

OKANOGAN COUNTY COMMISSIONERS

ORDINANCE 2022 - 11

An ordinance establishing a compost procurement policy in Okanogan County.

WHEREAS, in March 2022, ESSHB 1799 was signed into Washington law with the primary goal of increasing the diversion of organic materials going to landfills in order to reduce methane emissions; and

WHEREAS, as more organic materials are diverted and recycled, it is critical the compost manufactured be procured by local jurisdictions and others to support the economic viability of these processes and programs; and

WHEREAS, it is well established that compost production and use provide significant environmental benefits to our soil; and

WHEREAS ESSHB 1799 requires most cities and counties in Washington adopt a compost procurement ordinance by January 1, 2023.

THEREFORE BE IT ORDAINED: The following policy be adopted:

Section 1. Definition. A “Finished Compost Product” means a product created with “composted material” as defined in RCW 70A.205.015(3). Finished Compost Products include, but are not limited to, 100% finished compost or blends that include compost as a primary ingredient. Mulch is considered a Finished Compost Product if it contains a minimum of sixty percent composted material. Bark is not a Finished Compost Product.

Section 2. General Policy. Okanogan County shall purchase finished compost products for use in public projects in which compost is an appropriate material in county projects or on county land, provided it is not cost prohibitive to acquire. Cost prohibitive is defined as a product purchasing cost that exceeds the cost of another product that would serve the same purpose. Procurement costs will include the product cost and all associated transportation and delivery charges. Okanogan County is not required to use compost products if:

- (i) Compost products are not available within a reasonable period of time;
- (ii) Compost products that are available do not comply with existing purchasing standards; and
- (iii) Available compost products do not comply with federal or state health, quality, or safety standards.

Pursuant to RCW 43.19A.130, Okanogan County will strive to purchase an amount of finished compost products equal to or greater than fifty percent of the amount of organic materials delivered to the compost processor outside of any apple maggot quarantine areas within Okanogan County or neighboring Counties. This effort to purchase fifty percent may be limited to compost produced from residential and small businesses within the unincorporated areas of Okanogan County. Excess quantities produced from within incorporated areas or from industrial operations may overburden the county’s ability and shall not obligate the county to purchase. Okanogan County will not use or transport compost sourced or produced within an apple maggot quarantine area outside of the quarantine area.

Section 3. Local Purchasing. Okanogan County will purchase finished compost products from companies producing compost locally that are certified by a nationally recognized organization, such as the US Composting Council, and produce finished compost products derived from municipal solid waste compost programs while meeting quality standards adopted by the Department of Transportation or adopted by rule by the Department of Ecology. Okanogan County defines "local" as compost providers located within Okanogan County and within 30 road miles of the project site.

Section 4. Planning. In order to meet the general policy, Okanogan County will evaluate compost use in the following categories: (a) Landscaping projects (b) Construction and postconstruction soil amendments; (c) Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and (d) Low-impact development of green infrastructure to filter pollutants or to keep water onsite, or both. This policy will be re-assessed every five years when the County updates its Solid Waste Management Plan, beginning in 2023 and thereafter as part of the reporting obligations in Section 6.


Section 5. Education. Okanogan County shall conduct educational outreach to inform residents about the value of compost and how the jurisdiction uses compost in its operations each year.

Section 6. Reporting. By December 31, 2024, and each December 31st of even-numbered years thereafter, Okanogan County shall report the following information to the Department of Ecology: (a) Total tons of organic material diverted from landfills each year; (b) The volume and cost of composted material purchased each year. For compost use tracking and reporting, only the volume of composted material is reported, based on the percentage of compost material in a finished compost product. For example, a typical bioretention soil blend is 40% compost and 60% sand. If a jurisdiction bought 10 cubic yards of bioretention soil, they would report 4 cubic yards of composted material usage. The source(s) of the finished compost product purchased will be collected and reported.

DATED at Okanogan, Washington this 27 day of December 2022.



ATTEST:



Laleña Johns, Clerk of the Board


**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**



Andy Hover, Chairman

ABSENT

Chris Branch, Member



Jim DeTro, Member