



Organics Recycling Collection Areas (ORCA) Service Waiver

Guidance for Jurisdictions Applying for a Service 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

Contact Information

Solid Waste Management Program

P.O. Box 47600

Olympia, WA 98504-7600

Phone: 360-407-6000

Website³: [Washington State Department of Ecology](https://ecology.wa.gov)

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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 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 thoroughly 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 jurisdictions through the waiver details and timeline. Consider this your "instruction manual" while you fill out your waiver information.

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

See our other documents for the [ORCA Frequency 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 users 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 all impacted 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 continue to 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 Service Waiver for?

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 how and when they can meet them.

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.

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 alternative organics 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 with the same criteria, they can be put on a joint Service Waiver application. If impacted counties and cities have different criteria for why they need a Service 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 Service 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 Service Waiver application period is open in February 2029 through December 2029. Applications are submitted and reviewed on a rolling basis.

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

The Service Waiver is valid for up to five years and can be renewed. If granted a waiver, the length of time will be determined at the first technical assistance meeting with Ecology.

The jurisdiction can re-apply or renew the Service Waiver at the end of the specified length of time.

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 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 supporting evidence 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 supporting evidence 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 Service Waiver application can be found on the [ORCA webpage](#). Please complete the application and supplemental supporting evidence via email to organics@ecy.wa.gov.

Please use the following subject line: “[X County/City’s] ORCA Service 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 Collection Service Waiver

The following outlines the eligible criteria, supporting evidence needed, and overall process to apply for an ORCA Service Waiver.

Service Waiver Eligibility

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

- The distance to an organics management facility.
- Organics management facility, transfer station, or reload facility is at capacity.
- Organics collection is economically infeasible to provide and too expensive for ratepayers.
- Restrictions on the transport of organic materials due to apple maggot quarantine boundaries ([chapter 17.24 RCW](#)).

Service Waiver Supporting Evidence Examples

This section outlines acceptable supporting evidence for each Service Waiver criteria. This is not an exhaustive list. It helps jurisdictions understand what kinds of supporting evidence can be included in their application. If you need assistance, please reach out to Ecology’s Organics team at organics@ecy.wa.gov.

The distance to an organics management facility

Description: The nearest organics management facility is too far to transport organic materials collected in the jurisdiction. “Facility” also includes transfer stations or reload facilities that transload organics to an organics management facility.

Supporting evidence recommendations:

- A map showing the nearest facility that accepts yard and/or food waste and your jurisdiction.
- The distance in miles and drivetime (hours and minutes) to the nearest organics processing facility, including any route stops that take into account transloading needs.
- Any seasonal or geographic challenges to account for given the route (ex. weather-related road closures, road terrain).
- Total cost to transport organics to the nearest facility. This could include fuel consumption rates, labor, and transportation costs per mile. Compare these statistics to those that you currently run for recycling and garbage service.

The organics management facility is at capacity

Description: The nearest organics management facility does not have capacity to take and process additional organics material. For this justification, “facility” also includes transfer stations that transload organics to an organics management facility.

Supporting evidence recommendations:

- A signed letter or other communication from the facility confirming the facility cannot take the amount of additional material the jurisdiction expects to collect as part of ORCA. This includes if the facility is unwilling to accept specific organic material at their facility such as food waste.
- Estimates of increased organic materials in the jurisdiction over time. Ecology’s [Compost Market Study](#) projects the impact of ORCA and BOMA requirements in each county for 2025, 2030, and 2035. You can use these numbers to compare against the permitted capacity of the facility. This can still be used if you’re applying for an ORCA waiver in a portion of the county.

Organics collection is economically infeasible

Description: Organics collection service is economically infeasible to be provided in the jurisdiction and/or for ratepayers to pay.

Supporting evidence recommendations:

- For **incorporated cities**, their organics collection billing authority must provide an estimate or updated rate quote from their service provider or municipality to outline the estimated costs to provide or expand organics collection. This rate quote shows the new level of service or projected service level and the cost of service for ratepayers. Then, compare the existing cost of recycling and/or garbage service as a comparison to the rate for the amended organics collection service.
- For **unincorporated areas, Urban Growth Areas, and/or Census Tracts**, the county must include a pro-forma from their local service provider to show the estimated

costs to provide or expand organics collection. This rate must be approved by the UTC for areas where they're applying for a waiver.⁶

The current or prospective service provider should produce a pro-forma for the county's unincorporated areas, UGA, or Census Tracts. The service provider pays for the pro-forma by allocating staff time to complete it. Based on conversations with several service providers across the state and the UTC, completing a pro-forma can take a couple weeks to a few months depending on timely communication between parties. The UTC has 45 days to review the pro forma.

Once the pro-forma is approved by the UTC, the county will need to work with their ORCA impacted areas to decide if the estimated rate is feasible for customers in their jurisdiction(s). Please state the estimated rates and feasibility to implement these rates in your application, including a comparison to existing recycling and garbage rates.

- An explanation of supply chain logistics that delay the delivery of capital equipment to implement organics collection, such as trucks, containers etc. Include how this would impact customer rates.
- Jurisdictions can use the Department of Health's (DOH) [Environmental Health Disparities \(EHD\) map](#) to understand and describe potential impact on certain groups or communities. Based on the instructions below, you can identify your jurisdiction's population of residents living in poverty as a consideration for organics collection being economically infeasible for ratepayers to pay. Ecology recognizes this is an imperfect tool, so we encourage this map to be used alongside the pro-forma.

If your jurisdiction has an equity or disparities map that represents similar financial hardships, you may include it as supporting evidence instead of the EHD map. Provide an explanation of the data used to identify these areas.

How to use the EHD map:

Step 1: Open the Department of Health's [EHD Map](#).

Step 2: Select the "Environmental Health Disparities V 2.0" layer.

Step 3: Select the "Socioeconomic Factors" subcategory.

Step 4: Select the "Population Living in Poverty <= 185% of Federal Poverty Level (%)" layer.

Step 5: Include a screenshot of the mapped areas and describe why the ORCA requirements would exacerbate your residents' financial hardships.

⁶According to the UTC, service level changes and participation must be written in the county's SWMP or as an amendment to trigger the pro-forma. First, talk to you service provider about conducting a pro-forma. If they're unwilling to do one, you will need to amend your SWMP with service level changes and participation language and go through the reviewal process before continuing with the pro-forma. For template language, you can contact your local Ecology planner or the Organics team at organics@ecy.wa.gov.

To learn more about the EHD map, you can visit the Department of Health's [website](#).

Restrictions on the transport of organic materials due to apple maggot quarantine boundaries (chapter 17.24 RCW)

Description: The apple maggot quarantine boundaries limit or prohibit the transportation of organic materials for the impacted jurisdiction(s) to an organics management facility.

Supporting evidence recommendations:

- Include the Washington State Department of Agriculture (WSDA) [Apple Maggot Quarantine Map](#) and identify where your ORCA impacted area(s) are located in a quarantine area and the location of your relevant organics processing facility, located in a non-quarantine area.

Steps to Pursue an ORCA Service Waiver

Step 1: Prepare and submit a waiver application

This first step tells Ecology that a jurisdiction is pursuing a Service 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 criteria(s) the jurisdiction is applying with, and supporting evidence.

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 Service 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. Ecology will inform the WUTC when a jurisdiction applies for a Service Waiver.

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 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 you're requesting a Service 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/or 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. Criteria for the Service Waiver request

Highlight all criteria for why you're pursuing a Service Waiver. You may highlight more than one. Each set of criteria you highlight requires supporting evidence.

5. Provide supporting evidence for the Service Waiver

Refer to the [Service Waivers Supporting Evidence Examples section](#) to learn what supporting evidence you should include in your application.

Step 2: Ecology reviews and responds to the waiver application

Once submitted, Ecology will review the application and supporting evidence. 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 evidence is approved, and the applicant is granted a waiver. The length of your waiver will be determined at the first technical assistance meeting with Ecology.
- **“Conditional approval dependent on more information”**: Ecology needs additional information and/or supporting evidence 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, criteria, or supporting evidence. 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 Service Waiver application, the jurisdiction will be granted a waiver. With this waiver, the ORCA impacted area(s) are given an extension to meet the ORCA requirements. The length of time for the waiver⁷ will be determined in the first technical assistance meeting with Ecology in collaboration with the jurisdiction.

Directly after the waiver is granted, Ecology will schedule a meeting with the jurisdiction and relevant contacts to provide technical assistance. This meeting will focus on discussing the challenges and opportunities to comply with the ORCA requirements. The team will also identify where and how Ecology can provide support for the jurisdiction to make progress towards meeting the ORCA requirements.

Ecology will work with the jurisdiction to identify and gather relevant information, contacts, or other resources. The jurisdiction will bring this information to a subsequent meeting within the first year of the jurisdiction’s waiver. Discussions will center around identifying strategies to support the jurisdiction meeting the ORCA requirements and eliminating the need to apply for a waiver again.

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 meetings, Ecology will meet with the jurisdiction on an ongoing basis. We expect meeting every six months during the waiver period. The frequency of these check-in meetings may change over time based on the needs of the impacted jurisdiction.

If Ecology denies a Service 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.

⁷ A maximum of five years

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.

Based on a case law example⁸ from our 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 supporting evidence 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 six months to provide ongoing technical assistance	The jurisdiction that implements a SWMP and Ecology		Ecology will schedule the technical assistance check-in meetings with respective parties.

⁸ See, e.g., *Securities & Exchange Commission v. Chenery Corporation*, 332 U.S. 194, 202 (1947)

Definitions

Criteria: the reason(s) your ORCA impacted area(s) are unable to meet the requirements. These are the reasons for applying for a waiver:

1. The distance to an organics management facility.
2. There is no capacity at an organics management facility, transfer station, or reload facility.
3. Organics collection is economically infeasible to provide and for ratepayers to pay.
4. Restrictions on the transport of organic materials due to apple maggot quarantine boundaries ([Chapter 17.24 RCW](#))