

# Organics Management Law

## Focus on Business Organics Management Area Exclusion Requests

### Overview

Under RCW 70A.205.545, businesses located in a Business Organics Management Area (BOMA) that meet specific criteria are required to arrange for organics management services to reduce their organic material waste.

The BOMA represents areas in the state where the Washington State Department of Ecology (Ecology) determined both these conditions exist:

1. Businesses have access to year-round curbside food waste and organic materials collection, and these materials are delivered to an organics management facility.
2. Capacity exists at these facilities to accept increased volumes of organic materials from businesses.

Ecology has published a map of the BOMA online at [Business Organics Management Areas](#). This map is updated annually on July 1.

### Do you need to request an exclusion?

To request an exclusion from the BOMA requirements, a jurisdiction must describe the specific geographic areas they are requesting be excluded, and how one or both of the following criteria are not met in those areas:

1. There is at least one business that collects and delivers organic materials to solid waste facilities that provide for the management of organic material waste including food waste; and/or
2. Businesses that collect organic materials from a jurisdiction can feasibly and economically deliver the materials to an organics management facility that has capacity and is willing to accept the material.

If there is a difference in opinion between a jurisdiction and the service provider in meeting the two qualifying conditions, Ecology requires direct evidence to support how one or both of the conditions above are not met.

Ecology will accept the following evidence from a jurisdiction:

- Written evidence from businesses establishing that a service provider has a pattern of declining or failing to serve specific areas of a jurisdiction when requested to do so by an affected business.
- Written evidence from the jurisdiction detailing capacity constraints for any unique circumstances that impact the system for organics collection and prevent expansion of service.

Ecology will not accept the following evidence from a jurisdiction:

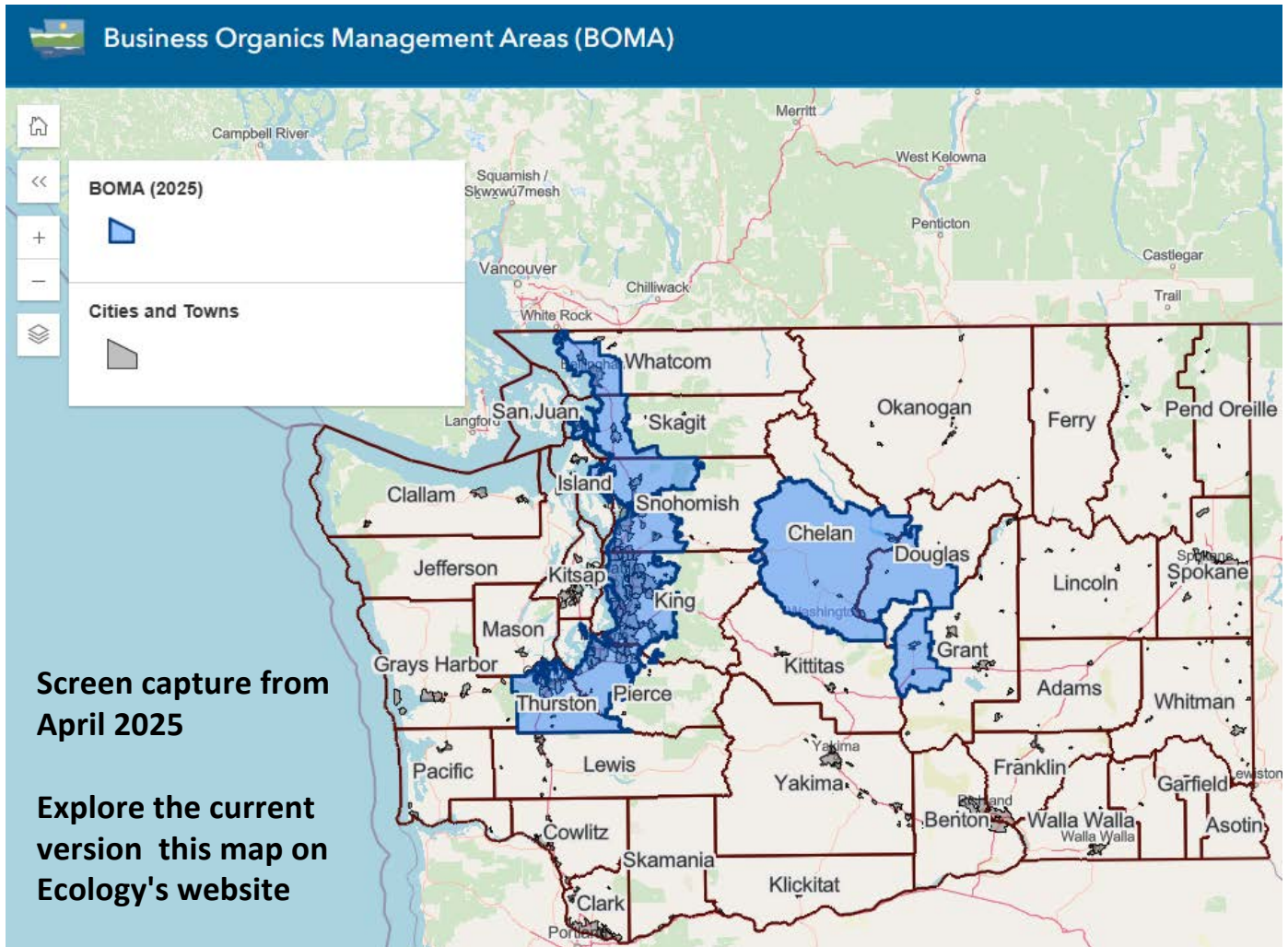
- Financial records, including proprietary pricing information, or route data from a service provider.
- Evidence that the facility is too far from businesses if the service provider is willing and able to provide service.

Ecology and local jurisdictions lack authority to test service providers' claims that they can cover a specific area. The best evidence that no collection service is offered, comes from businesses who have tried to sign up for services but were denied by the provider.

Exclusions will remain in place through the end of the BOMA determination period (July 1 - June 30 of the following year) for which they were issued and may be extended.

## How to request an exclusion

To request an exclusion, a jurisdiction must submit their request via email to [organics@ecy.wa.gov](mailto:organics@ecy.wa.gov). Ecology will acknowledge receipt of exemption requests within 2 business days and will respond within 30 calendar days. In some cases, Ecology may request additional information to determine if the criteria to issue an exclusion has been met.



The online BOMA geographical information system (GIS) map depicts areas in **blue** around the state where businesses are impacted by the law. Please note that this map is updated yearly, so the areas depicted above are subject to change.



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To request an ADA accommodation, contact Ecology by phone at 360-407-6381 or email at [SWMPublications@ecy.wa.gov](mailto:SWMPublications@ecy.wa.gov), or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.