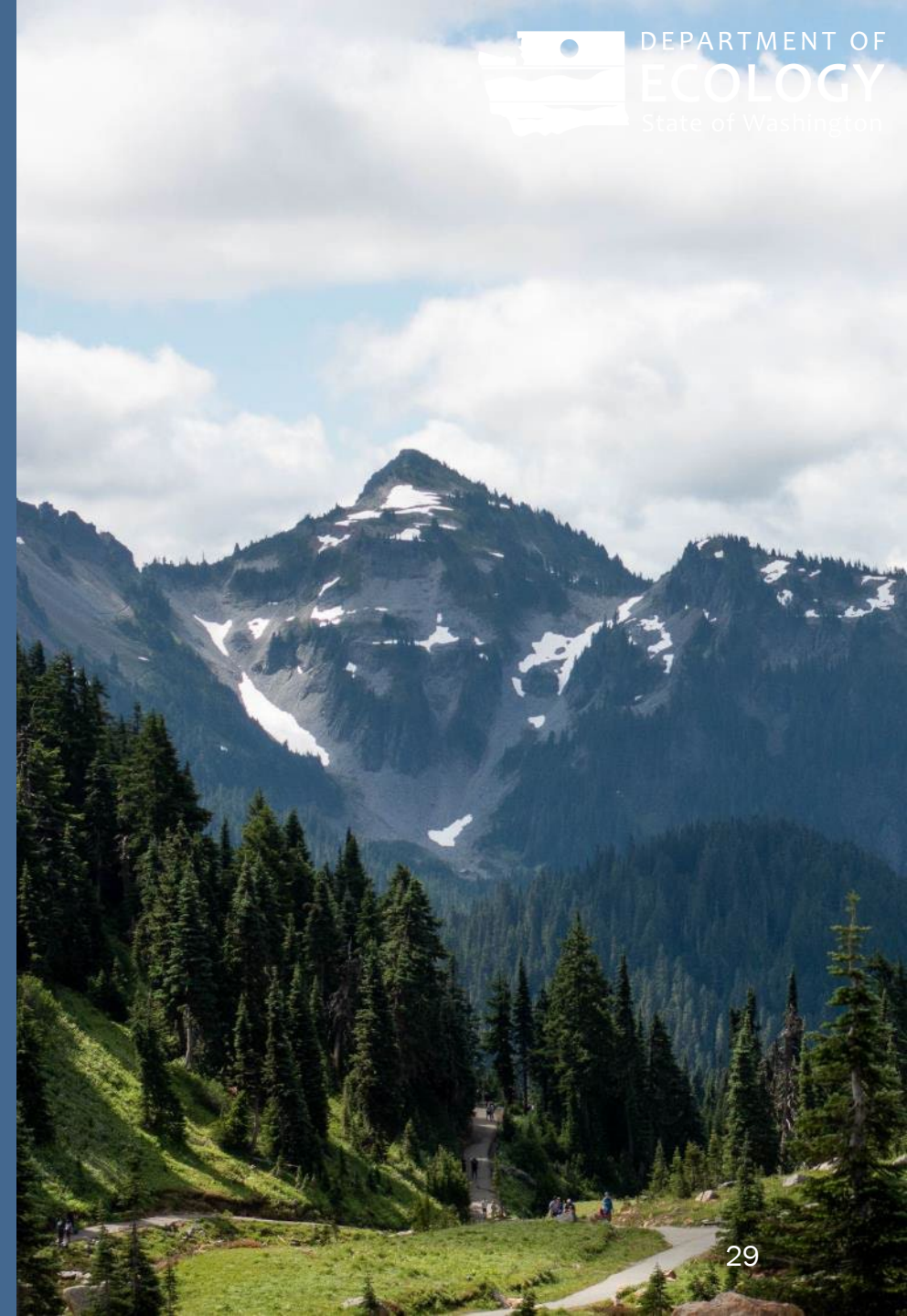




# Waste & Toxics Reduction Laws



Lauren DiRe, Carolyn Bowie, & Kathleen Gilligan  
Dept. of Ecology SWM/HWTR  
May 8, 2024







DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# Waste & Toxics Reduction Laws

Recent food packaging and single-use laws in Washington State

May 8, 2024



# Waste & Toxics Reduction Laws

1. **NEW combined flyer: Waste & Toxics Reduction Laws**
2. **Expanded Polystyrene (EPS) Ban**
3. **Single-use Serviceware Law**
4. **Single-use Plastic Bag Ban**
5. **Compostable Plastic Labeling Law**
6. **PFAS in Food Packaging Law**

# Waste & Toxics Reduction Laws Timeline





# Waste & Toxics Reduction Laws

- Waste & Toxics Reduction Laws Flyer
  - Spanish
  - Chinese
  - Korean
  - Vietnamese
- Blog post: “Food packaging laws seek to reduce litter and PFAS contamination”
- GovDelivery
- Social media
  - TikTok
  - Instagram/Facebook
  - Twitter

Washington State  
**Waste & Toxics Reduction Laws**  
Quick Guide for Food Service Organizations and Businesses

**Expanded Polystyrene (EPS) Ban**  
The sale and distribution of EPS packing peanuts, single-use coolers, and food service products is prohibited.  
Contact: [epsban@ecy.wa.gov](mailto:epsban@ecy.wa.gov)



Effective June 1, 2023      Effective June 1, 2024



[ecology.wa.gov/epsban](http://ecology.wa.gov/epsban)

**Single-use Serviceware Law**  
Effective January 1, 2022  
Businesses can no longer automatically provide single-use items in customer orders.



**NO** bundled utensils or pre-packaged cutlery kits

**Single-use Plastic Bag Ban**  
Effective October 1, 2021 | Contact: [bagban@ecy.wa.gov](mailto:bagban@ecy.wa.gov)



**NO** Single-use plastic carryout bags      **8¢ charge** Large paper carryout bags      **8¢ charge** Thick reusable plastic carryout bags

Washington State  
**Waste & Toxics Reduction Laws**  
Quick Guide for Food Service Organizations and Businesses

**Compostable Plastic Product Labeling**  
Effective January 1, 2024 | Contact: [organics@ecy.wa.gov](mailto:organics@ecy.wa.gov)

Look for compostable products with the right labeling features (green, beige, or brown color/striping, certifier logo, and the word "compostable") and avoid "greenwashing" products.



**NO** other similar terms



[ecology.wa.gov/compostable-labeling](http://ecology.wa.gov/compostable-labeling)

**PFAS in Food Packaging**  
Effective February 1, 2023 and May 1, 2024

Some food packaging with PFAS may not be made, sold, or distributed in Washington. Request a Certificate of Compliance from manufacturers.




[ecology.wa.gov/PFAS-food-packaging](http://ecology.wa.gov/PFAS-food-packaging)

To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or email at [hsfrpubs@ecy.wa.gov](mailto:hsfrpubs@ecy.wa.gov) or visit [ecology.wa.gov/accessibility](http://ecology.wa.gov/accessibility). For Relay Service or TTY call 711 or 877-833-6341. For information in additional languages, email [SWMPublications@ecy.wa.gov](mailto:SWMPublications@ecy.wa.gov) or call 360-407-6900. Free language services are available.



## Food packaging laws seek to reduce litter and PFAS contamination

Current and upcoming requirements for Washington food service providers



Apr 8, 2024

Franj Mayo

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[Plastics](#)

[PFAS](#)

From coffee shops and cafeterias to restaurants and gas stations, food service often uses disposable products. While convenient, these products can create waste, add to pollution, and leach toxic chemicals into the environment. Washington has new requirements every food service establishment should know about.

# Outreach through Associations

- Food service industry
  - Washington Food Truck Association
  - Washington Hospitality Association (hotels and restaurants)
- Retailers/grocers
  - Washington Food Industry Association (independent grocery stores)
  - Northwest Grocery Association
  - Washington State Farmers Market Association
  - Office of Regulatory Innovation and Assistance
  - Asian Small Business Fair
- Plastic and packaging associations
  - AMERIPEN
  - American Chemistry Council
  - Plastics Industry Association



# Additional Outreach

- Local Health Jurisdictions (LHJs)
  - Communication Managers
  - Environmental Health Directors
- Schools
  - OSPI (public schools)
  - Washington State Board for Community and Technical Colleges and the Student Services Commission (community and technical colleges, universities)
- Producers
  - Educational letters
  - Office hours/drop in sessions
- Large retailers
  - Emailed informational letters
- Direct mail campaign to businesses in later summer/early fall







# Expanded Polystyrene Ban

Effective June 1, 2023 and June 1, 2024

- Details of the law
- Impacts
- Resources

# June 1, 2023: Packing Peanuts

Expanded polystyrene packing peanuts are banned.

Does not include:

- block or sheet expanded polystyrene foam
- compostable packing peanuts
  - labeled appropriately



# June 1, 2024: Food Service Products

Expanded polystyrene food service products such as the following will be banned:

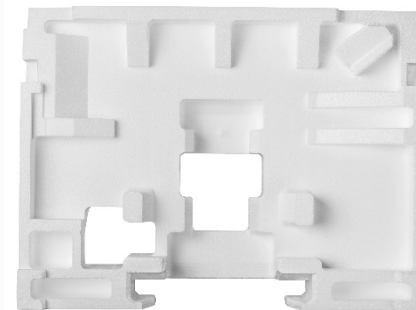
- Foam coolers
- Plates
- Bowls
- Cups
- Clam shell “to-go” containers
- Trays



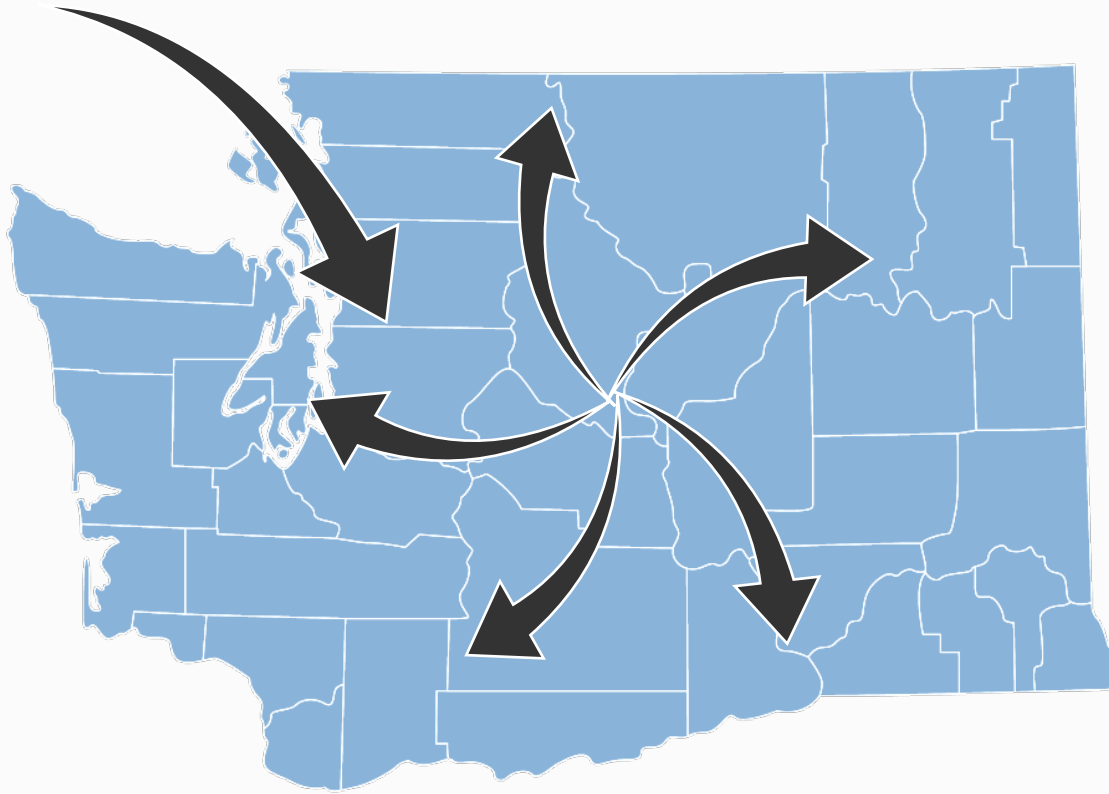


# Exemptions/Not Covered

- Containers used for drugs, medical devices, or biological materials
- When shipping perishable commodities from a wholesale or retail establishment
- Packaging for raw, uncooked, or butchered meat, fish, poultry, or seafood, vegetables, fruit, or egg cartons
- Block or sheet expanded polystyrene foam
- Prepackaged food containers (ex. noodle cups)



# Who Will Be Impacted by This Law?



**Manufacturers and producers** of the covered EPS products will no longer be allowed to distribute or sell these materials within or into Washington State.

# Also Impacted...

- Businesses that sell shipping/packaging materials
- Retail establishments (grocers, gas stations, etc)
- Restaurants, food trucks, fast food establishments
- Institutional cafeterias (such as schools or correctional facilities)
- Retirement homes
- Religious institutions
- Many others





# Resources

Ecology webpage:  
[ecology.wa.gov/epsban](https://ecology.wa.gov/epsban)

- [Outreach Toolkit](#)
- [Reference Guide of Alternatives](#)
- Review the Law Language:
  - [RCW 70A.245.070](#)

The graphic is titled "Washington State Expanded Polystyrene Ban" and is effective as of June 1, 2023. It lists prohibited items in two categories: "Packing Peanuts" (including all loose fill expanded polystyrene packaging) and "Food Service Products" (effective June 1, 2024). The food service products include clamshell style to-go containers, trays, prepackaged food containers, coolers, plates, cups, and bowls. It also provides contact information for the Department of Ecology and lists prohibited actions such as shipping, importing, or distributing these items. A section on the right titled "Polystyrene Ban" encourages reusable alternatives like reusable utensils, coffee mugs, and water bottles.

# Translations

- [Complete Language Packages](#) .zip
- [ጥሬ ግጥም \(Oromo\)](#) .zip
- [bahasa Indonesia \(Indonesian\)](#) .zip
- [Español \(Spanish\)](#) .zip
- [English](#) .zip
- [Soomaali \(Somali\)](#) .zip
- [Tagalog](#) .zip
- [Tiếng Việt \(Vietnamese\)](#) .zip
- [русский язык \(Russian\)](#) .zip
- [اللغة العربية \(Arabic\)](#) .zip
- [हिंदी \(Hindi\)](#) .zip
- [ไทย \(Thai\)](#) .zip
- [ລາວ \(Lao\)](#) .zip
- [ខ្មែរ \(Khmer\)](#) .zip
- [ትግርኛ \(Tigrinya\)](#) .zip
- [አማርኛ \(Amharic\)](#) .zip
- [한국어 \(Korean\)](#) .zip
- [中文 \(Chinese\)](#) .zip
- [日本語 \(Japanese\)](#) .zip

# Help Spread Awareness

- Look for violations
  - Email me with business name, address, and description of violation (EPSban@ecy.wa.gov)
  - Future: report observations of noncompliance using the EPS Ban Observation Form
- Help us spread awareness
  - Print & share flyers from our websites:
    - [Expanded Polystyrene Ban Toolkit](#)
  - Sign up for updates
    - [Join our EPS Ban e-mail subscriber list](#)





# Single-use Serviceware Law

Effective January 1, 2022

- Overview of the law
- Outreach resources
- Updates



# Law Details



Customers may request, confirm, or select their own single-use items



Reusables can help reduce business waste and costs

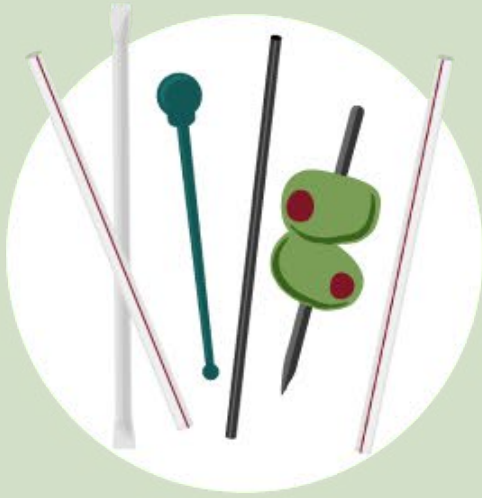


Business may not provide single-use items by default

# Single-use Serviceware Items Include:



Knives, forks,  
spoons, chopsticks



Cocktail picks, splash  
sticks, stirrers, straws



Cold cup lids



Sauce or  
condiment packets

**Pre-packaged  
single-use utensils  
are not allowed**





# Single-use Serviceware Online Observation Form

- Report non-compliance
- Ecology will send an educational letter or phone call

 **DEPARTMENT OF ECOLOGY**  
State of Washington

## Waste Reduction Programs

Home Privacy Contact Us

### Single Use Serviceware Observation Form

This form is for reporting any violation of the Single-use Serviceware Law <sup>i</sup> requirements you have observed.

The following are examples of Single-use Serviceware violations that can be reported:

- Customer automatically received single-use:
  - Utensils (knives, forks, spoons, cocktail picks, chopsticks, splash sticks, and stirrers)
  - Straws
  - Sauce or condiment packages
  - Cup lids for cold beverages (Drive-through windows are exempt)
- Business provided bundled utensils <sup>i</sup>

Please do not report situations that are not in violation of the law. <sup>i</sup> The Recycling, Waste, and Litter Reduction Law does not apply on tribal lands. Please do not submit complaints about businesses located on tribal lands.

Thank you for taking the time to notify Ecology. We will follow up by contacting the observed business, educating them about the law, and offering assistance to comply with the law. **Per RCW 70A.245.080**, Ecology may issue a civil penalty of no less than \$150 per day and no more than \$2,000 per day to the owner or operator of a food service business for each day single-use food service products are provided in violation of this section.

The contents of this form, once submitted, may be subject to public disclosure under the Public Records Act ([RCW 42.56](#)).

### About You

Your Name:

Email Address:

### Observed Violation

Observed Date: *required*  

Type of Violation: *required (check all that apply)*

- Automatically Received Single Use Utensil (knives, forks, spoons, cocktail picks, chopsticks, splash sticks, and stirrers)
- Automatically Received Straw



# Single-use Serviceware Ads for Social Media

**NEW!**



# Resources

Ecology webpage:  
[ecology.wa.gov/serviceware](https://ecology.wa.gov/serviceware)

- [Outreach toolkit](#)
- [Online Observation form](#)

Review the law language:  
[RCW 70A.245.080](https://leg.wa.gov/rcw/default.aspx?cite=70A.245.080)

Questions?  
[carolyn.bowie@ecy.wa.gov](mailto:carolyn.bowie@ecy.wa.gov)

Washington 州 2022 年 1 月 1 日生效  
**一次性服務器皿法**  
 適用於餐飲業的店家



顧客可以要求、確認或選擇自己的一次性用品



可重複使用的器皿有助於店家減少浪費及降低成本



店家可以常態性不提供一  
次性用品

Law of single-use service articles  
**Ley de artículos de servicio de un solo uso**

- Las empresas no podrán proporcionar a los clientes artículos de un solo uso de manera predeterminada.
- Los clientes podrán confirmar que quieren dichos artículos ante la pregunta de la empresa, solicitar los artículos o seleccionarlos en el área de autoservicio del establecimiento.
- Los artículos o utensilios de un solo uso incluyen los siguientes:
  - cuchillos, tenedores, cucharas, palillos chinos;
  - palillos de cócteles, palillos retenedores de calor, mezcladores;
  - sorbetes;
  - paquetes de condimentos;
  - tapas para vasos con bebidas frías.
- Los artículos de un solo uso no deben ser envasados juntos en paquetes, para que los clientes puedan elegir un solo artículo.
- Esta ley no aplica a los artículos que incluyen los siguientes:
  - Platos, tazones, tazas u otros envases de un solo uso para contener comida o bebidas.
  - Tapas de bebidas calientes.
  - Envoltorios de artículos para llevar.
  - Artículos de un solo uso proporcionados en instalaciones médicas/sanitarias.
- Las tapas para bebidas frías solo podrán proporcionarse por defecto en las ventanillas de servicio en el automóvil, en grandes sedes permanentes de deportes profesionales o en eventos musicales (capacidad mínima de 2500 clientes).
- Para reducir los desechos, incentivamos el uso de utensilios reutilizables siempre que sea posible.
- Busque Código Revisado de Washington (Revised Code of Washington, RCW) 70A.245.080 para leer los detalles de la ley

No se permiten  
 utensilios de un solo uso  
 envasados en conjunto



如需申請 ADA 之便民服務, 請致電 (360) 742-9874 或發送電子郵件至 [bag@arnecy.wa.gov](mailto:bag@arnecy.wa.gov) 聯絡生態環境保護, 或上 <https://ecology.wa.gov/accessibility>。  
 如需中繼服務或 TTY, 請致電 711 或 877-833-6341。  
 如果您慣用的語言不是英語, 可以使用免費語言服務。致電 (360) 742-9874。

Para solicitar una adaptación en base a la ADA, contáctese con el Departamento de Ecología por teléfono llamando al (360) 742-9874, envíe un correo electrónico a [bag@arnecy.wa.gov](mailto:bag@arnecy.wa.gov), o bien, visite el sitio web <https://ecology.wa.gov/accessibility>.  
 Para solicitar un servicio de retransmisión o TTY, llame al 711 o al 877-833-6341.  
 Si usted habla un idioma que no es inglés, contamos con servicios gratis de idiomas. Llame al (360) 742-9874.

¿Tiene preguntas?  
 Llame al (360) 407-6000.

Ecology.wa.gov/serviceware

# Translations

- [prəməu \(Oromo\) .zip](#)
- [bahasa Indonesia \(Indonesian\) .zip](#)
- [Español \(Spanish\) .zip](#)
- [English .zip](#)
- [Soomaali \(Somali\) .zip](#)
- [Tagalog .zip](#)
- [Tiếng Việt \(Vietnamese\) .zip](#)
- [русский язык \(Russian\) .zip](#)
- [اللغة العربية \(Arabic\) .zip](#)
- [हिंदी \(Hindi\) .zip](#)
- [ไทย \(Thai\) .zip](#)
- [ລາວ \(Lao\) .zip](#)
- [ខ្មែរ \(Khmer\) .zip](#)
- [ትግርኛ \(Tigrinya\) .zip](#)
- [አማርኛ \(Amharic\) .zip](#)
- [한국어 \(Korean\) .zip](#)
- [中文 \(Chinese\) .zip](#)
- [日本語 \(Japanese\) .zip](#)



Help protect the environment and reduce plastic litter, use reusable bags.

WASHINGTON STATE  
PLASTIC BAG BAN



NO SINGLE-  
USE PLASTIC  
CARRYOUT BAGS



RECYCLABLE  
PAPER BAG, 8¢  
CHARGE



REUSABLE  
THICK PLASTIC FILM  
BAG, 8¢ CHARGE



PRODUCE, BULK  
FOOD, MEAT BAGS+  
ALLOWED



KEEP REUSABLE  
BAGS CLEAN



DON'T FORGET  
YOUR BAG!

# Statewide Single-use Plastic Bag Ban

Effective October 1, 2021

- Overview of the law
- Outreach resources
- Report to the legislature 2024

## Law Details

- Single-use plastic bags are banned
- Fee of at least 8 cents
- Post consumer recycled content and thickness requirements for compliant bags

Information graphics and further details are available on Ecology's website:

[ecology.wa.gov/bagban](http://ecology.wa.gov/bagban)



**NO**  
**Single-use Plastic Carryout Bags**



**8¢ charge**  
**Large Paper Carryout Bags**  
Made with 40% recycled content. Charge is retained by the business.



**8¢ charge**  
**Thick Reusable Plastic Carryout Bags**  
Made with 20% recycled content and a minimum of 2.25 mil thick film. Charge is retained by the business.

### Other bags ALLOWED:



**Clean Reusable Tote**



**Small Paper Bags**



**Small Bags for Moisture Control**

# Exemptions

## Bags ALLOWED with no fee



**Durable Reusable Bags**



**Small Paper Bags**



**Produce, Meat, Bulk Foods, Bakery Goods, etc.**



**Flowers, Drycleaning, Newspaper bags, etc.**



# Available Resources

[ecology.wa.gov/bagban](https://ecology.wa.gov/bagban)

- [Outreach Toolkit](#)
- [Bag Ban Online Observation Form](#)
- [Review the Law Language: RCW 70A.530](#)
- [Questions?](#)  
[Carolyn.bowie@ecy.wa.gov](mailto:Carolyn.bowie@ecy.wa.gov)

**Washington State Bag Requirements**  
For Restaurants and other Food Service Businesses

**Washington StateWide Plastic Bag Ban**

Help protect the environment and reduce plastic litter, use reusable bags.

**WASHINGTON STATE PLASTIC BAG BAN**

**BYOB Bring Your Own Bag**

**DEPARTMENT OF ECOLOGY**  
State of Washington

Ecology.wa.gov/Bag-Ban

To request an ADA accommodation, contact Ecology by phone at 360-742-9874 or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711. If you speak a non-English language, free language services are available.

NO SINGLE-USE PLASTIC CARRYOUT BAGS

RECYCLABLE PAPER BAG, 8¢ CHARGE

REUSABLE THICK PLASTIC FILM FOOD, MEAT BAGS+ ALLOWED

PRODUCE, BULK BAGS+ ALLOWED

KEEP REUSABLE BAGS CLEAN

DON'T FORGET YOUR BAG!

# Bag Ban Report to the Legislature

- Final report due December 1, 2024
- Lead agency: Department of Commerce
  - Coordinating a research advisory committee with representative stakeholders
- Evaluates the impact of the single-use bag ban:
  - Mil thickness requirement
  - Pass-through charge
  - Volume of bags purchased
  - Recommendations for revision to the law
- [RCW 70A.530.060](#)







# Compostable Plastic Product Labeling Law

Effective January 1, 2024

- Overview of the law
- Outreach resources
- Updates



# Labeling Rules for Compostable Products

By **January 1, 2024**, all compostable products sold and distributed in WA must:

Meet ASTM D6400 or D6868 specifications.

Have logo from 3<sup>rd</sup>-party certifier verifying ASTM.

Use green, beige, or brown labeling, striping, or other patterns to help differentiate compostable items.

Display the word "compostable".



*Standards Worldwide*

Be included on the producer declaration submitted to Ecology's database.

Meet labeling requirements under the [U.S. Federal Trade Commission's guides](#).

Feature labeling that meets industry standards for being distinguishable.

# Specifics Vary by Product Type

## Exempt

- 100% wood
- At least 98% fiber with no plastic additives

## Special sections (ASTM only)

- Film Bags
- Food Service Products
- Other film products

Labeling, printing, embossing, stickers, and combos are all OK

### Film Bags

- Meet scientific standard **ASTM D6400** for composting in industrial settings.
- Have a logo from third-party certifier.
- Have a green, beige, or brown color signal and the written word "compostable" (three options):
  - a) Colored or tinted completely and has the word "compostable" in 1-inch text on one side.
  - b) Labeled with the word "compostable" on both sides in at least 1-inch text, written in green, beige, or brown.
  - c) Labeled with a green, beige, or brown band on both sides at least 1-inch in height with the word "compostable" written within the band in a contrasting color and at least ½-inch text.Film bags smaller than 14-inches by 14-inches may have smaller text and color bands, if they are in proportion to the bag's size.
- No use of the chasing arrow or other recycling symbols.
- Listed on a producer's declaration of compliance.

### Other film products

- Meet scientific standard **ASTM D6400** or **D6868** for composting in industrial settings.
- Have a logo from third-party certifier.
- Food contact films:
  - Be completely or partially tinted green, beige, or brown. At minimum, must have a green, beige, or brown stripe at least ¼-inch wide.
  - Labeled with the word "compostable," where possible.
- Non-food contact films:
  - Be completely or partially tinted green. At a minimum, must have a green stripe at least 0.25-inch wide.
  - Labeled with the word "compostable."
- Listed on a producer's declaration of compliance.

### Food service products

- Meet scientific standard **ASTM D6400** or **D6868** for composting in industrial settings.
- Have a logo from third-party certifier.
- Labeled with the word "compostable," where possible.
- Be completely or partially tinted green, beige, or brown. At minimum, must have a green, beige, or brown stripe at least ¼-inch wide.
- Listed on a producer's declaration of compliance.

### Other products

- Meet scientific standard **ASTM D6400**, **D6868**, **D8410**, **ISO17088**, **EN13432** or another similar standard for composting in industrial settings.
- Have a logo from third-party certifier.
- Labeled with the word "compostable," where possible.

# Prohibited in Washington



- **Terms other than “compostable”**  
ex. biodegradable, degradable, decomposable, oxo-degradable, etc.
- For plastics that do not meet ASTM standards D6400 or D6868:
  - Use of labeling or terms required on compostable products.
  - For **film bags** includes using tinting and color schemes required for compostable products, and recycling symbols (new clarification added)










# Resources

- [ecology.wa.gov/compostable-labeling](https://ecology.wa.gov/compostable-labeling)
  - FAQs
- Producer Focus Sheet (Pub 23-07-022)
- Producer Declaration Walkthrough (Pub 23-07-059) and video demo (YouTube)
- Food service law flyer
- GovDelivery email updates

## Resources

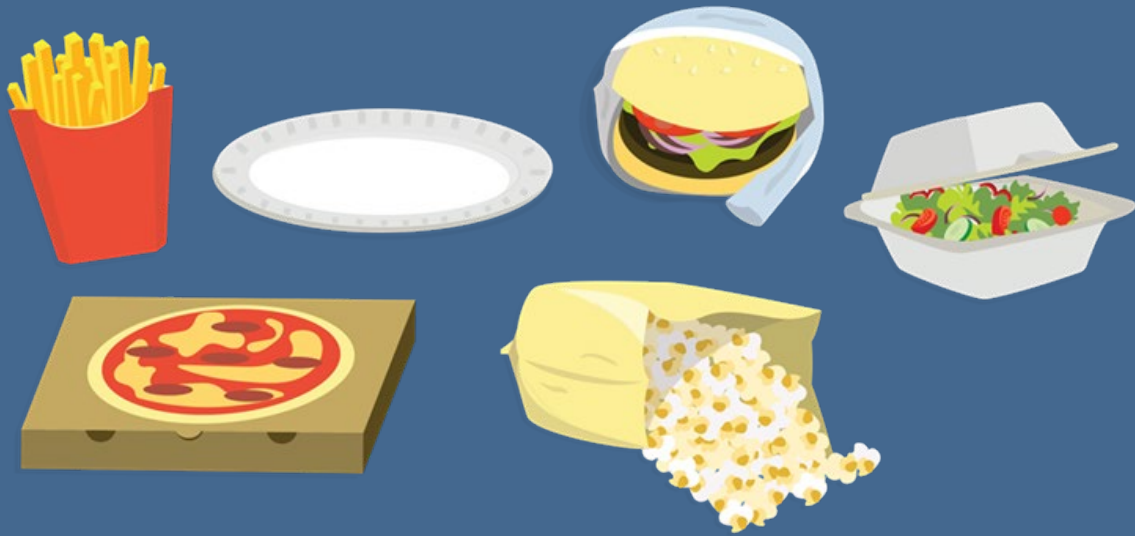
- [Producer Focus Sheet \(Pub 23-07-022\)](#) 
- [Washington Waste & Toxics Reduction Laws Quick Guide for Food Service Organizations and Businesses \(Pub 24-04-013\)](#) 
- [Producer Declaration Walkthrough \(Pub 23-07-059\)](#) 
- [Producer Declaration Demonstration \(YouTube\)](#) 
- [Sign up for Organics Management email updates](#) : Enter your email, choose Solid Waste Management, then Organics Management.



Translated content

# Updates/Coming Soon

- Updated publications for changes in most recent session
- New blog and GovDelivery updates (in May)
- Social media targeted to businesses and consumers (this summer)
- **Enforcement** begins in July
  - Mislabeled products, greenwashing products
  - Both Ecology and local governments
  - Producers are responsible (not businesses)
  - Look for report form in July (like bag ban's)



Examples of food packaging that may contain PFAS.

# PFAS in Food Packaging

Effective February 1, 2023  
And May 1, 2024

- Overview of the ban
- Types of containers
- What it means



# PFAS in Food Packaging

## Overview of the ban

- Certain types of food packaging that have **per- and polyfluoroalkyl substances (PFAS)** intentionally added to them may not be manufactured, sold, or distributed in Washington.

(RCW 70A.222.070)

- The ban applies to food packaging made of:
  - paper or other plant fiber

**and**

  - has PFAS intentionally added

# PFAS in Food Packaging

## Types containers and when

**As of Feb. 1, 2023:**

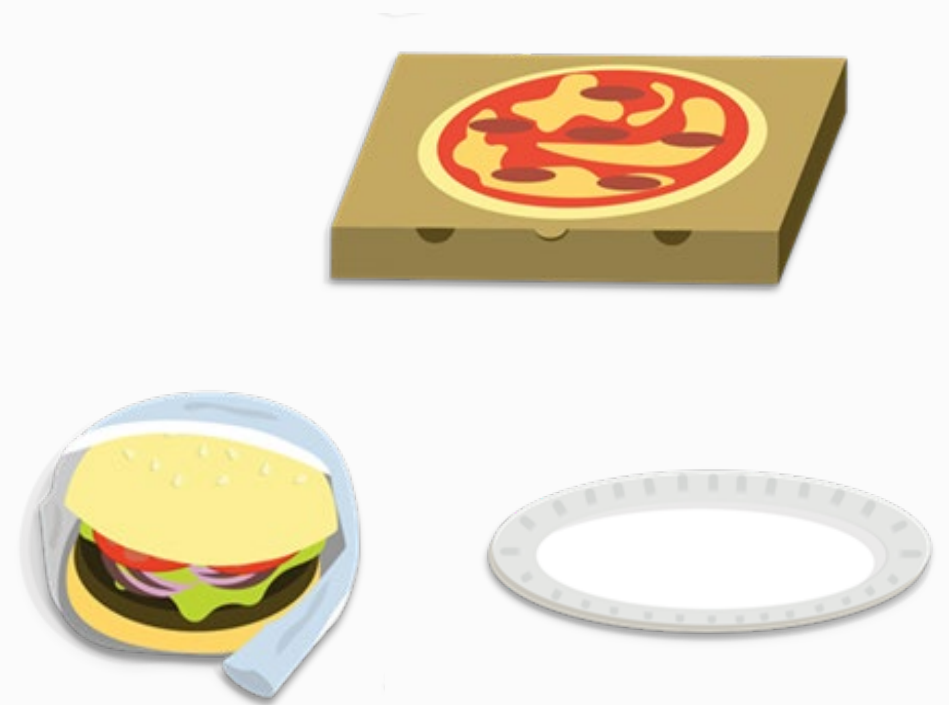
Food packaging manufacturers, distributors, and retailers may not manufacture, sell, or distribute:

Wraps\*

Plates\*

Food boats\*

Pizza boxes\*



\*That contain intentionally added PFAS

# PFAS in Food Packaging

As of May 1, 2024:

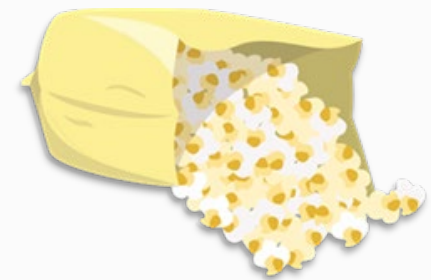
Bags and sleeves\*

Bowls\*

Flat serviceware,\* including items like plates and trays

Open-top containers,\* including items like french fry cartons and food cups

Closed containers,\* including items like clamshells



\*That contain intentionally added PFAS



# PFAS in Food Packaging

## What it means

- Food packaging made of plant fiber (i.e., paper) with PFAS intentionally added to them may not be manufactured, sold, or distributed in Washington.
- Businesses that purchase any of these products can ask the manufacturer for their certificate of compliance.
- Manufacturers that make food packaging items on the banned list must develop a [certificate of compliance](#).
- Keep the certificate as long as the packaging is in use, and for three years after its last sale or distribution.
- This certificate must be provided if requested.

# Certificate of Compliance

## Example



### Certificate of Compliance: For Compliance Deadline: February 1, 2023 Per- and Polyfluorinated Alkyl Substances (PFAS) in Plant Fiber-Based Food Packaging

As of February 1, 2023: Manufacturers that produce wraps, plates, food boats, or pizza boxes must fill out this certificate and:

- Keep this certificate as long as the packaging is in use.
- For three years after its last sale or distribution.
- This certificate must be provided if requested.

- Our food packaging or packaging component is in compliance with the Washington State RCW 70A.222.070 as described in [Ecology's First Alternatives Assessment](#).
  - Attached to this certification is a list of all products included in this certification, including the brand, product name, and UPC or similar identifying code under which it is sold.
  - (Optional) Attached to this certification is a documentation that the packaging or packaging components do not contain any intentionally added PFAS chemicals.

- Food packaging manufactured by our company is not sold in Washington State.

COMPANY NAME:

ADDRESS:

#### CERTIFICATION:

I,  (legibly print name), am  (title) for above-named business and I am duly authorized to make this certification. I certify under penalty of perjury under the laws of the State of Washington that the information provided to complete this form is true and correct, to the best of my knowledge.

Dated , at .  
(Day/Month/Year) City, State

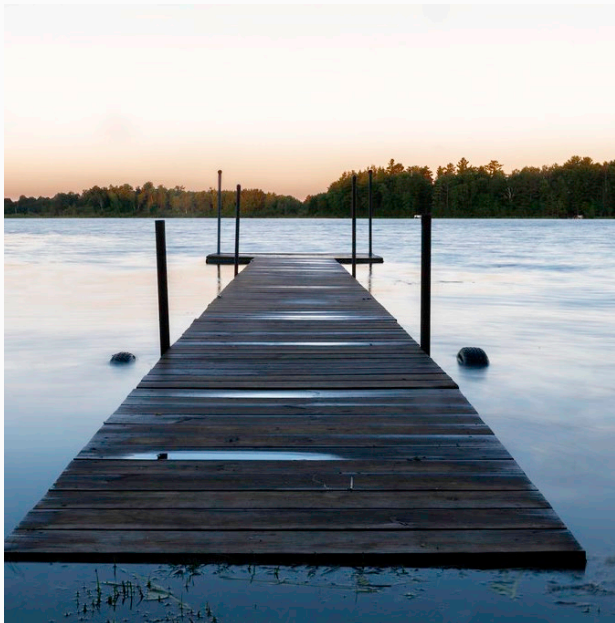
Signature:

# Questions?

- Expanded Polystyrene  
[Lauren.DiRe@ecy.wa.gov](mailto:Lauren.DiRe@ecy.wa.gov)
- Single-use Serviceware & Bag Ban:  
[Carolyn.Bowie@ecy.wa.gov](mailto:Carolyn.Bowie@ecy.wa.gov)
- Compostable Plastic Product Labeling Law  
[Patrick.Merscher@ecy.wa.gov](mailto:Patrick.Merscher@ecy.wa.gov)
- PFAS in Food Packaging  
[Camille.Bennett@ecy.wa.gov](mailto:Camille.Bennett@ecy.wa.gov)







## HB 1085

- Requires a bottle filling station for each drinking fountain required in new buildings
- Requires expanded polystyrene overwater structures or docks to be fully enclosed and contain a shell of at least .15 inches thick plastic, or concrete, aluminum, or steel
- Bans lodging establishments from automatically providing personal beauty products in single-use plastic packaging



# Resources for Schools

- Waste Not Washington School Awards Program
  - Awards up to \$5,000 in funding towards waste reduction, recycling, or composting projects or curricula
  - Employees of K-12 schools or school districts can apply
  - Application deadline: **October 31<sup>st</sup> at 5pm**
- Plastic Free Restaurants
  - Nonprofit offers subsidies to transition to reusable cafeteria items





# Compostable Products Advisory Committee



Cullen Naumoff, Organics Lead,  
Dept. of Ecology SWM  
May 8, 2024



# Advisory Committee on Compostable Products - *An Update on HB 1033*



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

Cullen Naumoff  
Organics Lead  
May 8, 2024





# KEY GOAL

In developing recommendations, the stakeholder advisory committee must, at a minimum, consider:

- The state's goals of managing organic materials, including food waste, in an environmentally sustainable way that increases food waste diversion and ensures that finished compost is clean and marketable.



# Recall Washington's Bold Goals

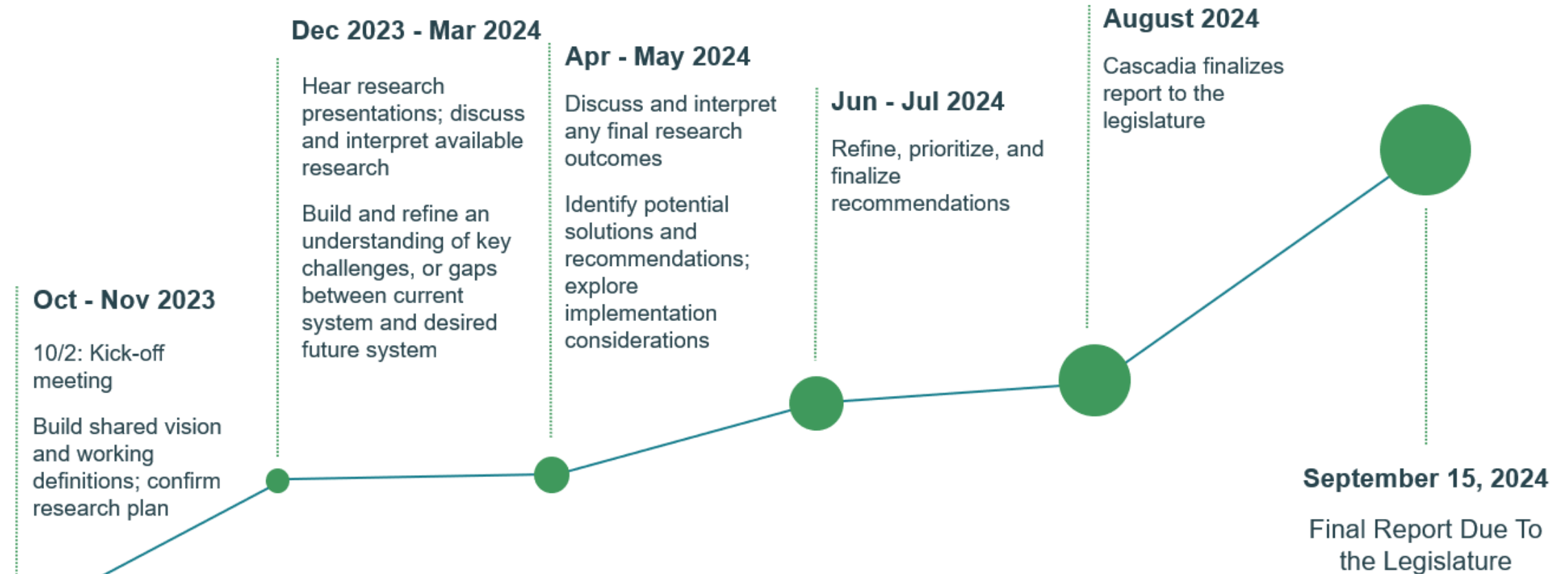
By 2030

Reduce food waste by 50%

Reduce organic material in the landfill by  
75%.

\*Based on 2015 baselines.

# Re-Cap



# Members of the Advisory Committee

- **Alli Kingfisher**, Ecology
- **Kate Kurtz**, City of Seattle
- **Ron Jones**, City of Olympia
- **Chris Averyt**, City of Spokane
- **Gena Jain**, City of Kirkland
- **Pete Rogalsky**, City of Richland
- **Travis Dutton**, WSAC
- **Patti Stacey**, Kittitas County
- **Ryan Dicks**, Pierce County
- **Zonell Tateishi**, Yakima County
- **Lewis Griffith**, City of Tacoma
- **Dan Corum**, City of Tacoma
- **Wendy Weiker**, Republic Services
- **Samantha Winkle**, Waste Connections
- **Jay Blazey**, Cedar Grove
- **Scott Deatherage**, Barr-Tech
- **Reingard Rieger**, Tilth Alliance
- **Shannon Pinc**, NatureWorks
- **Jenny Slepian**, Eco Products
- **Brad Christie**, Sysco
- **Amanda Dalton Pres**, NW Grocery Association
- **Brandon Houskeeper**, NW Grocery Association
- **Alex Truelove**, BPI
- **Janet Thoman**, CMA
- **Amy Clow**, WSDA
- **Liv Johansson**, WORC
- **Heather Trim**, Zero Waste WA
- **Samantha Louderback**, Washington Hospitality Association
- **Peter Godlewski**, Association of WA Businesses
- **Rod Whittaker**, WRRRA



# Research Topics

<p>(1) The types of compostable products, and amounts if known, sold or distributed in Washington</p>	<p>(6) The status of acceptance of compostable products by organic materials management facilities in Washington, including consideration of organic certifications</p>
<p>(2) Consumer confusion caused by noncompostable products that can lead to contamination issues</p>	<p>(7) Financial incentives for organic materials management facilities accepting compostable products</p>
<p>(3) Compostable standards related to the breakdown of products in facilities and home composting</p>	<p>(8) Current laws related to compostable products and the enforcement of these laws</p>
<p>(4) Estimates of the percentage of compostable products used in Washington that are disposed of at organic materials management facilities</p>	<p>(9) Policy options addressing contamination of organic waste streams and to increase the use of reusable and refillable items</p>
<p>(5) Any work product from other contemporaneous stakeholder advisory committees currently discussing similar topics in other jurisdictions or nationwide</p>	<p>Additions recommended by the committee:</p> <ul style="list-style-type: none"> <li>• GHG emissions related to composting compostable products</li> <li>• Toxic chemical contamination (PFAS)</li> </ul>

# Challenges for compostable products management

- **There is a lot of complexity** in the goal.
- **Variety of compost techniques and parameters:** Facilities use different composting techniques and even within composting techniques, there are many parameters that influence how quickly items break down.
- **Compost standards may not reflect conditions on the ground** at facilities; not all composters trust the standards.
- **Consumer confusion is a major issue** and cause of contamination.
- **Education is difficult** in multi-family settings and commercial sectors.
- **Lookalike products cause issues:** Compostable products that look like non-compostable plastic alternatives increase consumer confusion, contaminate compost, and obscure the extent to which compostable products break down.
- **There is not yet enough funding** for HB1799 and composting education and measures.

## By weight, compostable products are a small fraction of material

Single Use Food Service  
Compostable Paper and  
Compostable Paper Products: **1.2%**  
(7,322 tons annually)

PLA Compostable Materials (mostly  
plastic bags & film):  
**0.1%**  
(899 tons annually)

### NOTE:

- These products are lightweight
- Commercial sector data not available



# Efficacy of Food Waste Diversion

- Several studies completed at sports and food service venues (examples of closed-loop systems) in the U.S. show that compostable service ware increases food waste diversion.
- We have not found any municipal studies of curbside organics collection and the correlation between compostable products and food waste diversion.

**We know there is potential to increase the capture of food waste into the organics stream.**

**20% of residential garbage is food waste\***

# Compostable Products in WA

**Compostable bags** make up most of the compostable products sold or distributed in Washington state currently registered through the Department of Ecology.

**PLA** is the most common material type of the products registered.

# Capture Rates

Data for King County and the City of Seattle shows that the capture rate of compostable products is below 65%  
&  
2% for single-use food service compostable paper in Seattle.

In Washington,  
25% of compostable  
products are  
incorrectly sent to  
recycling stream

2024 \*Draft\* Recycling & Organics  
Characterization Study

# Facilities' Perspectives

- 9 out of 14 facilities interviewed do **NOT** accept compostable products citing:
  - Compostable products are the gateway to contamination
  - Their finished compost would then not meet OMRI standards for application in certified organic agriculture
- All facilities that accept compostable products require them to be certified by BPI or CMA
  - Compostable products do perform as “advertised.”
    - Fiber based products were those that were showing up in finished compost and in overs vs. PLA products ([Closed Loop Partners March 2024 Study](#))
    - According to WA-based facilities, compostable products comprise a very small amount of incoming feedstock and do not pose visible issues in finished compost



# Top Named Contaminants

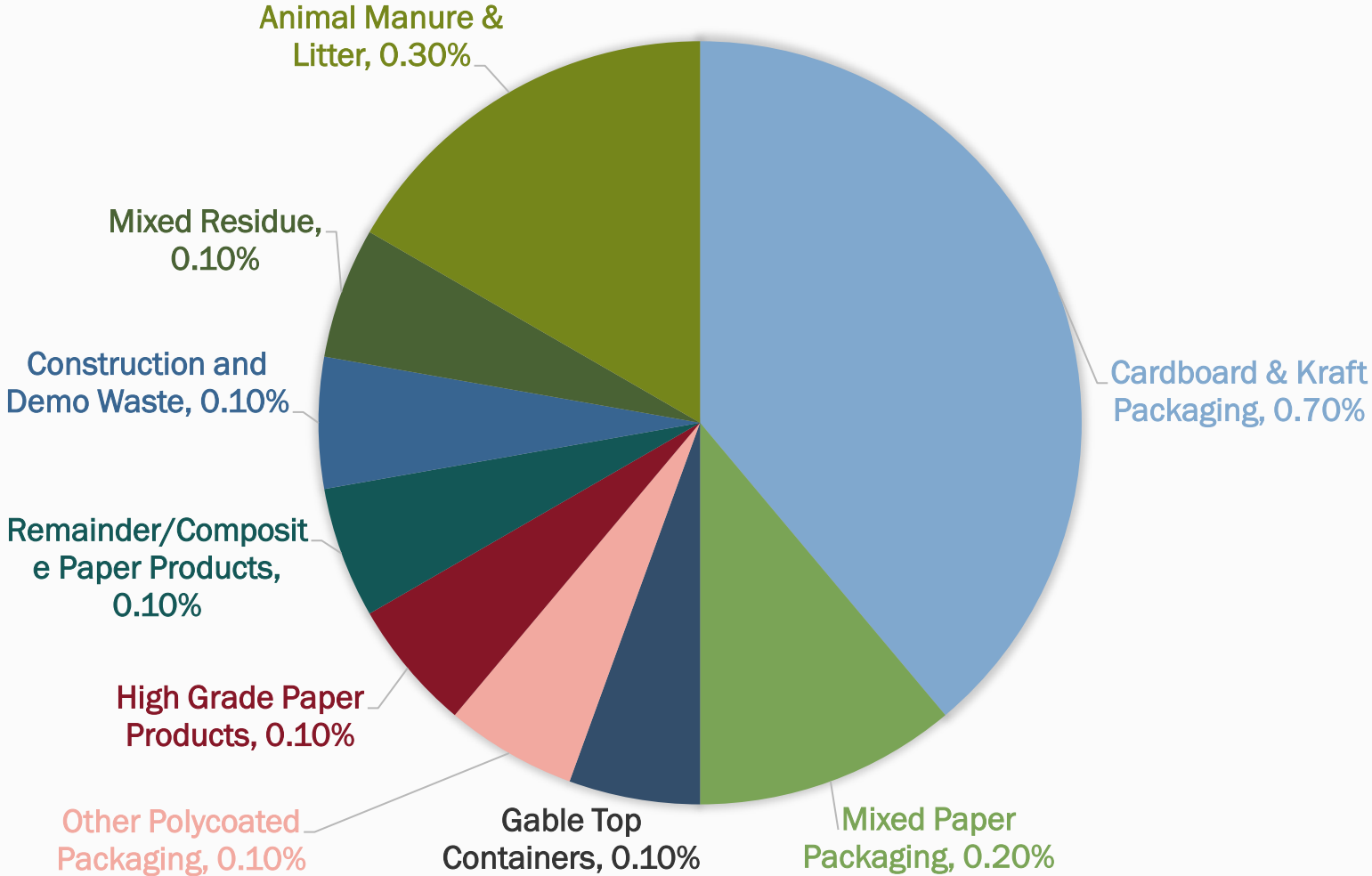
1. Film Plastic
2. Plastic
3. Dog Toys
4. Metal Glass
5. Garbage
6. Lookalike Compostable Products

HB 1033 Advisory Council on Compostable Products  
Research Memo, April 2024



# Contaminants Composition

1.8% of the Recovered Organics Stream



What's missing?

Conventional Plastics!

Study was measured in weights, and plastic is very light.

# Needs to accept compostable products

- To accept compostable products in the future, these facilities stated that significant infrastructure changes would be required, specifically citing:
  - Updated equipment
  - More staff Findings
  - Increased space
  - Additional screening equipment

# Emerging Key Themes

1) 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 rate 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



1) Contamination at compost bins leads to contamination at facilities.

2) Concerns over facility capacity to accept compostable products and food waste.

3) Capture rates of food waste and compostable products are low.

4) Concerns over enforcement of labeling and/or use of products.

5) Lack of consistency across facilities in what they accept and their compost processing conditions.



# Organics Management Laws!



Due to OMLs we expect to see total organic tonnages increase, thus we anticipate contamination will as well

Business  
Organics  
Requirements

Residential  
Organics  
Requirements

Compostable  
Product Labeling

Compost  
Procurement  
Ordinance

Compost Facility  
Siting  
Requirements

Food Waste  
Recovery  
Workgroup

# Next Steps

- Join the conversation: [Department of Ecology - Committees, Boards, and Workgroups \(wa.gov\)](https://www.wa.gov/department-of-ecology/committees-boards-and-workgroups)
- Advisory Committee is currently developing recommendations
- A report to the legislative with these recommendations and supporting evidence will be delivered in Sept.2024



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# Thank you

Cullen Naumoff  
564-233-1419  
[Cullen.Naumoff@ecy.wa.gov](mailto:Cullen.Naumoff@ecy.wa.gov)



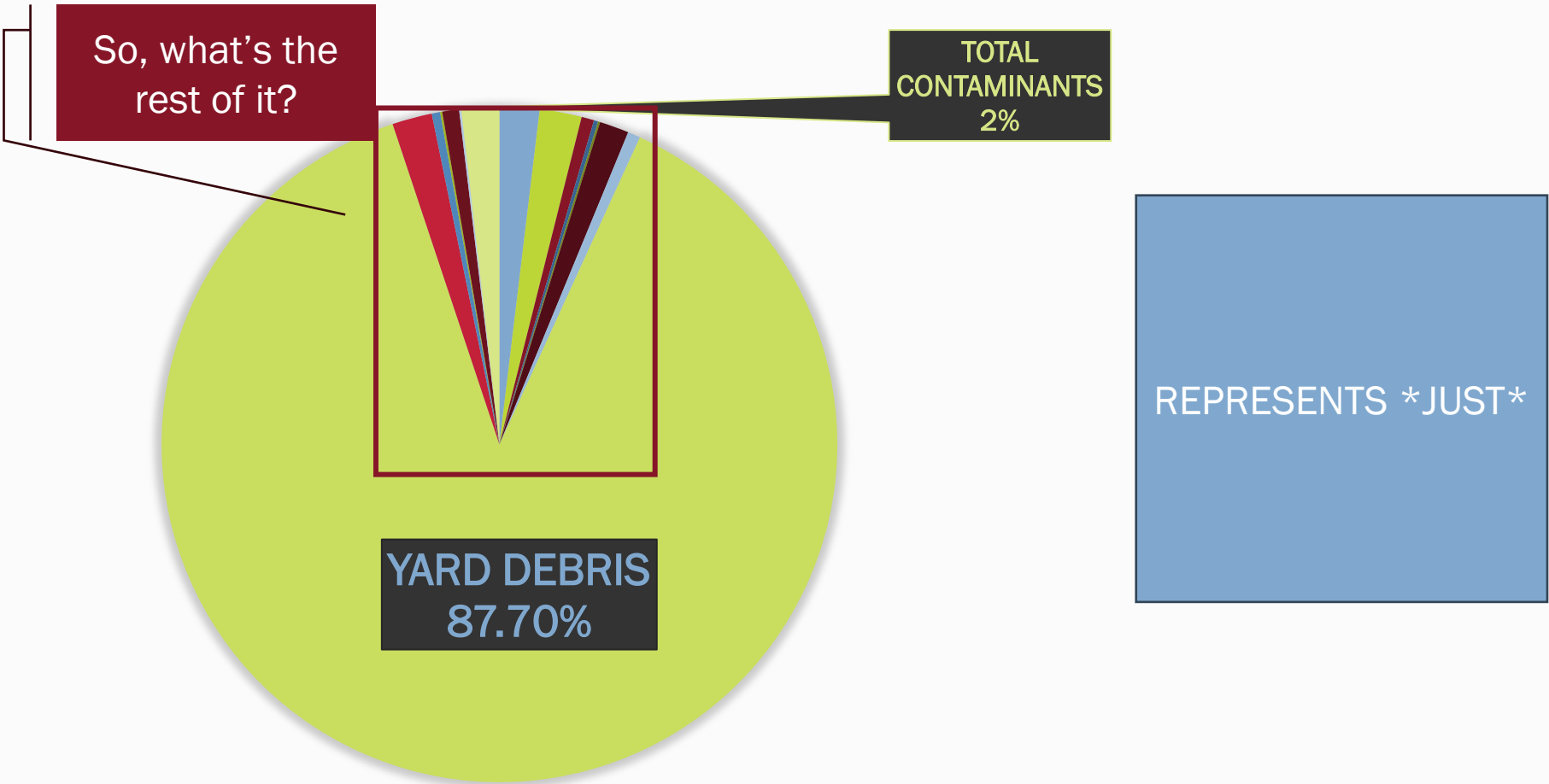
# APPENDIX





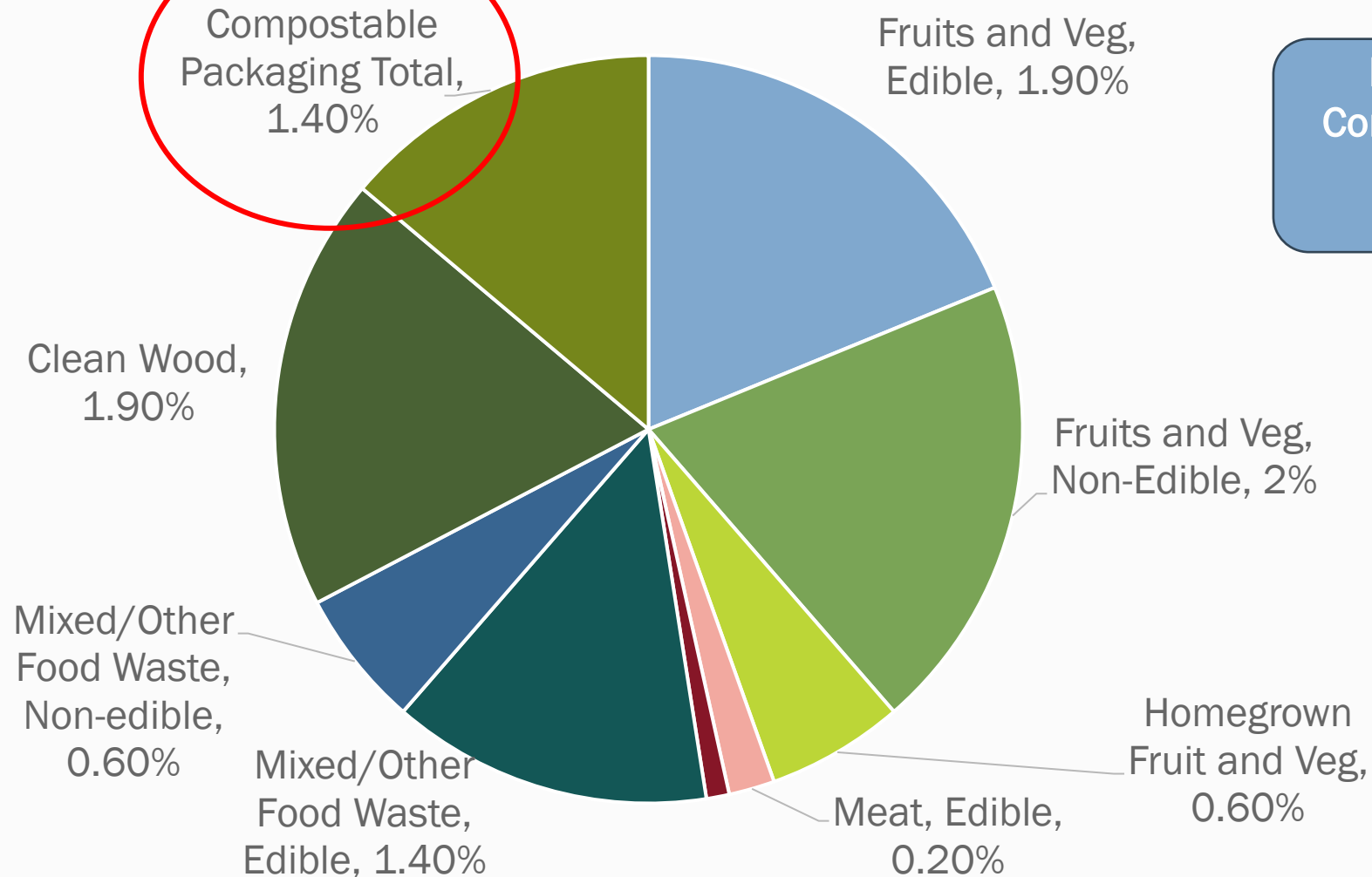
# Composition of Organics Recovered

A characterization of the organics stream that reach organics management facilities



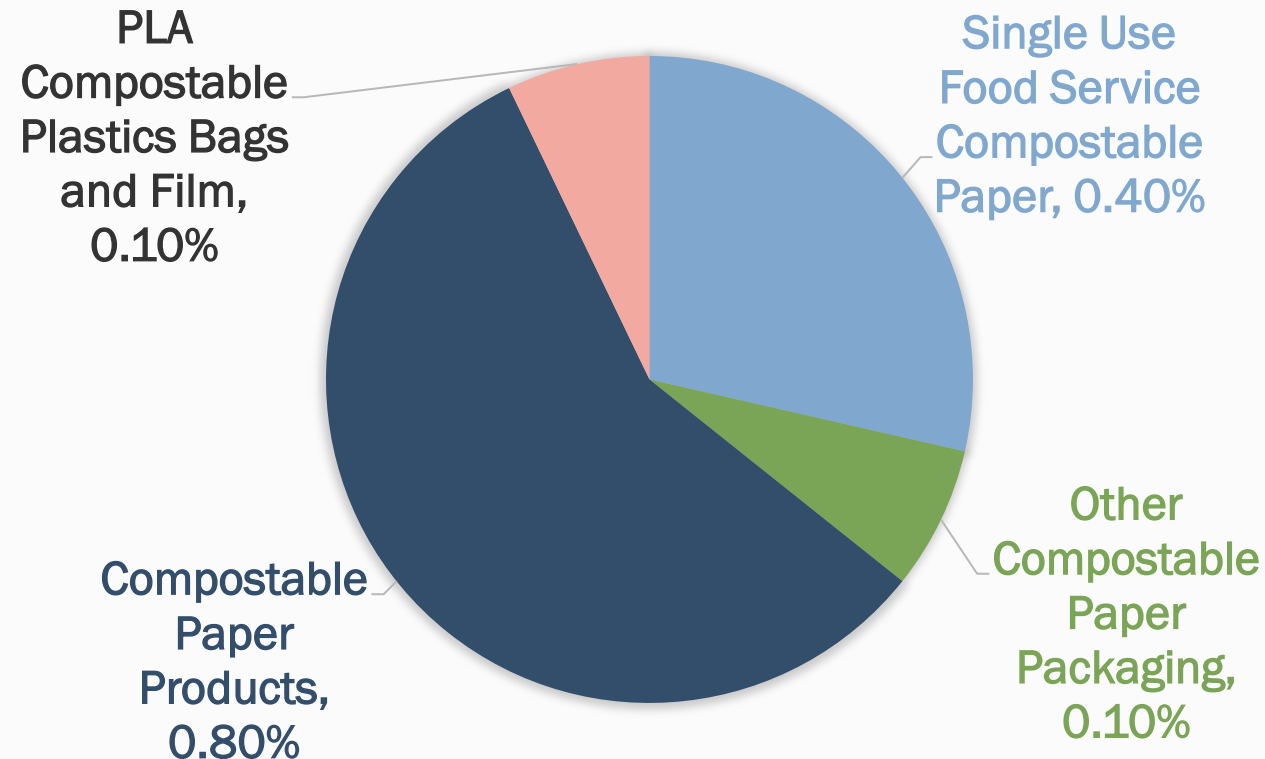
# Composition of the Organics Stream

EXCLUDING Yard Waste & Contamination



# Composition of Compostable Products

1.4% of the Recovered Organics Stream



# HB 2301 (“OML 2.0”) Impact to Compostables

Produce Sticker  
Technologies  
Study

Updates to  
Compostable  
Product  
Labeling  
Requirements

Compostable  
Product  
Labeling  
Enforcement



# Produce sticker technologies study

- Ecology and WSDA must study produce sticker technologies
  - Include options without plastic or that otherwise meet compostability standards.
- Ecology will hire a consultant to conduct the study.
- Legislative report is due September 1, 2025.
- Shannon Jones, Ecology Lead ([shannon.jones@ecy.wa.gov](mailto:shannon.jones@ecy.wa.gov))



# Compostable product labeling changes

1. Products made from **wood** and products made from at least **98% fiber** with **no plastic** additives, polymers, etc. → **do not need to follow labeling standards**
2. **Film bags, other film products, food service products** → Still must meet **ASTM D6400 or D6868** standards and be certified by third-party
3. **Other products** (packing peanuts, mailers, etc.) → Must be certified to meet the **same or a significantly similar standard** for industrial composting (ASTM D8410, ISO 17088, and EN 13432)

# Compostable product labeling changes

## 4. Clarification to non-compostable film bags (i.e., lookalikes) and prohibited use of colors green, beige, and brown

- Does **NOT** include stripes smaller than 1/4-inch and used as visual aids
- Does **NOT** include lettering and logos used solely for brand identity purposes
- **DOES** include the use of botanical motifs like vines and leaves

## 5. Recognition of 'Home Compostable'

- Allowed if producer has **valid scientific evidence** AND
- Product must be **certified for industrial composting** (no Home Compostable Only)

# Compostable product labeling enforcement

- Ecology, cities, and counties are all co-authorized enforcement but cannot duplicate penalties
  - **OML 2.0:** Local governments who want to do their own enforcement will send a letter to Ecology with dates, boundaries, and any help/assistance requests.
- Max penalties: 1<sup>st</sup> offense \$2,000 | 2<sup>nd</sup> offense \$5,000 | 3<sup>rd</sup> or more \$10,000
- Ecology will open an **online public form** for people to report non-compliant products in July
  - Tied to the producer declaration database



# Enforcement Criteria

## Misleading or “Greenwashing”

- Compostable film bag uses chasing arrows or other recycling symbol.
- Product uses a term other than compostable (“biodegradable,” etc.)
- Non-compostable film bag uses green, beige, or brown tinting/color schemes required on compostable film bags.
- Non-compostable product is labeled or uses term compostable.

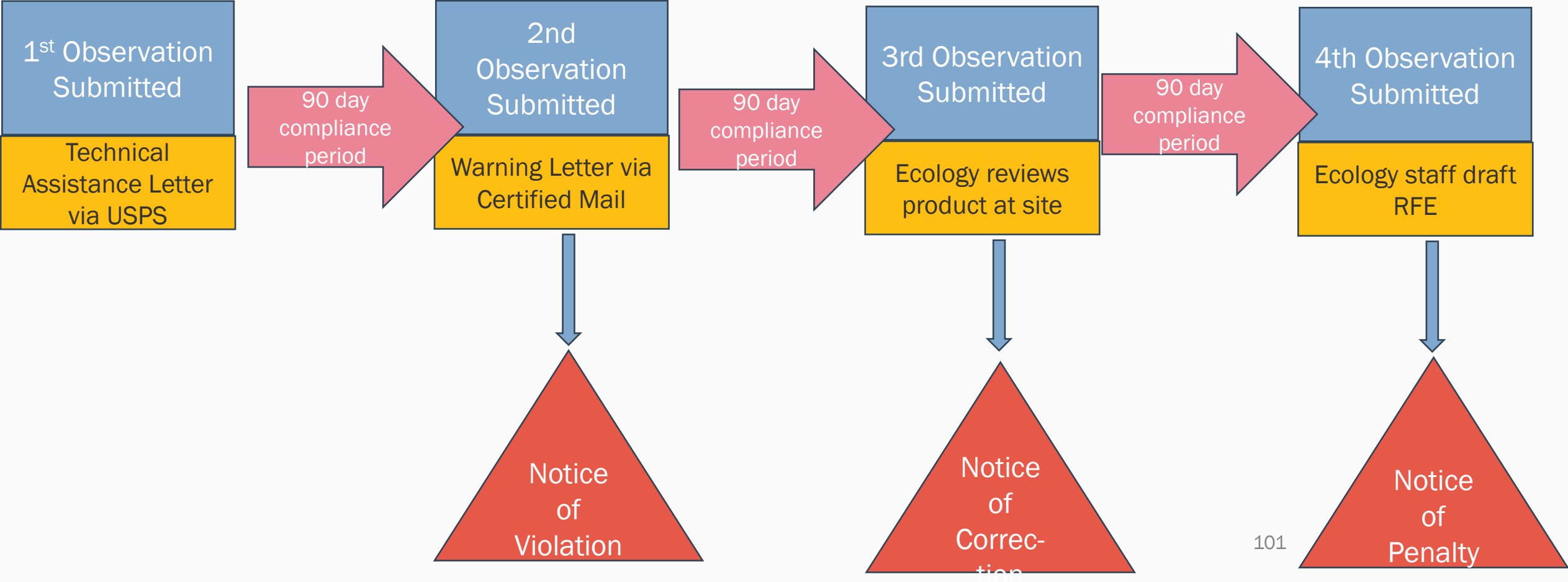
## Mislabeled Compostable Product

- Missing the word “compostable.”
- Labeled or implied product is “Home Compostable Only.”
- Improper or no use of green, beige, or brown as a color signal for compostable products.
- Missing or invalid certification logo.

## Other/Misc

- Product is undeclared or not up to date on the producer’s certified declaration with Ecology.
- Other: \_\_\_\_\_

# General Enforcement Action



# Where's the opportunity?

	Collected for Recovery (Tons)	Total Generated (Tons)	Recovery Rates
Yard	1,176,673	1,423,966	83%
Food Waste	306,808	1,134,323	27%
Wood Waste	272,079	1,055,675	26%

# Agenda

**Solid Waste Advisory Committee Meeting**  
**May 8, 2024 | 9:30 a.m. – 11:20 a.m.**

## ~~Call to Order & Zoom Meeting Instructions~~

~~9:30 a.m. | 5 minutes | Jay Blazey (Vice Chair)~~

## ~~SWAC Update~~

~~9:35 a.m. | 5 minutes | Jay Blazey (Vice Chair)~~

## ~~Ecology Updates~~

~~9:40 a.m. | 10 minutes | Peter Lyon, Dept. of Ecology SWM~~

## ~~Battery Stewardship / Electric Vehicle Battery Report~~

~~9:50 a.m. | 20 minutes | Megan Warfield, Dept. of Ecology SWM~~

## ~~Waste & Toxics Reduction Laws~~

~~10:10 a.m. | 35 minutes |~~

~~• Expanded Polystyrene (EPS) and Single-use Plastic Bag Ban—Lauren DiRe, Dept. of Ecology SWM~~

~~• Single-use Serviceware Law—Carolyn Bowie, Dept. of Ecology SWM~~

~~• PFAS in Food Packaging—Kathleen Gilligan, Dept. of Ecology HWTR~~

## ~~Compostable Products Advisory Committee~~

~~10:45 a.m. | 20 minutes | Cullen Naumoff Leese, Dept. of Ecology SWM~~

## **Member Updates & Roundtable**

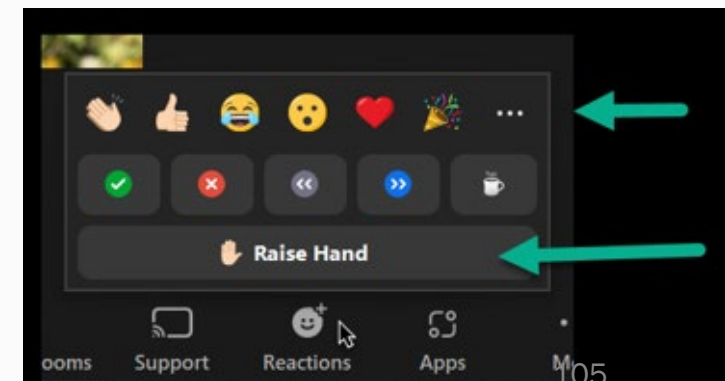
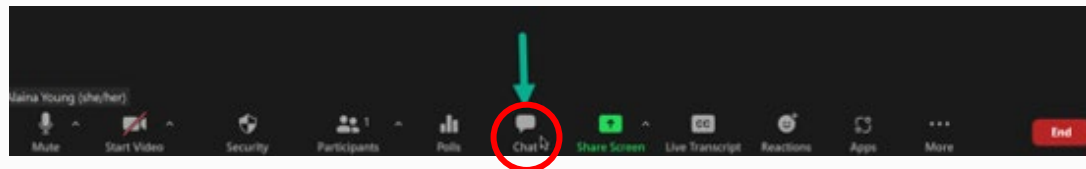
**11:05 a.m. | 15 minutes | Jay Blazey (Vice Chair)**

## **Adjourn**



## *We want to hear from you!*

- If you would like to provide comments, **please write your name in the chat or raise your hand.**
- We will call on you to speak in the order that we see names in the chat or hands raised.
- Please turn on your camera and unmute yourself when it's your turn.
- You may also **write your comment in the chat** and we will read it for you.



# Member Updates & Roundtable



**Thank you for joining us today!**