

## **Organics System Mapping and Policy Report**

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November 2025



**King County**

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## II. Proviso Text

Ordinance 19861, Section 109 Solid Waste, Department of Natural Resources and Parks, Proviso P2<sup>1</sup>

P2 PROVIDED THAT:

Of this appropriation, \$500,000 shall not be expended or encumbered until the executive transmits an organics system mapping and policy report and a motion that should acknowledge receipt of the organics system mapping and policy report, and a motion acknowledging receipt of the organics system mapping and policy report is passed by the council. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and body of the motion.

To further the council's understanding, in support of the county's zero waste goal, the organics system mapping and policy report should include information regarding the flow of organic materials in the county's regional solid waste system, identification of regulatory and compliance gaps in the system, and recommended policy and program changes to make further progress toward the zero waste and other solid waste system goals.

The organics system mapping and policy report shall include, but not be limited to:

A. A comprehensive analysis that maps or otherwise depicts or describes the various ways organic materials flow through the county's solid waste system. The analysis shall:

1. Identify the different types of generators of organic materials that exist in the system and the applicable regulations regarding collection and management of organics for each generator type. This part of the analysis shall include all relevant federal, state, county, and city regulations concerning organics collection and management and take into account the city-by-city differences in collection contracts and city codes. The party responsible for enforcement of each regulation shall also be identified;

2. List all known entities that provide collection or management services for organic materials generated in the county's regional solid waste system. For each entity or type of entity, the report shall also identify all applicable federal, state, county, and city regulations regarding the collection or management of organics, as well as the regulations that pertain to flow control and in support of diversion of organics to other uses besides landfilling. The regulations may include, but are not limited to, source separation of organics, quality assurance standards for organic materials contained in city contracts or city codes, and minimization of contamination. The entities providing collection or management entities may include, but are not limited to, composting facilities, anaerobic digestion facilities, haulers, and self-haulers.

3. Identify the party responsible for enforcement of each regulation identified in subsection 2 shall include any known performance data for each entity that illustrates the solid waste system's success at diverting organics from being landfilled, such as the facility's residual rate, which refers to the proportion of materials that is disposed due to contamination or other reasons;

4. Identify any areas in the system where significant leakage of organic materials may be occurring. For the purposes of this proviso, "leakage" refers to organic materials not being managed in accordance with existing applicable regulations, either by intention or accident. For example, if a city contract directs all organic materials collected within its jurisdiction to a designated facility, leakage in this example could be organic materials that are taken to a

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<sup>1</sup> Ordinance 19861 [[LINK](#)]

different facility. That section of the analysis shall also include the potential ways in which the applicable regulatory entities would know or find out about possible instances of leakage.

5. Include an evaluation that identifies potential regulatory and compliance gaps at the federal, state, county, and city levels that are potentially hindering the county's efforts on zero waste. This portion of the analysis shall also include the generator types, or subtypes as appropriate, where significant noncompliance may exist; and

6. Identify where any information requested in subsection A.1. through 5. of this proviso are not available, along with the reason or reasons why it is unavailable;

B. A review of the best practices in the flow control of and management of organic materials as they pertain to zero waste efforts. The review of best practices shall include the consultation of, or review of materials produced by the United States Composting Council, the Washington Organics Recycling Council, at least one organics processor located in King County, and relevant environmental nonprofits with recommendations on source separation policies; and

C. Recommended actions and policies the county could take to improve the flow control of organic materials, the diversion of organics from landfilling, and otherwise make progress towards the county's zero waste goal as relates to organic materials.

The executive should electronically file the organics system mapping and policy report by December 15, 2025, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the transportation, economy, and environment committee or its successor.

### **III. Executive Summary**

In response to a proviso included in Ordinance 19861, the King County Solid Waste Division (SWD) contracted with Cascadia Consulting Group, LLC, to produce a flow control analysis for organic materials in the County's regional solid waste system. Organic materials include yard waste, food waste, and other organic materials, such as paper products.

In this context, "flow control" refers to the methods used by governmental entities to control the disposition of waste generated within their jurisdictions. The analysis included in this report covers policies, ordinances, regulations, contracts, and agreements pertaining to flow control of organics.

The three types of generators of organic materials are single-family residents, multifamily residents, and commercial entities. In a waste characterization study conducted by King County in 2022, the majority of inbound organics, 86 percent, were from residential curbside collection.<sup>2</sup>

#### **Federal, State, County, and City Regulations Pertaining to Organics**

**Federal:** While several federal regulations set requirements relating to organics management, most requirements are set at the state and local levels. The Resource Conservation and Recovery Act is the federal law that most directly covers solid waste management.<sup>3</sup> The act provides guidelines for states

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<sup>2</sup> 2022 King County Waste Characterization and Customer Survey Report [[LINK](#)]

<sup>3</sup> Resource Conservation and Recovery Act [[LINK](#)]

developing comprehensive solid waste management plans to identify strategies for managing solid waste and conserving resources.

**State:** Under Washington State's Organics Recycling Collection Area (ORCA) requirements, jurisdictions (with some exemptions) must provide organic waste collection service to all single-family residents.<sup>4</sup> By April 1, 2030, (1) the collection service must include food waste and (2) all single-family residents must use this source-separated organic waste collection service. Beginning on April 1, 2027, state law will require that jurisdictions provide year-round, source-separated organic solid waste collection services for all single-family residents and nonresidential customers that generate more than 0.25 cubic yards of organic waste per week.

For multifamily residences, jurisdictions submitting a draft solid waste management plan after July 1, 2026, must include programs and a timeline to require the collection of source-separated organic waste from multifamily residents. For both single-family and multifamily residences, the law prohibits jurisdictions from imposing penalties on an individual for the improper disposal of organic waste in a noncommercial or residential setting.

Applicable to commercial generators, Washington's Business Organic Management Area (BOMA) requirements state that businesses must sign up for and use organics collection services or manage their organic waste by other methods.

**County:** The King County Code (KCC) Chapter 10.18 requires that jurisdictions provide yard waste collection services for single-family residents and multifamily properties in the County's unincorporated service areas.<sup>5</sup> Participation is not required, but yard waste cannot be put in single-family garbage carts, so single-family residents can either subscribe to organics service, compost yard waste on site, or self-haul yard waste to a transfer station. There is no enforcement other than reporting requirements for haulers.

**City:** The North Bend, Pacific, and Shoreline city codes all require single-family residents and multifamily properties to pay for organic waste collection services but do not require use of service.<sup>6</sup> Algona, Bothell, and Snoqualmie require single-family residents and multifamily properties to use organic waste collection services.<sup>7</sup> The City of Burien requires only food service establishments to use organic waste collection services.<sup>8</sup>

### Collection and Management Services and Associated Regulations

County residents and businesses can discard their organic waste in two ways: 1) set out all organic material for pick-up through a curbside collection program or 2) self-haul yard waste and clean wood to one of the six County-owned transfer facilities that accepts these materials.

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<sup>4</sup> Registered Code of Washington (RCW) 70A.205.540 [[LINK](#)]

<sup>5</sup> King County Solid Waste Code, Chapter 10.18 [[LINK](#)]

<sup>6</sup> North Bend City Code 8.12 [[LINK](#)]; Pacific City Code 14.02 [[LINK](#)]; Shoreline City Code 13.14 [[LINK](#)]

<sup>7</sup> Algona City Code 8.04 [[LINK](#)]; Bothell Municipal Code 8.2 [[LINK](#)]; Snoqualmie City Code 8.12 [[LINK](#)]

<sup>8</sup> Burien City Code 8.15 [[LINK](#)]

Residential curbside collection programs vary throughout the county by cost structure, hauler type, and service level. Three commercial haulers — Recology, Waste Management, and Republic Services — collect the majority of residential curbside organic waste, either through direct contract with a municipality or through a permit administered by the Washington Utilities and Transportation Commission.

Nonresidential organic waste is collected by the three primary residential haulers, as well as Divert and Cedar Grove Composting. In general, nonresidential curbside collection follows the same format as residential collection programs.

After collection, commercial haulers deliver both residential and nonresidential curbside-collected organics to various composting facilities in the county and region. During processing, waste material is sorted and separated. Non-compostable materials, called “residuals” are hauled to the County’s Cedar Hills Regional Landfill for disposal.

### **State Processing and End Market Regulation**

Standards for composting facilities under RCW 173.350.220 include permit requirements, design, operating procedures, and closure plans.<sup>9</sup> They apply to facilities that process organic materials through composting, including those that may distribute composted material off site.

#### *Compost Procurement*

Under RCW 43.19A.150, certain cities and counties are required to adopt compost procurement ordinances.<sup>10</sup> Cities and counties must plan to use compost for landscaping, construction and post-construction soil amendments, erosion and stormwater runoff mitigation, vegetation growth, roadway management, and green infrastructure.

King County compliance. In 2022, King County added a new chapter to KCC Title 18 that includes a compost procurement ordinance.<sup>11</sup> The ordinance requires that certain County projects use compost and sets up regular reporting of compost use to Ecology.

In 2022, King County published the Re+ Strategic Plan, outlining strategies to minimize the amount of recoverable waste, including organics waste, that ends up in the landfill.<sup>12</sup> Strategies include grants for King County cities to implement zero-waste solutions for target materials, such as food and yard waste; technical support to businesses on food waste diversion and management, and engaging community members to increase access to waste diversion in multifamily buildings.

### **Leakage of Organic Materials**

“Leakage” refers to organic materials not being managed in accordance with regulations, either by intention or accident. Two identified sources of leakage are:

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<sup>9</sup>RCW 173.350.220 [[LINK](#)]

<sup>10</sup> RCW 43.19A.150 [[LINK](#)]

<sup>11</sup> KCC Chapter 18.30 [[LINK](#)]

<sup>12</sup> King County Solid Waste Division Re+ Strategic Plan [[LINK](#)]

- Generators may be discarding their organic materials into garbage or recycling bins, and thus they are lost in the garbage or recycling stream.
- Haulers may send collected organic materials to unknown organic materials management facilities. While these organic materials may be processed through organic materials management means, they are considered a leakage.

King County conducted a year-long waste characterization study in 2022 that helped identify the amount of compostable organics being disposed (thrown out as garbage) by generators.<sup>13</sup> Overall, compostable materials accounted for 26 percent of the commercially collected waste disposed in King County in 2022.

### **Potential Regulatory and Compliance Gaps**

**State level:** The law does not include any enforcement mechanism to ensure that jurisdictions provide organic collection services to all single-family residents. Moreover, the law prohibits jurisdictions from imposing penalties on an individual for improper disposal in a noncommercial or residential setting.

The requirements for commercial generators include some enforcement methods, but do not provide detail regarding an enforcement schedule nor how the enforcement entities will determine when a commercial generator is not in compliance.

**County level:** The King County Solid Waste Code does not describe any enforcement methods to ensure yard waste collection services are provided for all single-family and multifamily residents in the county's unincorporated areas. The law does not mandate participation from single-family and multifamily residents.

**City level:** Of the 37 cities in King County that were evaluated, 16 have mandatory service-level requirements for garbage service, but only seven require that residents subscribe to organics collection services. Of these seven, only three require properties to use these services.

### **Best Practices**

Recommendations regarding best practices have been identified by Zero Waste Washington, and encapsulate national, state, and regionally applicable approaches.<sup>14</sup> They include:

- Ensure high-quality feedstock for the organic materials management industry and incorporate appropriate backstops as part of policy development.
- Require municipalities to include partner educational and outreach programs in their contracts with service providers and other collaborators to reduce contamination.
- Regionally standardize local government contracting processes with organic materials management facilities.
- Encourage municipalities to pilot pay-as-you-throw collection systems based on weight instead of volume for commercial collection.

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<sup>13</sup> 2022 King County Waste Characterization and Customer Survey Report [[LINK](#)]

<sup>14</sup> Zero Waste Washington. Improving Organic Materials Management in Washington State. [[LINK](#)]

## Information Requested but Not Available

Some information requested in the proviso is not available because it does not currently exist, for example where regulations are silent regarding enforcement. One significant item that likely exists but is not available is information on the residual rate for organics from Cedar Grove, King County's main organic processing facility, which takes most of the County's organic materials.

## Recommendations

It should be noted that any changes in Code provisions or policy would be vetted in collaboration with the County's interlocal agreement partners, the Metropolitan Solid Waste Advisory Committee, and the Solid Waste Advisory Committee prior to the submittal of any proposed policy to the Executive and County Council for approval.

### *Update Definitions and Reporting*

Clarify what constitutes organics, residuals, and recyclable materials, and require haulers and facilities to provide detailed data on tonnages and contamination.

### *Prevent Leakage*

Prevent actions that lead to organics being mismanaged or residuals bypassing the County's flow control framework; this includes generators placing organics in a garbage or recycling bin, or haulers sending organic waste to be processed outside King County.

### *Ensure Fair Cost Recovery*

Explore the potential for requiring facilities that dispose of residuals outside King County to remit to King County the difference in tipping fees, thus maintaining their operational flexibility while ensuring fairness.

The report includes recommendations for changes to KCC Title 10 that would facilitate the improvements listed above.

## Conclusion/Next Steps

More steady progress is needed toward the County's zero waste goal. New policies and strategies to properly manage recoverable waste, including organics, as well as accountability among all interested parties are needed.

Through potential changes in Code definitions, reporting requirements, and enforcement, and in collaboration with partner cities and other interested parties, King County has the opportunity to significantly improve flow control and recovery of organics.

## IV. Background

**Department Overview:** The King County Department of Natural Resources and Parks (DNR) works in support of sustainable and livable communities and a clean and healthy natural environment. Its mission is to foster environmental stewardship and strengthen communities by providing regional parks,

protecting the region's water, air, land, and natural habitats, and reducing, safely disposing of, and creating resources from wastewater and solid waste.<sup>15</sup>

The Solid Waste Division (SWD) of DNR provides garbage transfer and disposal as well as recycling services for approximately 1.3 million residents and 660,000 employees in King County. The King County solid waste system serves a large unincorporated area and 37 of the 39 cities in King County.<sup>16</sup>

**Key Historical Conditions:** King County's Zero Waste of Resources goal is to reduce, reuse, and prevent waste wherever possible, and to divert recyclable materials away from the landfill.

Food and yard waste have significant environmental and economic value when properly processed. A significant amount of food that ends up in the landfill is edible and could have been redistributed to people facing food insecurity. Moreover, as garbage, this wasted food has the potential to emit 60,400 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>e) into the atmosphere, further contributing to climate change.

**Key Current Conditions:** Up to 70 percent of the materials sent to the County's Cedar Hills Regional Landfill (CHRLF) are recyclable, and about 30 percent of those materials consist of food and yard waste (organics).<sup>17</sup>

Preventing 75 percent of that recyclable material from entering the waste stream would divert 450,000 tons from the landfill and eliminate approximately 600,000 metric tons of greenhouse gas emissions annually.<sup>18</sup> This would also reduce the need for natural resources to create new products. The federal Environmental Protection Agency calculates that diverting 450,000 tons of waste to recycling facilities could also add 500 green jobs to the regional economy.<sup>19</sup>

Without intervention, waste and its associated greenhouse gas emissions will increase as the county's population grows, and the CHRLF will be full by 2040. SWD's Re+ program is designed to address these issues.

As part of its Waste Monitoring Program, King County conducted a year-long waste characterization study and customer survey in 2022.<sup>20</sup> The results of this study can be used to understand how much compostable organic material is being thrown away as garbage in King County.

Overall, compostable materials accounted for 26 percent of the commercially collected waste that ended up in the landfill in King County in 2022. Recoverable compost — material that would be compostable if it were recovered from the total waste disposed — included 18 percent food waste, of

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<sup>15</sup> Department of Natural Resources and Parks [[LINK](#)]

<sup>16</sup> About the Solid Waste Division [[LINK](#)]

<sup>17</sup> 2022 King County Waste Characterization and Customer Survey Report [[LINK](#)]

<sup>18</sup> King County Waste Monitoring Program, 2019 Waste Characterization Study [[LINK](#)]

<sup>19</sup> King County Solid Waste Division Re+ Strategic Plan [[LINK](#)] (original EPA reference no longer available)

<sup>20</sup> 2022 King County Waste Characterization and Customer Survey Report [[LINK](#)]

which 69 percent was potentially edible; thus, 12 percent of overall waste was potentially edible food waste.<sup>21</sup>

Compostable materials accounted for 35 percent of commercially collected residential waste generators. Food waste accounted for 25 percent of that, with 17 percent identified as potentially edible.

Compostable material accounted for 6 percent of self-haul waste, with food waste accounting for 1 percent of self-haul waste, 80 percent, of which was identified as potentially edible.

**Report Methodology:** SWD contracted with Cascadia Consulting Group, LLC (Cascadia), to produce a flow control analysis for organic materials in the County's regional solid waste system. Organic materials include yard waste, food waste, and other organic materials, such as paper products.

In this context, "flow control" refers to the methods used by governmental entities to control the disposition of waste generated within their jurisdictions. The analysis included in this report covers policies, ordinances, regulations, contracts, and agreements pertaining to flow control of organics.

In addition to research on these topics, Cascadia reviewed the city codes and hauling contracts of the 37 cities in the King County solid waste system for information regarding enforcement of city codes related to organics. They also reviewed best practices shared by the US Composting Council, Washington Organics Recycling Council, and Zero Waste Washington.<sup>22,23,24</sup>

## V. Report Requirements

This report is organized to align with the requirements of the proviso.

### A. A comprehensive analysis that maps or otherwise depicts or describes the various ways organic materials flow through the county's solid waste system.

#### A.1. Types of generators of organic materials and applicable regulations

The three types of generators of organic materials are single-family residents, multifamily residents, and commercial entities. Organics waste generators in the commercial sector include food and beverage manufacturing companies, grocers and food retailers, restaurants, food shelters, universities, farms, gardening and landscaping companies, airports, and hotels.

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<sup>21</sup> To further break down these data between commercially collected nonresidential and residential generators: (1) For commercially collected nonresidential waste generators, compostable materials accounted for 29 percent of waste, with food waste accounting for 19 percent, and 14 percent identified as potentially edible. (2) For commercially collected residential waste, compostable materials accounted for 35 percent, food waste accounted for 25 percent, and 17 percent was identified as potentially edible.

<sup>22</sup> US Composting Council [[LINK](#)]

<sup>23</sup> Washington Organics Recycling Council [[LINK](#)]

<sup>24</sup> Zero Waste Washington [[LINK](#)]

As reported in the 2022 King County Organics Characterization Report, the majority of inbound organics (86 percent) came from residential curbside collection, 3 percent came from nonresidential sources, and 11 percent was self-hauled to County-owned transfer stations for recovery. Of the overall organic waste, 94 percent was acceptable compostable material, while 6 percent was comprised of residuals, or the waste materials (e.g., garbage) left over after compostable materials have been processed.

Generally, organics management is covered under state and local regulations. The federal law that most directly covers solid waste management is the Resource Conservation and Recovery Act (RCRA).<sup>25</sup> The act provides guidelines for states developing comprehensive solid waste management plans to identify strategies for managing solid waste and conserving resources. The organics waste management requirements set by Washington State, King County, and the cities within King County do not violate any requirements set by these federal regulations, and thus are effectively the enforcement mechanisms for federal law. Enforcement is discussed in more detail in Section A.3.

State, county, and city regulations applicable to the three types of generators are outlined below.

### **Washington State Organics Recycling Collection Area (ORCA) Requirements<sup>26</sup>**

#### *Single-family residences*

Under the ORCA requirements, jurisdictions must provide organic waste collection service to all single-family residents. Some jurisdictions and unincorporated areas are exempt based on factors, such as population size, annual solid waste generation amounts, and Urban Growth Area designations.

ORCA requirements also direct that by April 1, 2030:

- the collection service must include food waste
- all single-family residents must use this source-separated organic waste collection service

#### *Multifamily residences*

Effective July 27, 2025, jurisdictions submitting a draft solid waste management plan after July 1, 2026, must include programs and a timeline to require the collection of source-separated organic waste from multifamily residents. Initially, the requirements will apply to newly constructed or substantially remodeled multifamily residential buildings.

### **Washington State Business Organic Management Area (BOMA) Requirements<sup>27</sup>**

#### *Commercial generators*

This law requires businesses to sign up for and utilize organics collection services, manage their organic waste on site, self-haul for organics material management, or sell or donate their food or fiber waste to another business. This requirement will increase the number of businesses that must comply by lowering the weekly organic waste generation threshold.

Jurisdictions or areas within a jurisdiction can be exempted if they can prove that they do not have the collection and processing capacity. An amendment that took effect July 27, 2025 requires the

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<sup>25</sup> Resource Conservation and Recovery Act [[LINK](#)]

<sup>26</sup> Registered Code of Washington (RCW) 70A.205.540 [[LINK](#)]

<sup>27</sup> RCW 70A.205.545 [[LINK](#)]

Washington Department of Ecology (Ecology) to publish an inexhaustive list of businesses that would likely be required to manage organic materials according to this law.

### **King County Solid Waste Code**

#### *Single-family and multifamily residences*

The King County Code (KCC) Chapter 10.18 requires that jurisdictions provide yard waste collection services for single-family residents and multifamily properties in the county's unincorporated service areas.<sup>28</sup> Participation is not required, but yard waste cannot be put in single-family garbage carts, so single-family residents can either subscribe to organics service, compost yard waste on site, or self-haul yard waste to a transfer station.

If deemed feasible by the Director of SWD, certificated haulers can also collect food waste and soiled paper.

### **North Bend, Pacific, and Shoreline City Codes**

These cities all require single-family residents and multifamily properties to pay for organic waste collection services but do not require use of service.<sup>29</sup>

### **Algona, Bothell, and Snoqualmie City Codes**

These cities require single-family residents and multifamily properties to use organic waste collection services.<sup>30</sup>

### **Burien City Code**

The City of Burien requires only food service establishments to use organic waste collection services.<sup>31</sup>

## **A.2. Entities that provide collection or management services for organic materials generated in the county's regional solid waste system and applicable regulations, including those pertaining to flow control**

### **Collection and Management Services**

County residents and businesses can discard their organic waste in two ways: 1) set out all organic material for pick-up through a curbside collection program or 2) self-haul yard waste and clean wood to one of the six County-owned transfer facilities that accepts these materials.

The County facilities with yard waste and clean wood collection programs are the Bow Lake, Enumclaw, Factoria, Shoreline, and Vashon recycling and transfer stations and the Cedar Falls Drop Box. The Vashon Recycling and Transfer Station also accepts food waste since there is no curbside organics collection service available on Vashon Island.

Residential curbside collection programs vary throughout the county by cost structure, hauler type, and service level. In some jurisdictions, curbside service is provided automatically with garbage collection

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<sup>28</sup> King County Solid Waste Code, Chapter 10.18 [[LINK](#)]

<sup>29</sup> North Bend City Code 8.12 [[LINK](#)]; Pacific City Code 14.02 [[LINK](#)]; Shoreline City Code 13.14 [[LINK](#)]

<sup>30</sup> Algona City Code 8.04 [[LINK](#)]; Bothell Municipal Code 8.2 [[LINK](#)]; Snoqualmie City Code 8.12 [[LINK](#)]

<sup>31</sup> Burien City Code 8.15 [[LINK](#)]

and an organics cart is supplied by default with no additional cost (embedded service). In other jurisdictions, customers need to request an organics cart and collection service at additional cost (subscription service).

Three commercial haulers — Recology, Waste Management, and Republic Services — collect the majority of residential curbside organic waste, either through direct contract with a municipality or through a permit administered by the Washington Utilities and Transportation Commission. The City of Enumclaw and the Town of Skykomish each manage their own organics collections and do not use a commercial hauler. Some cities do not address organics collection management in their codes. Appendix A provides a summary of current city regulations and contracts.

Nonresidential organic waste is collected by the three primary residential haulers, as well as Divert and Cedar Grove Composting. In general, nonresidential curbside collection follows the same format as residential collection programs. The main differences are in how businesses contract with haulers and how tons of organic waste are reported to the County. The majority of jurisdictions allow open markets for nonresidential organics collection, meaning that businesses may contract directly with commercial haulers instead of joining a municipality-wide program. King County does not require these open-market haulers to report how many tons of organics they collect from nonresidential sources. Reporting is only required for organics collected from small nonresidential entities covered under a franchise agreement between a city and a hauler.

After collection, commercial haulers deliver both residential and nonresidential curbside-collected organics to the Cedar Grove Composting facilities in Maple Valley and Everett, the Lenz Enterprises processing facility in Stanwood, and other smaller-scale composting entities throughout the county.

Cities contracting with Recology and Republic have their residential organics hauled to Cedar Grove. Waste Management hauls to Cedar Grove, North Mason Fiber, Lenz, and DTG for organics processing. Residents who haul their own organics generally take them to the transfer stations that have organics service or to Cedar Grove. County-owned trucks also haul organics collected at transfer stations and the Cedar Falls Drop Box to these facilities.

During processing, waste material is sorted and separated. Preprocessing collected organics for composting may include removing waste contained in plastic bags, removing ferrous metals using magnets, and grinding and mixing collected waste to optimize the composting process. At Cedar Grove facilities, compost also undergoes a final screening at the end of the composting process to remove plastics or other inorganic contaminants. This material makes up the “residuals” stream and is hauled to the County’s CHRLF for disposal.

Residuals are separated after organics from multiple jurisdictions are combined. Therefore, residuals could include material collected from outside King County. Most accepted material is converted to compost, mulch, and other landscaping material using aerated static piles, while a small amount is transformed into biogas through anaerobic digestion.

Seattle's contract with Lenz requires that the city, at no cost to Lenz, pick up and dispose of contaminants sorted from material delivered under the city's contract. There is no information available regarding where Lenz (Snohomish County), DTG (Kitsap County), and North Mason Fiber (Mason County)

dispose of residuals, but it is unlikely that they transport residuals back to King County without a contract similar to Lenz's, a financial incentive, or enforced requirements.

## Federal Regulations

While several federal regulations set requirements relating to organics management, most requirements are set at the state and local levels. As previously mentioned, RCRA is the federal law that most directly covers solid waste management. The act provides guidelines for states developing comprehensive solid waste management plans to identify strategies for managing solid waste and conserving resources.

Federal regulations relating specifically to food waste include:

- The Food Donation Improvement Act, which provides civil and criminal liability protection to food donors and donated food recipient organizations.<sup>32</sup>
- Protecting Americans from Tax Hikes (PATH) Act, which provides tax incentives to businesses for donating food.<sup>33</sup>
- The Organic Foods Production Act, which regulates organic crop production. The act allows compost feedstocks, such as newspapers or other recycled paper without glossy or colored ink, to be used in organic crop production. It also authorizes each state to establish their own program to regulate the production and handling of organic agricultural products within each state.<sup>34</sup>
- A combination of federal animal feed policies (Swine Health Protection Act, U.S. Food and Drug Administration Bovine Spongiform Encephalopathy/Ruminant Feed Ban Rule, the Food Safety Modernization Act) regulates the use of food scraps in animal feed to reduce disease outbreaks.<sup>35, 36, 37</sup>

Notably, organics waste management requirements set by Washington State, King County, and the cities within King County do not violate any requirements set by these federal regulations.

## State Regulations

### *Planning Regulations*

Washington state law requires counties to prepare comprehensive solid waste management plans that include strategies for the source separation of organic waste by generators, collection and processing of source-separated organic waste for organic materials management, and organic waste reduction.<sup>38</sup> As part of this requirement, each county must determine the volumetric capacity of its organic materials management facility needed to manage the county's generated organic waste and identify the priority

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<sup>32</sup> Food Donation Improvement Act [[LINK](#)]

<sup>33</sup> Protecting Americans from Tax Hikes [[LINK](#)]

<sup>34</sup> Organic Foods Production Act [[LINK](#)]

<sup>35</sup> Swine Health Protection Act [[LINK](#)]

<sup>36</sup> Bovine Spongiform Encephalopathy/Ruminant Feed Ban Rule [[LINK](#)]

<sup>37</sup> Food Safety Modernization Act [[LINK](#)]

<sup>38</sup> RCW 70A.205.040 [[LINK](#)]

areas for the establishment of organic materials management facilities. Cities within each county must either: 1) deliver their own plans for the county to integrate into its comprehensive plan, 2) enter into an agreement with the county to prepare a joint city-county plan, or 3) authorize the county to prepare a plan for the city.

#### *Flow-Control Regulations*

##### **Collection**

**ORCA requirements.** Beginning on April 1, 2027, state law will require that jurisdictions provide year-round, source-separated organic solid waste collection services for all single-family residents and nonresidential customers that generate more than 0.25 cubic yards of organic waste per week.<sup>39</sup> All collected organic waste must be processed by composting, anaerobic digestion, vermiculture, black soldier fly, or similar technologies.<sup>40</sup>

Jurisdictions submitting a draft solid waste management plan after July 1, 2026, must include programs and a timeline to require the collection of source-separated organic waste from multifamily residents. Initially, the requirement will apply to newly constructed or substantially remodeled multifamily residential buildings. Other multifamily buildings may receive a waiver, if the jurisdiction determines that the building does not have adequate storage capacity or the option of sharing containers with an adjacent multifamily building or business.

Additional requirements for single-family and nonresidential customers will come into effect on April 1, 2030. Jurisdictions not already accepting food waste as part of their organic solid waste collection services must collect food waste, either source-separated or comingled with other organic materials. Jurisdictions must also provide the services on a nonelective basis to customers that receive other curbside solid waste collection services, unless the customer manages their organic waste on site or self-hauls their organic waste for organic materials management. All single-family and nonresidential customers must use this source-separated organic waste collection service if disposing of their organic waste through curbside collection.

The requirements in this law do not apply to jurisdictions with population sizes or annual solid waste generation amounts under the specified thresholds. Unincorporated areas within King County are exempt if they are:

- Outside of the urban growth areas that King County identified in compliance with the Growth Management Act (RCW 36.70A.110)<sup>41</sup>
- Inside urban growth areas and provide source-separated organic waste collection service to either all single-family residents or nonresidential customers that generate more than 0.25 cubic yards of organic waste per week, or

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<sup>39</sup> RCW 70A.205.040 [[LINK](#)]

<sup>40</sup> Anaerobic digestion is a process through which bacteria break down organic matter, such as animal manure, wastewater biosolids, and food wastes, in the absence of oxygen. Vermiculture uses earthworms to decompose organic waste into nutrient-rich fertilizer called “castings.” Black soldier fly larvae are among the most efficient organisms at converting biomass into feed and are used in composting.

<sup>41</sup> Urban growth area [[LINK](#)] Note: this map excludes part of east King County but most clearly shows the Urban Growth Area boundaries.

- Inside urban growth areas with an unincorporated population of fewer than 25,000 residents.

**BOMA requirements.** Certain businesses are required to sign up for and use organics collection services, manage their organic waste on site, self-haul the waste for organics material management, or sell or donate their food or fiber waste to another business. Since 2024, Washington State has been expanding the number of businesses that would need to meet this requirement in a phased approach.

- In 2024, the requirement applied to businesses generating at least eight cubic yards of organic waste per week.
- In 2025, the requirement applies to businesses generating at least four cubic yards per week.
- In 2026, it will apply to businesses generating at least 96 gallons per week.

Certain types of organic waste, such as donated food or organic waste managed on site, are not counted toward the minimum weekly generation thresholds. In addition, the law does not apply to businesses in jurisdictions or areas within a jurisdiction that do not have organics waste collection and processing capacity.<sup>42</sup> Cities and counties will be responsible for providing documentation showing lack of capacity. Ecology will confirm whether to exempt businesses within a jurisdiction or an area within a jurisdiction and will make the full list of exempt jurisdictions or areas available on its website.

On July 27, 2025, an amendment took effect that requires Ecology to publish an inexhaustive list of businesses that would likely be required to manage organic materials according to the BOMA requirements and share its methodology for deciding which businesses are included. Ecology is authorized to request information for the list from solid waste collection companies.

#### **Processing**

Standards for composting facilities under RCW 173.350.220 include permit requirements, design, operating procedures, and closure plans.<sup>43</sup> They apply to facilities that process organic materials through composting, including those that may distribute composted material off site.

Facilities may be exempted from certain permitting requirements if they meet other requirements, such as:

- submitting a notice of intent to the jurisdictional health department that the facility intends to operate as a conditionally exempt facility
- conducting compost analysis, and
- providing reports and results of composted material analysis to Ecology and the jurisdictional health department.

#### ***End Market Regulation***

##### **Compost Procurement**

Under RCW 43.19A.150, certain cities and counties are required to adopt compost procurement ordinances.<sup>44</sup> Cities and counties must plan to use compost for landscaping, construction and post-

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<sup>42</sup> Business Organics Management Areas (BOMA) are published on Ecology's website [[LINK](#)]

<sup>43</sup> WAC 173-350-220 [[LINK](#)]

<sup>44</sup> RCW 43.19A.150 [[LINK](#)]

construction soil amendments, erosion and stormwater runoff mitigation, vegetation growth, roadway management, and green infrastructure.

King County compliance. In 2022, King County added a new chapter to KCC Title 18 that includes a compost procurement ordinance.<sup>45</sup> The ordinance requires that certain County projects use compost and sets up regular reporting of compost use to Ecology.

#### **Voluntary Reporting for Donated Food**

Under RCW 70A.205.550, Ecology may set up a voluntary reporting protocol to receive data from businesses that donate food or from recipients of the donated food.<sup>46</sup> The data could include the volumes, types, and timing of food generated and donated by the business.

#### **County Regulations and Plans**

##### ***Solid Waste Code***

Title 10 of the KCC pertains to solid waste.<sup>47</sup> Chapter 10.08 establishes that SWD is the operating authority for all solid waste facilities that the County owns or operates.<sup>48</sup> This regulation also requires solid waste facilities in King County, including organics management facilities, to operate in accordance with King County's comprehensive solid waste management plan.<sup>49</sup> All entities that collect solid waste must submit a monthly report to SWD with the total residential and commercial tonnage hauled to each King County solid waste facility, as well as tonnage data separated by cities, towns, or unincorporated service areas. They must also submit an annual forecast for the estimated residential and commercial tonnage and number of residential and commercial accounts, in total and by the separate cities, towns, or unincorporated service areas.

Chapter 10.14 sets a countywide goal to achieve zero waste by 2030.<sup>50</sup> The regulation establishes a waste reduction and recycling grant program, from which grants could potentially be awarded to cities participating in the County's solid waste system for projects improving opportunities for curbside collection and recycling or organic materials. The regulation also requires the County to consider its waste reduction and recycling goals when determining the size of future recovery facilities.

Chapter 10.18 requires that yard waste collection services be available for both single-family and multifamily residents in the county's unincorporated service areas.<sup>51</sup> If deemed feasible by the Director of the King County SWD, certificated haulers can also collect food waste and soiled paper, but participation is not mandatory. The organics collection service could include yard waste, other organics, and food waste, including paper products that contain food residue.

In areas where organic collection is offered, the yard and other organic waste shall be collected weekly. Even in areas where organics collection is not offered regularly, certificated haulers must collect yard

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<sup>45</sup> KCC Chapter 18.30 [[LINK](#)]

<sup>46</sup> RCW 70A.205.550 [[LINK](#)]

<sup>47</sup> KCC Title 10 [[LINK](#)]

<sup>48</sup> KCC Chapter 10.08 [[LINK](#)]

<sup>49</sup> King County Comprehensive Solid Waste Management Plan [[LINK](#)]

<sup>50</sup> [KCC](#) Chapter 10.14 [[LINK](#)]

<sup>51</sup> [KCC](#) Chapter 10.18 [[LINK](#)]

waste from participating single-family and multifamily residents at least twice per month from March through November and once a month from December through February.

#### *King County Comprehensive Solid Waste Management Plan*

As discussed above in Section A.2, Washington state law requires counties to prepare comprehensive solid waste management plans. King County prepared and adopted its most current Comprehensive Solid Waste Management Plan in 2019. The plan establishes waste prevention and recycling goals and strategies for the next six to 20 years, including continually working toward the goal of zero waste.

#### *Re+ Strategic Plan*

In 2022, King County published the Re+ Strategic Plan, outlining strategies to minimize the amount of recoverable waste, including organics waste, that ends up in the landfill. Strategies related to organics waste management include:

- Optimizing collection services for food and yard waste collection for all single-family households in King County
- Providing grants for King County cities to implement zero-waste solutions for target materials, such as food and yard waste
- Providing technical support to businesses on food waste diversion and management
- Engaging community members to gain insights into how the County can help increase access to waste diversion and reduction opportunities in multifamily buildings

### **A.3. Party responsible for enforcement of each regulation identified in subsection 2 and any known performance data**

#### **Federal Enforcement**

The organics waste management requirements set by Washington State, King County, and the cities within King County are consistent with requirements set by federal regulations, and thus are effectively the enforcement mechanisms for federal law. There is no direct federal enforcement of laws pertaining to organics.

#### **State Enforcement**

##### *Planning Regulations*

Pertaining to the preparation of comprehensive solid waste management plans, the law does not mention any enforcement mechanisms. However, Ecology is authorized to review all county comprehensive solid waste management plans for approval.

##### *Flow-Control Regulations*

##### *Collection*

ORCA requirements. The law prohibits jurisdictions from imposing penalties on an individual for the improper disposal of organic waste in a non-commercial or residential setting. No language is provided regarding enforcement measures for noncompliant jurisdictions and businesses.

The law requires that Ecology adopt new rules or amend existing rules to require all organic materials management facilities to obtain a solid waste handling permit to address contamination with incoming food waste feedstocks and finished products.

**BOMA requirements.** This law authorizes jurisdictional health departments to enforce the requirements and stipulates that the health departments provide at least two written notices of noncompliance before issuing a penalty.<sup>52</sup> This enforcement authority also extends to a jurisdiction implementing an independent solid waste management plan.

The amendment grants the same enforcement authority to a jurisdiction implementing an independent solid waste management plan and further details the enforcement methods. A jurisdictional health department or jurisdiction implementing the plan must first send a notification letter to inform the noncompliant business of the requirements, followed by a notice of violation before issuing any civil penalties. Beginning July 1, 2026, businesses remaining in noncompliance after receiving the notification letter and notice of violation will be subject to minimum penalties ranging from \$500 to \$1,000 for each day of violation, depending on whether the business is on its first, second, or third violation. The total civil penalty for a small business will be capped at \$10,000 for a calendar year.

#### **Processing**

Local health departments issue solid waste permits for composting facilities and are responsible for conducting inspections to ensure compliance with the regulations. Inspections occur at least annually for permitted facilities, as well as before issuing permits, permit renewals, or modifications.

Ecology plays a supporting role by setting the minimum functional standards for solid waste handling, including composting, in WAC 173-350.<sup>53</sup> The agency reviews permits issued by local health departments and can appeal decisions to the Pollution Control Hearings Board if it identifies issues of concern. Ecology also provides technical assistance and guidance to local governments.

If a composting facility is found to be operating in violation of WAC 173-350-220, the local health department has the authority to suspend or deny permits.<sup>54</sup> Violations can also lead to penalties. RCW 70.95 governs solid waste management, reduction, and recycling, and outlines potential penalties for violations.<sup>55</sup>

#### ***End Market Regulation***

##### **Compost Procurement**

Every year, cities and counties that adopt a compost procurement ordinance must report the total tons of organic waste diverted throughout the year, the facilities used for processing, the volume and cost of compost purchased throughout the year, and the sources of compost. The law does not identify any other enforcement methods.

#### **Voluntary Reporting for Donated Food**

Reporting from businesses that donate food would be voluntary, so there is no enforcement mechanism for this law.

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<sup>52</sup> RCW.70A.205.545 [[LINK](#)]

<sup>53</sup> WAC 173-350 [[LINK](#)]

<sup>54</sup> WAC 173-350-220 [[LINK](#)]

<sup>55</sup> RCW 70.95 [[LINK](#)]

## **County Enforcement**

### *Solid Waste Code, Chapter 10.08*

The County's health officer enforces this regulation. Noncompliance would constitute a misdemeanor punishable by jail time.

### *Solid Waste Code, Chapter 10.14*

This regulation is focused on setting the County's waste reduction intentions, so it is focused on program evaluation rather than enforcement. The regulation states that the Council will evaluate the effectiveness of the waste reduction and recycling program based on an annual report from SWD on progress toward the goal of zero waste by 2030 and objectives set in the solid waste management plan.

### *Solid Waste Code, Chapter 10.18*

Certified haulers must submit a monthly, quarterly, and annual report to SWD but there is no enforcement aside from reporting requirements.

The annual report is to include program highlights, a program evaluation component, and an annual tonnage forecast that estimates the total amount of solid waste tonnage for the current year. The quarterly report is to include collection service participation levels in the unincorporated service areas. The monthly report must include various metrics for customer participation levels and organic waste tonnage data. This tonnage data should summarize how much of the organic waste was sent to specific King County solid waste facilities. Certified haulers must share with SWD the number of customers that received notification tags or whose solid waste containers were not collected because they contained yard waste.

## **A.4. Areas in the system where significant leakage of organic materials may be occurring**

"Leakage" refers to organic materials not being managed in accordance with existing applicable regulations, either by intention or accident. There are two identified sources of leakage, each discussed below, followed by results of a year-long waste characterization study that further describes leakage of organic materials.

### **Generators Disposing of Organic Materials**

Generators may be littering or discarding their organic materials into garbage or recycling bins, and thus they are lost in the garbage or recycling stream. In unincorporated King County, certified haulers must submit monthly, quarterly, and annual reports to SWD that include collection service participation levels in the unincorporated service areas. They must also have available the number of customers who received notification tags or whose solid waste containers were not collected because they contained yard waste. The haulers must submit a monthly report with various metrics for customer participation levels and organics waste tonnage data.

Leakage of residuals (garbage or recyclable material) found in organic materials is also an issue, as it is not currently subject to King County's flow control policy. Due to this lack of regulatory authority, residue generated from King County organic material is often improperly processed (for example, processed outside of the county). Composting facilities are also not required to report data on residuals in their monthly reports. This prevents the County and cities from discovering leakage through reporting mechanisms.

Leakage of organic material from generators and haulers means that there is associated leakage of residuals. The residuals that are not transported back to King County also poses a loss in revenue.

### **Haulers Sending Materials to Unknown Facilities**

Haulers may send collected organic materials to unknown organic materials management facilities. While these organic materials may be processed through organic materials management means, they are considered a leakage.

In their monthly reports, certificated haulers for residential contracts in unincorporated King County must share their progress using various metrics for customer participation levels and organics waste tonnage data. These tonnage data should summarize how much of the organic waste is sent to an organic material processing facility.

Most of the city contracts require reporting of the tonnage of yard waste collected, and some contracts require the tonnage for each processing facility. Under their contracts, cities have the right to request scale tickets to verify that the tonnage received from composting facilities matched the tonnage data from the hauler's report. However, it is not known whether any cities are currently doing this.

### **Leakage Identified through Waste Characterization**

As part of the Waste Monitoring Program, King County conducted a year-long waste characterization study and customer survey in 2022. The results can be used to understand the amount of compostable organics being disposed by generators in King County.

The city contracts require source-separated compostables to be processed in a facility where the material is composted. During a procurement process, the hauler will state where it plans to drop materials for processing, but is allowed to change locations according to business needs. The amount of commercial organics garbage and recycling generated and leaked is not well known. Commercial contracts are open markets and haulers are not required to report the tons of materials collected from nonresidential generators.

Overall, compostable materials accounted for 26 percent of the commercially collected waste disposed in King County in 2022. Recoverable compost, which is material that would be compostable if it were recovered from the total waste disposed, included 18 percent food waste, of which 69 percent was potentially edible (12 percent of overall waste).

- Compostable materials accounted for 29 percent of waste from commercially collected *nonresidential* waste generators. Food waste accounted for 19 percent of commercially collected nonresidential waste, with 14 percent identified as potentially edible.
- Compostable materials accounted for 35 percent of commercially collected *residential* waste generators. Food waste accounted for 25 percent, with 17 percent identified as potentially edible.
- Compostable material accounted for 6 percent of self-haul waste. Food waste accounted for 1 percent of self-haul waste, of which 80 percent was identified as potentially edible.

## **A.5. Potential regulatory and compliance gaps at the federal, state, county, and city levels that are potentially hindering the county's efforts on zero waste.**

### **Potential State-Level Regulatory and Compliance Gaps**

#### *ORCA Requirements*

Generators falling under the ORCA requirements are single-family and multifamily residences. The law does not include any enforcement mechanism to ensure that jurisdictions provide organic collection services to all single-family residents. Moreover, the law prohibits jurisdictions from imposing penalties on an individual for improper disposal in a noncommercial or residential setting.

Because the requirement that all single-family residents participate does not take effect until April 1, 2030, there may be a significant number of single-family residents who are not participating before that date. The law does not include any method for enforcing this requirement.

As mentioned previously, effective July 27, 2025, jurisdictions submitting a draft solid waste management plan after July 1, 2026, must include programs and a timeline to require the collection of source-separated organic waste from multifamily residents. Initially, the requirements will apply to newly constructed or substantially remodeled multifamily residential buildings.

The law does not include any enforcement mechanism against jurisdictions that might not have the required programs and timelines in place.

#### *BOMA Requirements*

Applicable to commercial generators, this law includes some enforcement methods and the authorized enforcement parties but does not provide detail regarding an enforcement schedule nor how the enforcement entities will determine when a commercial generator is not in compliance. In addition, this requirement is only applicable to businesses in certain jurisdictions.

### **Potential County-Level Regulatory and Compliance Gaps**

The King County Solid Waste Code does not describe any enforcement methods to ensure yard waste collection services are provided for all single-family and multifamily residents in the county's unincorporated areas. The law does not mandate participation from single-family and multifamily residents.

### **Potential City-Level Regulatory and Compliance Gaps**

Of the 37 cities in King County that were evaluated, 16 have mandatory service-level requirements for garbage service, but only seven require that residents subscribe to organics collection services. Of these seven, only three require properties to use these services.

Enforcement is generally an area where many cities have an opportunity to develop more policies and procedures. Although it is not part of the King County solid waste system, the City of Seattle provides a good example of regulatory and enforcement gaps, even considering that it has the most detailed requirements. Seattle Public Utilities' policies regarding garbage containers contaminated with compostable (or recyclable) materials include the following:

- Seattle city ordinance notes that garbage bins must not contain more than 10 percent compostable and recyclable material.<sup>56</sup>
- A noncompliant container will be tagged as a warning and a notice mailed to the account. After two warnings, accounts may receive a \$50 fee on their waste bill for recyclables in the garbage.<sup>57</sup>

While the \$50 fee provides an enforcement mechanism, it is not documented in the city ordinance. This is similar to other cities, where there are mandates that compostables and recyclables be separated from garbage but no concurrent enforcement policies to fully implement the mandate.

#### **A.6. Information requested but not available**

Some information requested in the proviso is not available because it does not currently exist, such as where regulations are silent regarding enforcement.

One significant item that likely exists but is not available is information on the residual rate for organics from Cedar Grove, King County's main organic processing facility, which takes most of the county's organic materials. While there is information on organic tonnages sent to Cedar Grove, the residual rate by jurisdiction is not available.

#### **B. A review of the best practices in the flow control of and management of organic materials as they pertain to zero waste efforts**

The consultant reviewed best practices shared by the US Composting Council (USCC), Washington Organic Recycling Council (WORC), and Zero Waste Washington.<sup>58, 59, 60</sup> USCC and WORC best practices are focused largely on facility management and compliance with state regulations, e.g., feedstock blend ratios, contamination management related to feedstock quality, and stormwater runoff management requirements.<sup>61</sup> There were no materials on best practices available from a King County processing facility. Recommendations from the nonprofit Zero Waste Washington are listed below, as they provide similar but more detailed best practices and practices relevant to Washington:<sup>62</sup>

- Ensure high-quality feedstock for the organic materials management industry and incorporate appropriate backstops as part of policy development
- Require municipalities to include partner educational and outreach programs in their contracts with service providers and other collaborators to reduce contamination

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<sup>56</sup> Seattle Municipal Code Title III Chapter 21.36 [[LINK](#)]

<sup>57</sup> SPU, [Food Waste Requirements](#) [[LINK](#)]

<sup>58</sup> US Composting Council [[LINK](#)]

<sup>59</sup> Washington Organic Recycling Council [[LINK](#)]

<sup>60</sup> Zero Waste Washington [[LINK](#)]

<sup>61</sup> "Feedstock" is the organic material collected from generators and used as an input for a processing facility.

<sup>62</sup> Zero Waste Washington. Improving Organic Materials Management in Washington State. [[LINK](#)]

- Re-design permitting for composting facilities based on key performance indicator ranges in accordance with facility operation plans<sup>63</sup>
- Proactively define zoning for the development of organic materials management facilities
- Standardize the region's local government contracting processes with organic materials management facilities
- Encourage municipalities to pilot pay-as-you-throw collection systems based on weight instead of volume for commercial collection

## C. Recommended actions and policies to improve the flow control and diversion of organic materials and progress zero waste

It is important to note that these are preliminary recommendations based on research and analysis. Pursuit or adoption of actions and policies would be based on engagement with the community and interested parties, feedback, and analysis, as well as equity impact review.

### Recommended Actions and Policies

Stronger County policies for managing and tracking organic materials would ensure that organics are diverted from landfills. Current gaps in Code definitions and reporting create opportunities for leakage, where organics are not properly accounted for or managed.

It should be noted that any changes in Code provisions or policy would be vetted in collaboration with the County's Interlocal Agreement partners, the Metropolitan Solid Waste Advisory Committee, and the Solid Waste Advisory Committee prior to submittal of any proposed policy to the Executive and County Council for approval.

Following are recommendations for improving the flow control of organic materials, advancing the County's zero waste goal, and ensuring fairness and accountability.

#### *Update Definitions and Reporting*

Clarify what constitutes organics, residuals, and recyclable materials, and require haulers and facilities to provide detailed data on tonnages and contamination. Without clear authority over source-separated organics, the County cannot require accurate reporting or ensure proper handling of residuals.

#### *Prevent Leakage*

Prevent actions that lead to organics being mismanaged or residuals bypassing the County's flow control framework; this includes generators placing organics in a garbage or recycling bin, or haulers sending organic waste to be processed outside King County.

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<sup>63</sup> State regulations establish general limits for retention times, temperature measurements, and lab results for finished compost, rather than operational conditions. Facilities' operations plans provide detailed information about their throughput, retention times, location, and planned strategies and investments to capture and control emissions. These can be used to develop key performance indicator ranges for factors such as temperature, oxygen, pH, moisture content, and density. These parameters can be measured by staff and could ensure compliance of facility design parameters and environmental performance.

## Ensure Fair Cost Recovery

Explore the potential for requiring facilities that dispose of residuals outside King County to remit to King County the difference in tipping fees, thus maintaining their operational flexibility while ensuring fairness.

### Proposed Amendments to King County Title 10

#### Section 10.04.020 Definitions<sup>64</sup>

##### 10.04.020 RR. "Garbage"

Issue: Current definition excludes source-separated organics, creating system leakage.

Recommendation: Remove exception (1) "*Organics that have been source separated for the purpose of recycling*" from the "garbage" definition. This will allow King County to regulate source-separated organics.

##### 10.04.020 GGGG. "Recyclable Materials"

Issue: Compostable (yard waste, food waste) are categorized as recyclable materials, causing confusion.

Recommendation: Remove "composting," "yard waste," and "food waste" from this definition. Rely on existing definition of organics at 10.04.020 UUU: "*Organics*" means *yard waste, food waste, and soiled paper products determined by the division director to be acceptable for composting*.

##### 10.04.020 JJJ. "Materials Recovery Facility"

Issue: Current definition excludes composting facilities.

Recommendation: Update definition to include facilities processing source-separated organics for recycling and composting.

#### Residual Organic Waste

Issue: Not currently defined.

Recommendation: Add a definition similar to residual C&D waste: "*Residual organic waste*" means *non-compostable waste remaining after the composting process*.

#### 10.08.140 Reporting<sup>65</sup>

Recommendation: In addition to the solid waste collection entities cited, require organic waste processing facilities to report tonnages received and residuals generated monthly.

Proposed language would state that for any residuals disposed at non-King County approved facilities, the facilities will not be required to physically return residuals to King County. Rather, if residuals are disposed outside of the County, the facility must remit the difference between the out-of-county disposal cost and King County tipping fee back to King County. This ensures financial equity while allowing operational flexibility.

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<sup>64</sup> KCC Chapter 10.04 [[LINK](#)]

<sup>65</sup> KCC Chapter 10.08 [[LINK](#)]

#### 10.18.060 Reporting Requirements

Recommendation: Require hauling partners to report composting program participation, including:

1. Set-out counts per month, by route, and by service area<sup>66</sup>
2. Average tons of organic waste collected per month in each city and unincorporated service area
3. Data separated by sectors

#### Expected outcomes

Stronger definitions, reporting, and enforcement will ensure that more organics are composted, less volume goes to landfill, and progress toward zero waste is measurable and equitable. The County will better be able to manage performance with reliable reporting and stronger data. As new technologies and practices emerge, these updates will provide a fair, enforceable policy framework that can evolve with innovation.

### VI. Conclusion/Next Steps

With passage of the state organics management law, Washington has advanced its goal to reduce the volume of organic materials being disposed of in landfills. Likewise, through its Re+ program, King County has established robust strategies to minimize the amount of recoverable waste, including organics waste, that ends up in the County's landfill. Nevertheless, more steady progress is needed to meet the County's zero waste goal. New policies and strategies to properly manage recoverable waste, including organics, as well as accountability among all interested parties, are needed.

Quantifying, let alone preventing, leakage of organics is particularly challenging due to the lack of reporting requirements for haulers and organic processing facilities. In addition, many regulations pertaining to organics management are silent regarding enforcement.

Through potential changes in Code definitions, reporting requirements, and enforcement, and in collaboration with partner cities and other interested parties, King County has the opportunity to significantly improve flow control and recovery of organics.

### VII. Appendices

#### Appendix A- City Regulations and Contracts

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<sup>66</sup> Set-out counts are counts of the dwelling units that make the contents of their recyclable materials and yard waste collection containers available for collection.

City	Contract / WUTC	Collection Company	Contract Start Date	Contract Expiration	Extensions	Contract Extension Expiration	Mandatory Garbage Collection in City Code	Mandatory Organics Collection in City Code	City Solid Waste Code Link (Excluding KC Comp Plan, YW Ban, Utility Tax & CPO)	City Code Details Related to Organics	Mandatory Organics Collection in Contract	Hauler Support of Mandatory	Allowance of Service Stop of Organics Due to Non-payment	Mandatory Organics Collection Contract Notes	Contamination Tagging Required in Contract	Frequency of Organics Collection	SF Organics Rate Structure	MF/Comm Organics Rate Structure	
Enumclaw	City	City	-	-	-	-	Yes	No	<a href="#">8.12</a>	-	No Contract	-	-	-	-	EOW	Embedded	Subscription	
Skykomish	City	City	-	-	-	-	Yes	No	<a href="#">8.15</a>	-	No Contract	-	-	-	-	N/A	N/A	N/A	
Beaux Arts	WUTC	Republic	-	-	-	-	No	No	<a href="#">8.05</a>	-	No Contract	-	-	-	-	EOW	Subscription	Subscription	
Black Diamond	WUTC	Republic	-	-	-	-	No	No	N/A	-	No Contract	-	-	-	-	EOW	Subscription	Subscription	
Hunts Point	WUTC	Republic	-	-	-	-	No	No	<a href="#">8.30</a>	-	No Contract	-	-	-	-	EOW	Subscription	Subscription	
Kenmore	WUTC	Republic					No	No	N/A	-	No Contract	-	-	-	-	EOW	Subscription	Subscription	
Medina	WUTC	Republic	-	-	-	-	No	No	<a href="#">8.20</a>	-	No Contract	-	-	-	-	EOW	Subscription	Subscription	
Woodinville	WUTC	WM	-	-	-	-	No	No	N/A	-	No Contract	-	-	-	-	Varies	Subscription	Subscription	
Yarrow Point	WUTC	Republic	-	-	-	-	No	No	<a href="#">8.16</a>	-	No Contract	-	-	-	-	EOW	Subscription	Subscription	
Auburn	Contract	WM	10/01/21	09/30/31	N/A	09/30/31	Yes	No	<a href="#">8.08</a>	8.08.120 A. commercial and residential yard debris cannot be comingled with garbage/recycling. B. Compostables will not be accepted for pickup by a city-contracted service provider(s) if placed in plastic bags at curbside, or if the plastic bags containing compostables are placed in other approved containers for collection.	No Mandatory Organics Code	-	-	-	-	Yes	Weekly	Subscription	Subscription
Bellevue	Contract	Republic	06/29/14	06/30/21	1x7 years	06/30/28	No	No	<a href="#">9.26</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	Weekly	Embedded	Embedded
Carnation	Contract	Recology	01/01/13	12/31/20	2x2 years	12/31/24 (Contract extended, exact date unknown)	Yes	No	<a href="#">8.12</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	Weekly	Subscription	Subscription
Clyde Hill	Contract	Republic	07/11/21	06/30/29	1x7 years Mutual	06/30/36	No	No	<a href="#">8.28</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	Varies	Subscription	Subscription
Covington	Contract	Republic	07/01/13	06/30/22	2x2 years	06/30/26	Yes	No	<a href="#">8.15</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	EOW	Subscription	Subscription
Des Moines	Contract	Recology	01/01/24	10/31/33	N/A	10/31/33	No	No	<a href="#">7.08</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	EOW	Subscription	Subscription
Duvall	Contract	WM	01/01/22	12/31/31	N/A	12/31/31	Yes	No	<a href="#">6.02</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	Varies	Subscription	Subscription
Federal Way	Contract	WM	09/01/20	09/30/30	1x2 years	09/30/32	No	No	<a href="#">11.20</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	Weekly	Subscription	Subscription
Issaquah	Contract	Recology	07/01/23	06/30/35	N/A	06/30/35	No	No	<a href="#">8.04</a>	-	No Mandatory Organics Code	-	-	-	-	Yes	Weekly	Embedded	Embedded 2 Carts

City	Contract / WUTC	Collection Company	Contract Start Date	Contract Expiration	Extensions	Contract Extension Expiration	Mandatory Garbage Collection in City Code	Mandatory Organics Collection in City Code	City Solid Waste Code Link (Excluding KC Comp Plan, YW Ban, Utility Tax & CPO)	City Code Details Related to Organics	Mandatory Organics Collection in Contract	Hauler Support of Mandatory	Allowance of Service Stop of Organics Due to Non-payment	Mandatory Organics Collection Contract Notes	Contamination Tagging Required in Contract	Frequency of Organics Collection	SF Organics Rate Structure	MF/Comm Organics Rate Structure
Kent	Contract	Republic	04/01/16	03/31/29	N/A	03/31/29	Yes	No	<a href="#">7.03</a>	-	No Mandatory Organics Code	-	-	-	Yes	EOW	Embedded	Subscription
Kirkland	Contract	WM	07/01/22	12/31/32	1x2 years	12/31/34	Yes	No	<a href="#">16</a>	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Subscription
Lake Forest Park	Contract	Republic	07/01/18	06/30/28	2x2 years	06/30/32	No	No	<a href="#">8.04</a>	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Subscription
Maple Valley	Contract	Recology	09/01/14	08/31/21	2x2 years	08/31/25	No	No	N/A	-	No Mandatory Organics Code	-	-	-	Yes	EOW	Subscription	Subscription
Mercer Island	Contract	Recology	10/01/19	09/30/29	1x2 years	09/30/31	No	No	<a href="#">8.04</a>	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Subscription
Newcastle	Contract	WM	02/01/19	01/31/29	2x1 years	01/31/31	No	No	N/A	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Subscription
Normandy Park	Contract	WM	08/01/18	07/31/28	2x2 years	07/31/32	No	No	<a href="#">13.25</a>	-	No Mandatory Organics Code	-	-	-	Yes	EOW	Subscription	Subscription
Redmond	Contract	WM	01/01/26	12/31/25	1x2 years	12/31/25	No	No	<a href="#">6.30</a>	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Embedded
Renton	Contract	Republic	02/01/17	03/31/27	2x2 years	03/31/31	Yes	No	<a href="#">8.1</a>	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Embedded
Sammamish	Contract	Republic	01/01/17	12/31/28	N/A	12/31/28	No	No	<a href="#">N/A</a>	-	No Mandatory Organics Code	-	-	-	Yes	Weekly	Embedded	Subscription
SeaTac	Contract	Recology	06/01/14	05/31/21	2x2 years	05/31/25	No	No	<a href="#">7.40</a>	-	No Mandatory Organics Code	-	-	-	Yes	EOW	Embedded	Subscription
Tukwila	Contract	Recology	11/01/23	10/31/33	1x2 years	10/31/35	No	No	<a href="#">22</a>	-	No Mandatory Organics Code	-	-	-	Yes	EOW	Subscription	Embedded 1st Year
Algona	Contract	WM	11/01/16	10/31/26	2x2 years Mutua	10/31/30	Yes	Yes	<a href="#">8.04</a>	All persons/properties shall use yard waste collection services.	No	-	-	-	Yes	EOW	Subscription	Subscription
North Bend	Contract	Recology	04/01/24	03/31/36	N/A	03/31/36	Yes	Yes	<a href="#">8.12</a>	All properties must pay for full garbage rate, regardless if they use recycling or compost service.	No	-	-	-	Yes	EOW	Embedded	Subscription
Pacific	Contract	WM	10/05/15	10/04/25	2x2 years Mutua	10/04/29	Yes	Yes	<a href="#">14.02</a>	Mandatory residential compostables subscription, but not required to use.	No	-	-	-	No	EOW	Embedded	Subscription
Shoreline	Contract	Recology	03/01/27	05/31/27	1x2 years	05/31/29	Yes	Yes	<a href="#">13.14</a>	All residential properties must subscribe to and pay for mandatory service, regardless if they use it or not.	No	-	-	-	Yes	Weekly	Embedded	Subscription

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Bothell	Contract	Recology	07/01/25	06/30/22	3x1 years	06/30/25	Yes	Yes	<a href="#">8.2</a>	All persons shall be required to utilize the services of a solid waste hauler.	Yes	Promotion of mandatory ordinance. Hauler to reconcile their Customer list with a City-provided list of addresses.	Can discontinue service, but continue billing.	Organics shall be collected each week from all participating Single-Family Residence Customers	Yes	Weekly	Embedded	Subscription
Burien	Contract	Recology	06/01/25	05/31/21	2x2 years	05/31/25	Yes	Yes	<a href="#">8.15</a>	Only food service establishments are subject to mandatory compostables collection.	Yes	Promotion of mandatory ordinance.	Minimum service level.	In the event the City decides to implement mandatory collection, the Contractor shall assist the City with enforcing such requirement.	Yes	Weekly	Embedded	Subscription
Snoqualmie	Contract	WM	06/01/12	05/31/19	3x2 years	05/31/25	Yes	Yes	<a href="#">8.12</a>	All business, commercial, industrial or residential garbage, recyclables and compostables shall be removed and disposed of by the contractor.	Yes	Promotion of mandatory ordinance.	Minimum service level.		Yes	Weekly	Embedded	Subscription