



Organics Recycling Collection Areas (ORCA) Frequency Waiver

Guidance for Jurisdictions Applying for a Frequency Waiver

Organics Management and Food Center Team
for the

Solid Waste Management Program

Washington State Department of Ecology
Olympia, Washington

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Related Information

- Organic Recycling Collection Areas webpage¹
- Focus on Organics Recycling Collection Areas – 2024 Organics Management Laws (Pub. 25-07-015)²

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¹ <https://ecology.wa.gov/waste-toxics/reducing-recycling-waste/organics-and-food-waste/2022-organics-management-law/organics-management-for-local-governments>

² <https://apps.ecology.wa.gov/publications/documents/2507015.pdf>

³ <https://ecology.wa.gov/contact>

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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DEPARTMENT OF
ECOLOGY
State of Washington

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Thank you

To further inform the waiver process, Ecology's Organics team started the ORCA Waiver Workgroup (OWWG) in August 2025. The workgroup provided direct feedback to help shape how a jurisdiction applies for either an ORCA Service or Frequency Waiver. Members included solid waste staff from cities and counties across the state, the Association of Washington Cities, and the Washington State Association of County Solid Waste Managers. From August through December 2025, the group met monthly to provide feedback on the ORCA waiver process.

This process was also informed by extensive collaboration and engagement with local health jurisdictions (LHJs), facility specialists, the Washington Utilities and Transportation Commission (WUTC), service providers, and local governments.

The Solid Waste Management Program thanks the following community partners for their insight and contribution to the ORCA waivers development:

- Association of Washington Cities
- Chelan County
- City of Richland
- City of Vancouver
- Clark County
- King County
- Snohomish County
- Spokane County
- Washington State Association of County Solid Waste Managers
- Whatcom County
- Whitman County
- WUTC
- Yakima County

Background

Between 2022 and 2025, the Washington Legislature passed or amended numerous laws to reduce organic materials disposed in landfills. The state has a goal of reducing 75% of the organic material in our landfills by 2030 (based on 2015 levels)⁴. The law ([RCW 70A.205.540](#)) specifically addresses residential and commercial organics collection to meet these goals. This impacts residential and commercial customers, and the jurisdictions who must identify how to provide organics collection to those customers. The law created the [Organics Recycling Collection Areas](#) (ORCAs) and required Ecology to develop waivers for impacted jurisdictions who anticipate not meeting the 2027 or 2030 requirements. Waivers provide an option to extend the compliance timeline or implement an alternative collection system.

Starting in November 2024, Ecology’s Organics team began the process of interpreting RCW 70A.205.540’s Service and Frequency Waiver provisions. The law outlines criteria for receiving waivers and how long waivers are valid. With help from partners across the state and the Office of the Attorney General, Ecology developed an application and guidance for the ORCA waivers.

This guidance document is meant to help jurisdictions navigate the ORCA waiver process. This document is meant to be used alongside the waiver application to guide jurisdiction’s through the waiver details and timeline. Consider this your “instruction manual” while you fill out your waiver information.

This guidance is for the [ORCA Frequency Waiver](#) and application.

See our other documents for the [ORCA Service Waiver guidance](#) and application.

Frequently Asked Questions

What are the ORCA requirements? Who is impacted?

To identify ORCA impacted areas in the state, you can reference the [ORCA map](#). There is also a [tutorial video](#) that shows how to use the map and its various data layers.

By **April 1, 2027**, ORCA impacted areas must have **year-round** organics collection service provided to single-family homes and nonresidential customers in their jurisdiction. Year-round is defined as 26 weeks or more of service, annually.

Service must be:

- Source-separated, so food and yard waste are placed in a separate container from recyclables and trash.
- Provided to all single-family residences.

⁴ [RCW 70A.205.007: Landfill disposal of organic materials—Goal.](#)

- Provided to business customers⁵ that generate more than 0.25 cubic yards of organic waste per week. This does not include multifamily units where residents share collection containers.

By **April 1, 2030**, organics collection services provided in the ORCAs become **non-elective for customers**. All single-family homes and businesses generating 0.25 cubic yards of organic waste per week must have service. Additionally, collection service must accept **food waste** and collect organic waste separately from garbage and recycling.

What types of waivers are available for jurisdictions?

There are two types of waivers:

- Service Waiver
- Frequency Waiver

Who applies for a waiver?

The jurisdiction that implements a solid waste management plan (SWMP) under RCW [70A.205.040](#) that is an ORCA impacted area will apply for a waiver. The county or the city are eligible applicants. However, we recommend counties and cities work together and submit a joint application.

What is the Frequency Waiver for?

The **ORCA Frequency Waiver** is for jurisdictions who plan to meet the ORCA requirements by the 2027 or 2030 timeline but have implemented an alternative organics collection system that reduces the odor, volume, or both of organic material collected. This method reduces the collection frequency requirement defined by Ecology as at least 26 weeks/year.

The **ORCA Service Waiver** is for jurisdictions who cannot meet the ORCA requirements by the 2027 or 2030 timeline and need more time. This waiver is not an “exemption” from the ORCA requirements; it is an *extension* allowing jurisdictions more time to identify strategies they will work on to meet the ORCA requirements while they have a waiver.

How do the Service Waiver and Frequency Waiver work together?

A jurisdiction can apply for both a Service Waiver and Frequency Waiver, if it’s applicable to their situation. It is **not** required to apply for both waivers.

For example, a jurisdiction may want to implement an organics alternative collection method (Frequency Waiver), **and** they need more time (Service Waiver) because they won’t meet the

⁵ Includes all businesses, non-profits (eg. schools, hospitals, places of worships, etc), event stadiums, recreational facilities, correctional facilities, government buildings, and assisted living facilities.

requirements by 2027 or 2030. The jurisdiction would apply for both waivers and include required application materials at the same time.

There are multiple ORCA impacted areas in one county. How do we all apply for a waiver?

If a county and a city are applying for a waiver for the same alternative collection method, they can be put on a joint Frequency Waiver application. If impacted counties and cities have different alternative collection methods for why they need a Frequency Waiver, then they can submit separate applications. Reach out to Ecology at organics@ecy.wa.gov if you have questions.

When can my jurisdiction apply for a waiver?

For the 2027 ORCA requirements, the Frequency Waiver application period is open in February 2026 through December 2026. Applications are submitted and reviewed on a rolling basis.

For the 2030 ORCA requirements, the Frequency Waiver application period is open in February 2029 through December 2029. Applications are submitted and reviewed on a rolling basis.

How long is the Frequency Waiver valid? Can my jurisdiction re-apply?

The Frequency Waiver is valid indefinitely, as long as the alternative collection system is in place and operating.

The jurisdiction can re-apply if the existing alternative collection system ends and a new one is implemented instead.

What’s the overall implementation timeline for ORCA?

Below is a timeline that shows when the ORCA requirements start and when a jurisdiction can apply for a waiver. This document was written in 2025, so the waiver application process, timeline, and details for the 2029-2030 period may change.

Timeline	What happens	Description
February 2026	Ecology makes the ORCA Service and Frequency Waiver applications available.	You can find the applications on the ORCA webpage . The application is submitted through an email link.
February 2026 – December 31, 2026	The Service and Frequency Waiver application period is open for the ORCA 2027 requirements.	<p>Jurisdictions may begin the waiver application process and submit an application to Ecology. These are accepted on a rolling basis. Jurisdictions must submit their waiver application(s) and any supporting materials by Dec. 31, 2026, to move forward in the waiver process.</p> <p>Ecology’s Organics team will also meet one-on-one with jurisdictions to provide support.</p>
April 1, 2027	The 2027 ORCA requirements begin., This is subscription service for, at minimum, yard debris collection. Unless adopting the 2030 requirements early, customers may choose to have the service.	Jurisdictions must have service available to customers year-round, or they must have a waiver from Ecology.
Early 2029 – end of 2029	The Service and Frequency Waiver application period is open for the ORCA 2030 requirements.	<p>Jurisdictions may begin the waiver application process and submit an application to Ecology.</p> <p>Jurisdictions must submit their waiver application(s) and any supporting materials by the end of 2029 to move forward in the waiver process.</p> <p>Ecology’s Organics team may meet with jurisdictions one-on-one to provide support.</p>
April 1, 2030	The ORCA requirements of mandatory organics service, including the collection of food waste, begins.	Jurisdictions must have non-elective service provided to customers, or they must have a waiver from Ecology.

Where can I find the waiver application? How do I apply for a waiver?

The Frequency Waiver application can be found on the [ORCA webpage](#). Please complete the application and submit it via email to organics@ecy.wa.ecy.gov.

Please use the following subject line “[X County/City’s] ORCA Frequency Waiver Application [Application Year]” for your email when submitting your application.

How do I get help with the waiver application?

If you have further questions about the waiver process and content, please contact the Organics team at organics@ecy.wa.gov or visit our [ORCA webpage](#). You can also reach out to your local Ecology planner for support.

ORCA Frequency Waiver

The following outlines the eligible criteria, information needed, and overall process to apply for an ORCA Frequency Waiver.

Frequency Waiver Eligibility

Jurisdictions can apply for a Frequency Waiver if they have (or plan to have) organics collection using an alternative technology that reduces the odor, volume, or both of the organic material collected. By using this alternative method, jurisdictions may reduce the frequency of collection to less than 26 weeks per year.

Per [RCW 70A.205.540](#), the following are eligible criteria to apply for an ORCA Frequency Waiver:

- Public drop off or drop box programs
- Food dehydrators/recyclers
- Other methods

The Frequency Waiver application does **not** ask for supporting evidence. Instead, you must describe the alternative collection method in detail **and** explain how the program will ensure customer participation.

For help identifying acceptable alternative collection methods, please reach out to the Ecology’s Organics team at organics@ecy.wa.gov.

Steps to Pursue a Frequency Waiver

Step 1: Prepare and submit a waiver application

This first step tells Ecology that a jurisdiction is pursuing a Frequency Waiver for their ORCA impacted area(s). A waiver application is submitted by the jurisdiction that implements a SWMP. This could be a county, city, or both as a joint application. List the impacted cities, Urban Growth Areas (UGAs) or Census Tracts. The application asks for basic information, what eligible alternative collection system the jurisdiction is applying with, and a further description of the program.

Applications are accepted on a rolling basis.

Important submission requirements:

You can find the waiver application on our [ORCA webpage](#). Please complete the application and submit it via email to organics@ecy.wa.ecy.gov.

Please use the subject line “[X County/City’s] ORCA Frequency Waiver Application [Application Year]” in your email when submitting your application.

Upon submission, ensure you carbon copy (cc) respective city and/or county solid waste contacts you want involved in receiving waiver communications.

Once completed, hit “Send,” and the waiver application will be sent to the Organics team (organics@ecy.wa.gov). We recommend completing the waiver application in another document to save for your own records, then transferring the information to the email link. Once you send the application to Ecology, it becomes public record.

Application Questions:

1. Jurisdiction name

List the ORCA impacted cities, UGAs, or Census Tracts requesting a Frequency Waiver. This could be for the entire area or only a portion. If you need help identifying your ORCA impacted area(s), refer to the [ORCA map](#). If there are multiple areas pursuing a waiver with different alternative collection methods, refer to our [FAQ](#).

Ex. The City of X, X UGA, Census Tract ID number X

Eligible applicants are cities and counties that implement a SWMP. We recommend cities and counties submit joint applications requesting a waiver.

2. Main point of contact

This is the person who is filling out the waiver application and will be the main point of contact for any follow-up communication throughout the waiver process such as asking for more information or scheduling a meeting to discuss your application.

3. Contact information

Include the main point of contact's email and phone number.

4. Alternative collection method for the Frequency Waiver request

Highlight the alternative method(s) that are used in the jurisdiction and allow the collection of organic materials less than 26 weeks per year. You may highlight more than one. Each method you highlight requires a thorough description.

5. Describe your alternative organics management approach

Provide a detailed explanation of the alternative collection method that collects materials less than 26 weeks per year and the reasoning behind this decision. In other words, tell us why this is the best option for the jurisdiction.

6. Customer participation

The goal of the organics management laws is to divert organic materials from going to landfills. Explain how the jurisdiction will track participation with this system and how customers will keep their organic waste out of the garbage/landfill. This is of particular importance for the 2030 requirements when participation is mandatory for impacted customers.

You may also want to include a description of how you will be measuring the total organics captured via your alternative method. Cities and counties required to adopt a compost procurement ordinance (CPO) and submit an annual report to Ecology must measure the total organics diverted from the landfill([RCW 43.19A.150](#)). If you are implementing ORCA you are also impacted by CPO.

Step 2: Ecology reviews the waiver application

Once submitted, Ecology will review the application and any supporting materials. Ecology will review the application within six weeks and respond to the applicant with one of the following:

- **“Approved to proceed”**: The waiver application and supporting materials is approved, and the applicant is granted a waiver. Frequency waivers are valid as long as the alternative collection method is in place and operating.
- **“Conditional approval dependent on more information”**: Ecology needs additional information and/or any supporting materials to review the waiver application and move forward in the waiver process. Ecology will send a

second communication after we receive additional information with approval or denial.

- **“Deny application and waiver request”**: The waiver application is denied due to insufficient or inaccurate application information, collection method, or supporting materials. This means the applicant will not receive a waiver for the ORCA requirements and organic collection service must be available 26 weeks/per year by 2027 before customers are required to subscribe in 2030.

Step 3: Technical assistance

If Ecology approves a Frequency Waiver application, the jurisdiction will be granted a waiver. With this waiver, the ORCA impacted area(s) can implement an alternative collection method that reduces the frequency of collection to less than 26 weeks/per year.⁶

Directly after the waiver is granted, Ecology will schedule a meeting with the jurisdiction and relevant contacts to provide technical assistance and learn more about the alternative collection method.

If applicable, Ecology will work with the jurisdiction to identify and gather relevant information, contacts, or other needed resources. The jurisdiction will bring this information to a subsequent meeting within the first year of the jurisdiction’s waiver.

Ecology’s Organics team will document meetings to inform legislators about progress towards meeting the state’s organics reduction goals. Ecology also anticipates the documentation from these technical assistance meetings will help a jurisdiction fill out the Organics section of their SWMP.

After the initial technical assistance meeting(s), Ecology will meet with the jurisdiction at least once a year to check in on the program and provide support where needed.

If Ecology denies a Frequency Waiver application, the jurisdiction will not receive a waiver. Ecology will schedule time for a debrief with the jurisdiction and relevant contacts. This meeting will focus on explaining why a jurisdiction’s waiver application was denied and discussing how the jurisdiction will meet the ORCA requirements.

Reviewing Waiver Applications

Once a waiver application is submitted, Ecology will review it and respond within six weeks.

Waiver applications will be reviewed by a team of Ecology staff members on a case-by-case basis as applications are received.

⁶ Indefinitely. As long as the program is in place.

Based on a case law example⁷ from the Assistant Attorney General (AAG), Ecology is directed to have a flexible evaluation process for waiver applications without specific evaluation criteria such as numbers, ranges, or thresholds. Ecology will rely on the jurisdictions to provide compelling information as to why they meet the statutory criteria for a waiver. We may verify specific information with local planning staff both in and outside Ecology. We may also reference other Ecology data like annual facility reports.

The Organics team will review these applications. Depending on what criteria an applicant is applying with, multiple Ecology staff may provide input for a decision.

Waiver Decision Process

Steps	Responsible Party	Timeline	Description
Step 1: The jurisdiction submits a waiver application to Ecology	The jurisdiction that implements a SWMP	Early 2026 and early 2029	Applications are submitted via an email link on the ORCA webpage .
Step 2: Ecology reviews and responds to the waiver application	Ecology	6 weeks to review and respond	It begins when the application is submitted.
Step 3: Waiver is granted or denied	Ecology		This communication will be sent to the main point of contact and other contacts included on the waiver application.
Step 4: Ecology schedules a kickoff call to provide technical assistance	Ecology		This communication will be sent to the main point of contact and any cc's on the waiver application email.
Step 5: The jurisdiction meets with Ecology at least every year to provide ongoing technical assistance	The jurisdiction that implements a SWMP and Ecology		Ecology will schedule technical assistance check-in meetings with respective parties.

⁷ See, e.g., *Securities & Exchange Commission v. Chenery Corporation*, 332 U.S. 194, 202 (1947)