

2024 Organics Management Laws

Focus on the Organics Recycling Collection Areas (ORCA)

Overview

Methane is a greenhouse gas that is 75 times more potent than carbon dioxide over a 20 year period¹. The <u>Organics Management Laws</u>² aim to reduce methane emissions when organic materials, like food and yard waste, end up in a landfill. The laws established goals based on 2015 disposal levels:

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

To meet the state's organic management goals, the legislature amended or passed over 25 RCWs. RCW 70A.205.540³ requires local governments to provide organics collection service to residents and businesses within the Organics Recycling Collection Areas (ORCA).

State requirements

The Organics Recycling Collection Areas (ORCA)

Map⁴ shows areas in the state required to provide curbside collection of food waste and organic materials to residential and business customers.

The collected materials must be taken to an organics processing facility such as a compost facility or anaerobic digester. The map will be updated every year by July 1.

Exemptions may apply

Ecology is creating a waiver process for local governments that need more time to comply. There are two waivers: (1) the ORCA Service waiver and the (2) ORCA Frequency waiver. These will be available in 2026.

Residential and other requirements

By **April 1, 2027,** ORCA-impacted cities and counties must make year-round⁵ **organics collection** service available to:

- All residential customers, except multifamily residential customers, and
- Business customers⁵ that generate more than 0.25 cubic yards (approximately 44 gallons) of organic waste per week

Cities and counties that were providing organics collection service before January 1, 2024 are not required to provide year-round service if they provide service at least 26 weeks annually.

By **April 1, 2030**, all customers (except multifamily residential entities) in ORCA-impacted cities and counties are required to subscribe for organics and food waste collection service. This inclusion of food waste in required curbside programs will have the largest impact on organics reduction in landfills.

ORCA Service waiver

Service waivers may be for all or portions of a jurisdiction, up to five years. Service waivers may be granted if one or more of the following apply:

- Organic processing facilities are too far away or otherwise inaccessible
- Insufficient facility capacity to manage organic materials
- Not economically feasible to begin or expand organics collection
- Transport of organic materials is restricted due to an apple maggot quarantine area (chapter <u>17.24</u> RCW)
- Impacts overburdened communities⁶ in the area

¹ https://www.unep.org/explore-topics/energy/facts-about-methane

² https://apps.ecology.wa.gov/publications/documents/2407025.pdf

³ https://app.leg.wa.gov/RCW/default.aspx?cite=70A.205.540

^{4 &}lt;a href="https://.wa.gov/waste-toxics/reducing-recycling-waste/organics-and-food-waste/2022-organics-management-law/organics-management-for-local-governments">https://.wa.gov/waste-toxics/reducing-recycling-waste/organics-and-food-waste/2022-organics-management-law/organics-management-for-local-governments

⁵ See "Definitions" section on page 2

⁶ https://fortress.wa.gov/doh/wtnibl/WTNIBL/

ORCA Frequency waiver

Local governments can apply for a waiver to reduce the collection frequency requirements that begin April 1, 2027. This waiver is designed for jurisdictions that are using technologies other than curbside organics collection that will reduce the volume, odor, or both of collected food waste.

Local government guidelines

Ecology is writing guidance for local jurisdictions to exempt individual residents and/or businesses from mandatory curbside collection starting on April 1, 2030. This guidance will be available in 2026.

A city or county may exempt individuals from mandatory collection if organic materials will be managed in a way that provides equal or better environmental outcomes than landfilling or burning. This could be:

- Household or on-site composting
- Diverting organic materials to feed animals
- Self-hauling materials to an organics processing facility

Adopting a model ordinance

A pathway to compliance includes cities and counties adopting an ordinance to meet ORCA requirements. Ecology developed model ordinances (RCW 70A.207.030) that provide draft language for complying with ORCA requirements. Draft language is also provided to require new construction to plan for organics curbside collection. For more information related, visit our webpage.⁷

Support

Ecology can provide technical assistance to ORCAimpacted cities and counties to support the expansion of organics collection in your community. If you have questions about ORCA or would like to meet with an Organics team member to discuss compliance, you can reach out to organics@ecy.wa.gov for assistance.

How to learn more

To sign up for more updates, follow the <u>email</u> <u>news</u>⁸ link, then:

- Submit your email address
- Choose the Solid Waste Management Program
- Choose "Organic Materials"

Definitions

"Business" means a commercial or public entity including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for profit or nonprofit entity. [Note: This definition includes public and nonprofit entities such as schools, churches, and hospitals]. This includes "nonresidential" as stated in RCW 70A.250.540 which means all solid waste customers except residential and/or multifamily residences.

"Food waste" means waste from fruits, vegetables, meats, dairy products, fish, shellfish, nuts, seeds, grains, and similar materials that results from the storage, preparation, cooking, handling, selling, or serving of food for human consumption.

"Year round" means providing service at least 26 weeks or more out of the 52 weeks a year.



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https://ecology.wa.gov/accessibility. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341

⁷ https://ecology.wa.gov/waste-toxics/reducing-recycling-waste/organicsand-food-waste/2022-organics-management-law/organics-management-forlocal-governments/organics-model-ordinances