

Effectively Composted Technical Work Group

Pre-reading materials for Meeting 2: Feb. 17, 2026

At the first Technical Workgroup meeting, members shared perspectives on the challenges and opportunities associated with compostable products and the range of outcomes a definition of “effectively composted” could produce. The discussion revealed several questions, as well as different views on how prescriptive or flexible the definition should be.

This document summarizes key themes from the first meeting, provides an initial response from DEQ on several implementation questions, and highlights topics that would benefit from additional clarification.

Recap of Meeting 1

The first meeting focused on initial reactions to the draft definition and the practical implications of how “effectively composted” might be interpreted and implemented. Technical Workgroup members brought perspectives from facility operations, compostable product design, end markets, and program implementation. Much of the discussion centered on how the definition would function in real-world settings, rather than in idealized or laboratory conditions, and what it would mean for facilities, regulators, and the public.

A central theme was the importance of degradation of materials under actual facility conditions. Members emphasized that materials should break down within the time, temperature, and operational constraints that composting facilities operate within. This led into a broader conversation about the connection between materials and compost quality. Many members focused on whether materials contribute something beneficial to the final compost, or at minimum do not degrade its quality. There were different interpretations of what “beneficial” might mean, including adding nutrients or carbon, helping move food waste into the system, or being net neutral. Some suggested the definition should more directly address impacts on compost quality and marketability.

Workgroup members also raised concerns about the clarity of certain terms in the draft definition. Words such as “beneficial,” “residue,” and “nuisance” were seen as potentially subjective, and several members noted that these terms could be interpreted differently by facilities, inspectors, and product manufacturers. At the same time, there was general support for the idea that “effectively composted” is both material- and facility-specific. This prompted questions about how materials would be evaluated in practice, what types of testing or documentation might be needed, and who would be responsible for making and reviewing those determinations.

The discussion also highlighted the importance of communication, consistency, and enforceability. Several members emphasized the need for clear, public-facing messaging about what is and is not accepted for composting and questioned how a facility-specific approach could be communicated across different regions. Others pointed to the role of strong end markets and the need to protect compost quality, noting that visible residues or inconsistent materials can decrease buyer confidence.

There were also questions about testing methods, including the limitations of some laboratory biodegradation tests and the need to better understand issues such as microplastics. Across these topics, members stressed that whatever definition is adopted should be enforceable in a consistent and practical way, with clear expectations for facilities, inspectors, and compostable product manufacturers.

Revised draft definitions

Effectively composted is a material and facility-specific concept and means a material, allowed by law and accepted for composting at a composting facility, that, when composted at the facility:

1. Either improves the quality of finished compost, including beneficial soil properties, or increases the quantity of finished compost without diminishing the quality, and
2. Leaves no biological, chemical or physical residue that harms the environment or public health when the compost is used properly at agronomic application rates or other appropriate uses.

Here is the original draft definition from Meeting #1 for reference:

Effectively composted is a material and facility-specific concept and means a material, allowed by law and accepted for composting at a composting facility, that, when composted at the facility:

1. Contributes to the beneficial soil properties of the final compost, and
2. Leaves an amount and type of biological, chemical or physical residue that does not harm the environment or public health or cause nuisance when the compost is used properly at agronomic application rates.

Draft Implementation Strategy

The following section outlines DEQ's initial thinking on how to implement ORS 459A.965 and the definition of effectively composted using the definition of effectively composted and DEQ's existing composting facility permit oversight procedures.

DEQ will be the implementing body for the statute, interpreting whether a material is effectively composted. DEQ is considering adding the following rule language to DEQ permitting rules.

“Before accepting any material for composting other than Type 1 and 2 Feedstocks, but exclusive of packaging or food serviceware items, and also upon request from DEQ, a composting facility must submit information required by DEQ for approval. This information must demonstrate that a material, including products such as packaging and food serviceware, is effectively composted.”

The statute prohibits entities from promoting for acceptance materials that cannot be effectively composted. If the above rule is adopted, in order for a composting facility to promote for acceptance materials such as food serviceware or packaging, they will need to obtain DEQ agreement and approval that the material does, in fact, effectively compost.

The following reflects DEQ's initial thinking and is intended to support discussion, not represent a final approach. Here is a quick outline of our initial thinking:

- DEQ will provide information to the composter, identifying the criteria for determining effectively composted. The composting facility submits information to DEQ demonstrating how the material is effectively composted.
- If DEQ agrees, then DEQ approves the material and requests that the composting facility update its Site Operations Plan, adding the approved material to their list of acceptable materials and describing new procedures to site operations (if any) required to ensure that material is effectively composted. The updated Site Operations Plan is submitted to DEQ and becomes part of the site's permit.
- Future DEQ site inspections for that facility will include reviewing acceptance of the new material and evaluation of whether it continues to be effectively composted.
- Enforcement of ORS 459A.965 will follow DEQ's well-established enforcement procedures with initial Warning Letters of potential violations of law and requesting corrections to the violation. For a composting facility, DEQ would work with the composting facility to ensure compliance with the law. The Warning Letter would likely indicate the facility must ensure the material is effectively composted or cease accepting the material.

Meeting #2 Goals

1. Confirm or refine the places where the definition needs more clarity
2. Explore where there may be general alignment
3. Identify areas where more information is needed

Reflective Prompts

1. What reactions do you have to the revised definition of 'effectively composted'?
2. What reactions do you have to the draft Implementation Plan?
3. What should matter most in how "effectively composted" is implemented: technical accuracy, protection of compost quality, flexibility for innovation, or something else?

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. For translations or alternate formats, visit DEQ's [Civil Rights and Environmental Justice page](#).