



CITY COUNCIL AGENDA BILL 23-15

TITLE: Adoption of Ordinance 2023-652: Adding a new Chapter 14.30 NMC – Compost Procurement Policy	EXHIBITS: 1. Proposed Ordinance 2023-652
ORIGINATING DEPT.: Public Works	
ACTION PROPOSED: Adopt Ordinance 2023-652 establishing a Compost Procurement Policy for the City of Newcastle as required by Chapter 43.19A RCW.	

SUMMARY

Adoption of a new Compost Procurement Policy that meets new state requirements.

FISCAL IMPACT

This ordinance will require Newcastle to use compost in its projects when feasible and appropriate. In addition, this ordinance requires Newcastle to track and provide biennial reports to the Department of Ecology regarding organic material diverted from waste in Newcastle and use of compost in Newcastle public projects.

BACKGROUND

Last legislative session, the State Legislature passed House Bill 1799, which Governor Inslee signed into law. The goal of the legislation is to reduce food and yard waste in landfills by 75 percent in eight years. To do that, the State is requiring cities to do their part in collection of organics and procuring compost for use in public works projects.

HB 1799 was codified at RCW 43.19A.150 and requires cities to adopt a procurement ordinance for compost and to make regular reports to the State on diversion of organic material from landfills and its use of compost in public projects. The City's compost procurement ordinance must meet the standards contained in RCW 42.19A.150 in order to implement RCW 43.19A.120 ("Use of compost products in projects").

The new law applies to cities over 25,000 or any city that collects organics as part of its solid waste collection program. Since Newcastle's contractor (Waste Management) collects yard waste, the City is required to comply with this law. This law requires cities to adopt a compost procurement ordinance by

January 1, 2023, including having reporting programs built into the ordinance. Many cities are falling short of the deadline and the Department of Ecology is aware that many cities will be late with this legislation.

Under RCW 43.19A.150, projects the City must plan for regarding compost usage include:

- Landscaping
- Construction and post-construction
- Erosion prevention, stormwater runoff filtration, plant growth, or to improve the stability and longevity of roads

Each city must also develop a strategy to inform residents about the value and city use of compost. Cities must give priority to compost producers that meet the criteria in RCW 43.19A.150(6). These criteria are defined as

- Companies that produce compost products locally,
- Are certified by a nationally recognized organization,
- Produce compost products that are derived from municipal solid waste compost programs
- Meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the Department of Ecology.

Cities must also report to the Department of Ecology regarding compost usage in every even-numbered year, starting December 2024, including reporting on:

- Tons of organic material diverted
- Volume and cost of compost purchased
- Source(s) of compost

The proposed Ordinance (Exhibit 1) meets the requirements under state law.

ACTION RECOMMENDED

I MOVE TO ADOPT ORDINANCE 2023-652 ESTABLISHING A COMPOST PROCUREMENT POLICY FOR THE CITY OF NEWCASTLE AS PRESENTED.