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SEP 19 2023

Ordinance 1007  
An ordinance adding a Chapter to the Clallam County Code titled  
Compost Procurement Policy

**Section 1. Section .010, Purpose, is created to read as follows:**

Purpose. The purpose of this ordinance is to establish a compost procurement policy in Clallam County per the requirements of WA ESSHB 1799. The primary goal of this law is to increase the diversion of organic materials going to landfills and reduce associated methane emissions. The establishment of compost procurement policies by local jurisdictions will help support the economic viability of compost production and encourage ongoing diversion of organic materials from the waste stream.

**Section 2. Section .020, Definitions, is created to read as follows:**

(1) “finished compost product” means a product created with “composted material”. Finished composted products include, but are not limited to, 100% compost material or blends that include composted material as a primary ingredient. Mulch is considered a finished composted product if it contains a minimum sixty percent composted material. Bark is not a finished composted product.

(2) “composted material” means an organic solid waste that has been subjected to controlled aerobic degradation at a solid waste facility. Natural decay of organic solid waste under uncontrolled conditions does not result in “composted material” (Per RCW 70A.205.015(3)).

(3) “cost prohibitive” means a product procurement cost that exceeds 10% over the cost of another product that would serve the same purpose.

(4) “product procurement cost” means the cost of the product and all associated transportation and delivery charges

(5) “local compost producer” means a compost facility producing compost meeting the standards required in this ordinance located within the borders of Clallam County

**Section 3. Section .030, General Provisions, is created to read as follows:**

(1) When compost is an appropriate material, Clallam County shall purchase finished compost products for use in county projects or on county land, provided it is not cost prohibitive to acquire.

(2) Clallam County is not required to use finished compost products if:

(i) Finished compost products are not available within a reasonable period of time;

(ii) Finished compost products that are available do not comply with existing purchasing standards; and

(iii) Available finished compost products do not comply with federal, state or local health, quality, or safety standards.

**Section 4. Section .040, Local Purchasing, is created to read as follows:**

Subject to the provisions of Section 3, Clallam County shall purchase finished compost products from local compost producers who are certified by a nationally recognized organization and produce finished compost products derived from municipal solid waste collection. The finished compost product shall meet quality standards adopted by the WA Department of Transportation or adopted by rule by the WA Department of Ecology.

**Section 5. Section 050, Planning, is created to read as follows:**

In order to meet the general policy, Clallam County shall plan for finished compost product use in the following categories where appropriate:

(a) Landscaping projects;

(b) Construction and post-construction 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 on site, or both.

In planning to utilize finished compost products, the county shall consider using finished compost products produced with biosolids and determine whether it is an appropriate material for a given project.

This plan will be reassessed each December 31<sup>st</sup> of even-numbered years, beginning in 2024 and thereafter as part of the report requirements located in Section 7.

**Section 6. Section 060, Educational Outreach, is created to read as follows:**

Clallam County shall conduct educational outreach to inform residents about the value of compost and how the jurisdiction uses compost in its operations each year according to RCW 43.19A.150(4).

**Section 7. Section 070, Reporting, is created to read as follows:**

By December 31, 2024, and each December 31<sup>st</sup> of even-numbered years thereafter, Clallam County shall report the following information to the WA Department of Ecology:

- (a) Total tons of organic material diverted from landfills each year;
- (b) The volume and cost of finished compost product purchased each year; and
- (c) The sources of the finished composted product purchased.

For compost tracking and reporting, only the volume of the composted material shall be reported based on the percentage of the compost material in a finished compost product. For example, 10 yards of a bioretention soil blend containing 40% compost and 60% sand, shall be reported as 4 yards of composted material used.

**Section 8. Section .080, Severability, is created to read as follows:**

If any provision of this chapter is held invalid by a court of competent jurisdiction, the remaining provisions shall remain valid.

**Section 9. Section .090, Effective date, is created to read as follows:**

This chapter shall take effect (i.e., the effective date shall be) the date of adoption of the ordinance codified in this chapter.

ADOPTED this 19 day of Sept 2023



ATTEST:

Loni Gores  
Loni Gores, Clerk of the Board

BOARD OF CLALLAM COUNTY COMMISSIONERS

excused  
Mark Ozias, Chair

Randy Johnson  
Randy Johnson, Vice Chair

Mike French  
Mike French

[Signature]  
Approved as to Form  
Deputy Prosecutor