



Legislation Text

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AN ORDINANCE specifying county policy for the procurement of compost, as required by chapter 43.19A RCW; and adding a new chapter to K.C.C. Title 18.

PREAMBLE:

In 2022, the Washington state Legislature passed, and Governor Jay Inslee signed, Engrossed Second Substitute House Bill 1799, sections of which were codified in chapter 43.19A RCW and which requires cities or counties to adopt a compost procurement ordinance. King County has a goal to achieve zero waste of resources by 2030, in accordance with K.C.C. 10.14.020, the Strategic Climate Action Plan, and the 2019 Comprehensive Solid Waste Management Plan. In 2019, organic material comprised approximately thirty-five percent of what was sent to Cedar Hills regional landfill.

Diverting organic material and supporting end markets for those products is an essential part of reaching King County's zero waste of resources goal. Besides reducing the amount of material going to the landfill, processing organic material into compost and applying it to land improves soil health and reduces greenhouse gas emissions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Sections 2 through 6 of this ordinance should constitute a new chapter in K.C.C. Title 18.

NEW SECTION. SECTION 2. For the purposes of this chapter, unless the context clearly requires otherwise, "compost" means a product created with "composted material" as defined in RCW 70A.205.015(3). "Compost" includes, but is not limited to, one hundred percent finished compost or blends that include compost as a primary ingredient. Mulch is "compost" if it contains a minimum of sixty percent composted material.

Bark is not "compost."

NEW SECTION. SECTION 3.

A. Before issuance of a solicitation for bids or proposals in accordance with K.C.C. chapter 2.93, departments shall consider whether compost can be utilized in a county project as required in RCW 43.19A.120. In the event that a department identifies that compost can be utilized, that department shall purchase compost for use in the county project.

B. Departments shall plan for the use of compost in any of the following categories that are applicable to the departments' operations and project types:

1. Landscaping projects;
2. Construction and postconstruction soil amendments;
3. Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways in accordance with K.C.C. Title 9; and
4. Low-impact development and green infrastructure either to filter pollutants or to keep water onsite, or both, in accordance with K.C.C. Title 9.

C. Notwithstanding subsections A. and B. of this section, departments are not required to use compost products if:

1. Compost products are not available within a reasonable time or distance from the project;
2. Compost products that are available do not comply with existing purchasing standards;
3. Compost products that are available do not comply with federal, state or local health, quality and safety standards; or
4. Compost purchase prices are not reasonable or competitive.

D. Departments shall give priority to purchasing compost products from companies that:

1. Produce compost products locally;
2. Are certified by the US Composting Council or an equivalent nationally recognized organization;

and

3. Produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the Washington state Department of Transportation or adopted by rule by the Washington state Department of Ecology.

E. Departments that use compost shall report the following information to the solid waste division by each December 15:

1. The volume and cost of compost purchased by the department in that year; and
2. The source or sources of the compost purchased by the department in that year.

NEW SECTION. SECTION 4. The solid waste division is responsible for:

A. Providing technical assistance and education regarding the use of compost to King County departments and staff;

B. Conducting educational outreach to inform residents and businesses about the value of compost and how King County uses compost in its operations each year; and

C. Reporting the total estimated tons of organic material diverted from the King County waste stream because of compost use under this chapter.

NEW SECTION. SECTION 5. The solid waste division is responsible for compiling and submitting the report required by RCW 43.19A.150 to the Washington state Department of Ecology by December 31, 2024, and each December 31 of even-numbered years thereafter, with the following information:

- A. The total tons of organic material diverted from the King County waste stream throughout the year;
- B. The volume and cost of compost purchased in that reporting period by the county; and
- C. The source or sources of the compost purchased by the county under this chapter in that reporting period.

NEW SECTION. SECTION 6. The finance and business operations division is responsible for:

- A. Collaborating with departments to utilize specifications for compost products in the use of sourcing

and executing contracts for compost products; and

B. Assisting the solid waste division in annual reporting by providing information about compost contracts.