

# Compost Procurement Ordinance (No. 02022-019) Frequently Asked Questions

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## Why do we have this Ordinance?

In 2022, Washington’s Legislature passed the Organics Management Law (House Bill 1799) requiring the diversion of organic materials away from landfill disposal and towards food rescue programs and organics management facilities. This law specifically requires jurisdictions with populations 25,000 or greater to pass a Compost Procurement Ordinance. Requirements of the City’s implementation of this program are also included in a pending update to the City’s Contracting & Purchasing Policies and Procedures manual.

In addition to the requirements of the legislature to pass and implement this Ordinance, these actions support the commitments the City, region, and state have made regarding climate mitigation or reducing greenhouse gas emissions.

## What kind of projects need to use compost?

- **Landscaping projects**
  - This includes any landscaping project even if it uses just one bag of compost.
  - This includes road projects with landscaping, medians, rights-of way.
  - This also includes building, Parks, and facilities landscaping projects.

- This also includes community planting projects for trees and habitat restoration to the maximum extent feasible within the Drainage Design & Erosion Control Manual.
- **Construction and post-construction soil amendments**
  - The [City's Drainage Design & Erosion Control Manual Volume V Chapter 6](#).
  - Resource from Soils for Salmon: [Compost Erosion Control and Amended Soils for Construction Sites - YouTube](#)
- **Applications to prevent erosion, filter storm water runoff, promote vegetation growth, or improve the stability and longevity of roadways**
  - Wherever possible, priority should be given to applications that can incorporate compost and meet the requirements of the City's Drainage Design & Erosion Control Manual rather than other methods which do not. These include for example using compost blankets, berms, and socks for temporary erosion and sediment control.
  - See the [City's Drainage Design & Erosion Control Manual Volume V](#) Chapters 9, 23, & 25 for soil specifications using compost.
  - See [the City's Drainage Design & Erosion Control Manual Volume II](#) page 69 for mulch standards including compost.
  - Resource from Soil for Salmon: ["Erosion Control with Compost"](#)
- **Low-impact development and green infrastructure to filter pollutants and keep water on-site, or both.**
  - See the [City's Drainage Design & Erosion Control Manual Volume V](#) Chapter 3.

### What do I need to do before starting a project that requires compost per the Ordinance?

City staff must submit a [Compost Procurement Internal City Project Review Form](#) before starting your project. This form is sent to the Water Resources & Sustainability Department for review. This form must be submitted whether or not the project meets any exceptions to the Ordinance.

### Does this Ordinance also apply to work done by contractors?

Yes. Per the Organics Management Law "any local government may allow for preferential purchase of compost to meet the requirements of RCW 43.19A.120." Also, per section 703 of the Organics Management Law "a contract by a local government [...] must require the use of compost products to the maximum extent economically feasible to meet the requirements established in RCW 43.19A.120."

### Does this Ordinance apply only to new projects or large capital projects?

This Ordinance applies to projects both large and small within the types of projects the Ordinance applies to. This includes new projects (those projects at 30% design or less on January 1, 2023) and existing maintenance needs.

### What exceptions are allowable?

Per [RCW 43.19A.120](#):

If compost products can be utilized in the project, local governments must use compost products, except as follows:

- Compost products are not available within a reasonable period of time
- Compost products that are available do not comply with existing purchasing standards
- Compost products that are available do not comply with federal or state health, quality, and safety standards; and
- Compost purchase prices are not reasonable or competitive.

## Where can I get compost?

The Department of Ecology maintains a [map](#) and [excel sheet](#) of compost facilities that may have compost available. These resources do not include contact information, unfortunately. Other locations where we have traditionally purchased compost or composted material are also acceptable.

## Are there any preferences about compost I should know about?

We *shall* give priority to purchasing compost products:

- from companies that produce compost products locally;
- are certified by a nationally recognized organization; and
- produce compost products that are derived from municipal solid waste compost programs and meet standards comparable to standards adopted by the Department of Transportation or adopted by rule by the Department of Ecology.

## What are the reporting requirements for me?

On a quarterly basis TED, WRS, and Parks and Recreation Department staff will need to respond to a data request by the Sustainability Coordinator that will request the volume, source, and cost of compost purchased or procured for the immediate past quarter. There is an excel file on the City's shared drive to fill in this information.

## What are the reporting requirements for the City?

Beginning December 31, 2024 jurisdictions must submit a report to the Department of Ecology by December 31<sup>st</sup> of even-numbered years thereafter the following information:

- Total tons of organic material diverted throughout the year;
- The volume and cost of compost purchased throughout the year; and
- The source or sources of the compost.

## How does this align with the Drainage Manual, Development Guide, and/or TMC ?

City-funded projects or activities (done either in-house or by a contractor) related to construction and post-construction soil amendments, preventing erosion, filtering stormwater runoff, and/or low-impact development or green infrastructure uses of compost must also comply with the current version of the City's Drainage Design and Erosion Control Manual, Development Guide, and Tumwater Municipal Code. There may be projects, such as those near wetlands or some critical areas, in which the Drainage Design and Erosion Control Manual explicitly state that compost should not be utilized, and in cases like this compost is not required to be utilized.

## How should we use compost in road projects?

In accordance with [RCW 43.19A.110](#) any contract awarded in whole or part in applying soils, soil covers, or soil amendments to rights-of-way shall specify that compost materials be purchased for at least 50% of the total dollar amount of soil, soil covers, or soil amendment purchases by the City. If compost is not a suitable product for a local road project, then compost would not have to be purchased. Also, if no suitable product is available at a reasonable price, we can depart from this requirement.

## Will there be training about this?

Yes, there will be a course on the City's LMS which will be required for staff in relevant Departments by the effective date of the Ordinance. There will also be resources, such as this FAQ, available on the City's shared folders.

## Do we have to measure/weigh and report the organic materials we remove, such as tree branches and hedge clippings?

No.

Where can I learn more about the Organics Management Law of 2022?

[2022 Organics Management Law - Washington State Department of Ecology](#)

Who do I reach out to on staff if I have more questions?

Reach out to the Water Resources & Sustainability Department at [WaterResources@ci.Tumwater.wa.us](mailto:WaterResources@ci.Tumwater.wa.us).