



MODEL COMPOST PROCUREMENT POLICY

[insert name of municipal entity issuing policy]

1. Purpose

- a. *[insert name of municipal entity issuing policy]* requires the procurement of compost (finished compost products) by *[insert names of municipal entities subject to policy (e.g., “Smith City Departments”)]* and encourages the purchasing of compost by *[insert names of quasi-governmental and/or semiautonomous entities that the municipal entity issuing policy does not fully control, such as semiautonomous boards, commissions, and other authorities, or public-private partnerships such as convention centers]*, as well as by private entities, for use in projects where compost is a suitable material. By increasing the use of compost, the implementation of this policy will provide the following numerous benefits.
- i. *Economic benefits*
1. Requiring the purchasing of compost can increase demand for compost and increase business for local compost suppliers.
 2. Diverting organic waste to be composted can reduce costs associated with landfill disposal.
 3. Growing the compost market may result in the development of new compost processing facilities, which in turn may provide more jobs.
 4. Applying compost increases soil-nutrient and water retention, which may reduce demand for irrigation and fertilizer, thereby reducing operational costs.
- ii. *Environmental benefits*
1. Diverting organic waste from landfill disposal reduces greenhouse gas emissions by minimizing methane emissions from landfills and maximizing carbon storage from composting—and may ultimately mitigate the need for new landfill construction.
 2. Cycling carbon and nutrients back into soil through compost application conserves resources and improves soil quality.
 3. Composting helps prevent erosion and stabilize land.
 4. Composting increases the ability of soil to retain water, thereby reducing stormwater runoff.
 5. Reducing reliance on chemical fertilizers, which are often produced using fossil fuels, reduces water pollution that can result from fertilizer application and subsequent nutrient runoff.
 6. Reducing reliance on irrigation conserves water resources.
- b. The policy is not intended to supersede any existing federal, state, or local laws and regulations, including those that address materials procurement.

2. Municipal and state legal authority and policy support

- a. **Municipal:** *[insert citations to relevant municipal policies, codes, and ordinances—such as waste management plans and procurement regulations—that offer support for issuance of a compost procurement policy].*
- b. **State:** *[insert citations to relevant state laws and regulations—such as waste diversion and sustainable procurement goals—that offer support for issuance of a compost procurement policy].*
- c. **U.S. Environmental Protection Agency (EPA):** EPA’s Comprehensive Procurement Guideline recommends that relevant procuring agencies—including local agencies that have spent \$10,000 or more on compost in the current or previous year, all or a portion of which came from federal funding—purchase compost made of recovered organic materials. The guideline recommends that procuring agencies “purchase or use mature compost made from recovered organic materials in such applications as landscaping, seeding of grass or other plants on roadsides and embankments, as nutritious mulch under trees and shrubs, and in erosion control and soil reclamation.”¹

3. Definitions

- a. **“Compost”** means solid waste that has undergone biological decomposition of organic matter, has been disinfected using composting or similar technologies, and has been stabilized to a degree that is potentially beneficial to plant growth and that is suitable for use as a soil amendment, artificial topsoil, or other similar applications.
- b. **“Composting”** means biological decomposition of organic constituents under controlled conditions.
- c. **“Contract”** means all types of *[insert name of municipal entity issuing policy]* agreements and contracts, regardless of what they may be called, for the procurement or disposal of supplies, services, or construction.
- d. **“Contractor”** means any person having a contract with *[insert name of municipal entity issuing policy]*.
- e. **“Cost prohibitive”** means the product purchasing cost exceeds by more than 10 percent the cost of another product that would serve the same purpose.²
- f. **“Erosion”** means the disintegration or wearing away of soil by the action of water.
- g. **“Green infrastructure”** means an approach to wet-weather management that is cost-effective, sustainable, and environmentally friendly, and that incorporates management approaches and technologies that infiltrate, evapotranspire, capture, and reuse stormwater to maintain or restore natural hydrologies. Green infrastructure practices include, but are not limited to, open space, rain gardens, porous pavements, green roofs, infiltration planters, trees and tree boxes, swales, and curb extensions.
- h. **“Impervious surface”** means any ground or structural surface that water cannot penetrate or through which water penetrates with great difficulty.
- i. **“Landfill”** means a facility, other than a land application unit, where solid wastes are disposed of by burial in excavated pits or trenches or by placement on land and covering with soil or other approved material.
- j. **“Locally produced compost”** means compost that is produced in the same region where it is being used.
- k. **“May”** denotes the permissive.
- l. **“Private entity”** means any person, business, or nonprofit that is not a government body or a contractor thereof.
- m. **“Procurement”** means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- n. **“Shall”** denotes the imperative.
- o. **“Stormwater”** means runoff that is generated from rain and snowmelt events that flow over land or impervious surfaces—such as paved streets, parking lots, and building rooftops—and does not soak into the ground.
- p. **“Top-dressing”** is a method of adding compost, mulch, loam, peat, or a combination of these things as improvements to the soil or for leveling existing lawns.

4. Procurement requirements

a. General policy

- i. [insert names of municipal entities subject to policy], except if otherwise exempted, shall purchase compost for use in public projects in which compost is an appropriate material, provided it is not cost prohibitive to acquire.
- ii. [insert names of quasi-governmental and/or semiautonomous entities], as well as private entities that are based or operate in [insert name of area governed by municipal entity issuing policy], are also encouraged to purchase compost, when possible, for use in their projects.
- iii. In conjunction with the overarching compost procurement requirement, compost shall be used to amend soil in landscaping and construction projects, as well as to provide for erosion control and stormwater management in road and highway and green infrastructure projects, in accordance with the requirements outlined in subsections 4.b. through 4.e. Compost used in landscaping, construction, roads and highways, and green infrastructure will count toward satisfaction of the compost procurement goals of [insert names of municipal entities subject to policy].

b. Landscaping

- i. Using compost in landscaping projects improves the quality of soil and reduces the need for fertilizers and irrigation.
- ii. Soil amendment prior to new planting
 1. Prior to the installation of new plants in landscaping projects, [insert names of municipal entities subject to policy] are required, and [insert names of quasi-governmental and/or semiautonomous entities] and private entities are encouraged, to amend existing soil with compost. This requirement does not apply if soil tests reveal that pre-amendment soil is composed of at least 6 percent organic material to a depth of 6 or more inches, or a condition exists that prevents the application of compost, such as oversaturation.
 2. Soil shall be amended with compost at a rate of at least 4 cubic yards of compost per 1,000 square feet of soil. The compost shall be spread evenly across the project area, then incorporated into the soil to a depth of 6 inches. In areas where there are not 6 inches of soil in which to incorporate the compost, compost shall be incorporated at a rate of 25 percent compost to 75 percent soil to the existing soil depth.
 3. Proof of satisfactory soil quality that did not require amending, the condition that prevented application of compost, or the completion of the required soil amendment with compost shall be documented by [insert names of municipal entities subject to policy] and made available for review by [insert name of municipal office that oversees procurement or alternative entity] upon request.
- iii. **Ongoing maintenance**
 1. [insert names of municipal entities subject to policy] shall, and [insert names of quasi-governmental and/or semiautonomous entities] and private entities are encouraged to, purchase and use compost, where feasible, in ongoing landscaping activities, such as for top-dressing.

c. Construction

- i. In addition to providing benefits for post-construction landscaping, the use of compost to amend soil that is compacted or disturbed during construction projects increases on-site water retention, decreases erosion, and contributes to better stormwater management.
- ii. The following measures shall be implemented in construction projects undertaken by [insert names of municipal entities subject to policy]. It is encouraged, but not required, that the measures are adopted in the projects of [insert names of quasi-governmental and/or semiautonomous entities] and private entities.
- iii. Preserve existing soil
 1. To the extent possible, [insert names of municipal entities subject to policy] shall keep original soil in place and avoid compacting it with construction equipment.
 2. When existing soil must be moved during construction, [insert names of municipal entities subject to policy] shall keep it on-site for use once construction is completed.

iv. Post-construction soil standards and amendment

1. In areas where soil is left exposed after construction is completed (not impervious surfaces) and soil is being amended, *[insert names of municipal entities subject to policy]* shall, and *[insert names of quasi-governmental and/or semiautonomous entities]* and private entities are encouraged to, amend the soil to achieve the organic matter and pH standards in the following subsection (4.c.iv.2). The soil shall be amended using compost.
2. Soil shall be amended such that the top eight inches contain between 5 and 10 percent organic material and are restored to their original pH levels, or to pH levels between 6 and 8. Five percent is sufficient for turf, and 10 percent is sufficient for planting beds. The amount of compost that will need to be added to achieve these standards will vary depending on the initial quality of the soil. Custom amendment rates specific to the soil for a particular project may be calculated using an online calculator from King County, Washington: <https://kingcounty.gov/depts/dnrp/solid-waste/compost-calculator.aspx>. Alternatively, the following preapproved amendment rates may be adopted:
 - a. in turf areas, 1.75 inches of compost shall be incorporated into the top 8 inches of soil, which amounts to 5.4 cubic yards of compost per 1,000 square feet of soil; and
 - b. in planting beds, 3 inches of compost shall be incorporated into the top 8 inches of soil, which amounts to 9.2 cubic yards of compost per 1,000 square feet of soil.
3. If soil is particularly compacted, the top 4 inches of the soil below the 8 inches of amended soil shall be scarified.
4. Compost shall only be incorporated into dry soil.
5. Proof of satisfactory soil quality that did not require amending, or of the completion of the required soil amendment with compost, shall be documented by *[insert names of municipal entities subject to policy]* and made available for review by *[insert name of municipal office that oversees procurement or alternative entity]* upon request.

d. Roads and highways

- i. Compost is used in road and highway projects to prevent erosion, promote vegetation growth, and improve the stability and longevity of roads and highways.
- ii. When undertaking erosion control measures in the context of road and highway construction and maintenance, *[insert names of municipal entities subject to policy]* shall use compost where possible, including when implementing best management practices that call for the use of organic material. Measures for which compost shall be used include, but are not limited to, the following:
 1. landscaping and planting;
 2. filter berms and socks; and
 3. compost blankets.
- iii. Compost shall contain the required organic material content, pH, and particle size for the intended use.
 1. Landscaping and planting:
 - a. moisture content—35 to 60 percent;
 - b. particle size—less than 0.5 inches;
 - c. soluble salts concentration—less than 4.0 mmhos/cm (ds/m);
 - d. stability—stable to very stable; and
 - e. pH—6.0 to 8.5.
 2. Filter berms, filter socks, and compost blankets: Ensure that compost adheres to the specific standards contained in the 2003 American Association of State Highway and Transportation Officials' Provisional Standards Manual for filter berms (applies to filter socks as well) and compost blankets.
- iv. Satisfaction of the quality specifications for compost used in road and highway projects shall be documented by *[insert names of municipal entities subject to policy]* and made available for review by *[insert name of municipal office that oversees procurement or alternative entity]* upon request.

e. Low-impact development and green infrastructure

- i. Incorporating compost into low-impact development and green infrastructure projects can help achieve stormwater management goals by filtering pollutants and keeping more water on-site.
- ii. When constructing low-impact development and green infrastructure projects, [*insert names of municipal entities subject to policy*] shall, and [*insert names of quasi-governmental and/or semiautonomous entities*] and private entities are encouraged to, use compost where possible, including when adopting best management practices that call for the use of organic material. Measures for which compost shall be used include, but are not limited to, the following:
 1. green roofs;
 2. downspout disconnections; and
 3. bioretention projects/rain gardens.
- iii. [*insert names of municipal entities subject to policy*] shall consult local policies and manuals, including [*insert names of relevant local policies and manuals*], for additional ways to incorporate compost into their projects.
- iv. The use of compost in low-impact development and green infrastructure projects shall be documented by [*insert names of municipal entities subject to policy*] and made available for review by [*insert name of municipal office that oversees procurement or alternative entity*] upon request.

5. Compost sourcing and quality requirements

a. Locally produced compost

- i. Compost purchased by [*insert names of municipal entities subject to policy*] for purposes of complying with this policy shall be locally sourced.
- ii. If locally produced compost is not available, compost shall be sourced from outside the region, with preference given to products sourced as close as possible to [*insert applicable standard such as "Smith metropolitan statistical area"*]. Proof that locally produced compost was not available at the time of purchase or was cost-prohibitive shall be documented—including, if appropriate, by written confirmation from local providers—and included in the annual reports of [*insert names of municipal entities subject to policy*].
- iii. [*insert names of quasi-governmental and/or semiautonomous entities*] and private entities are encouraged to purchase locally produced compost or compost from outside the region when it is available and not cost prohibitive.

b. U.S. Composting Council Seal of Testing Assurance (STA) Program certified compost

- i. [*insert names of municipal entities subject to policy*] shall, and [*insert names of quasi-governmental and/or semiautonomous authorities*] and private entities are encouraged to, purchase compost from U.S. Composting Council STA Program–certified compost manufacturers.³
- ii. Purchasers shall obtain technical data sheets from composting manufacturers detailing the test results for each compost shipment they receive. This information shall be kept on file and included in annual compost procurement reports.

6. Reporting

- a. [*insert names of municipal entities subject to policy*] shall compile annual reports, to be submitted to [*insert name of municipal office that oversees procurement or alternative entity*] on or before March 1, and that contain the following information:
 - i. the name of the [*insert names of municipal entities subject to policy*];
 - ii. the volume of compost purchased throughout the year and total funds expended on compost;
 - iii. information about the source of the compost and proof of its STA certification;
 - iv. the end uses of the composted materials and proof of satisfaction of any quality specifications related to those uses;
 - v. the percentage of total materials purchased that consisted of composted materials; and
 - vi. recommendations for how to increase the percentage of purchasing composed of compost in the future.

- b. *[insert name of municipal office that oversees procurement or alternative entity]* shall review annual reports submitted by *[insert names of municipal entities subject to policy]* and track progress related to compost procurement throughout *[insert name of area governed by municipal entity issuing policy]*. This information will be made available to the public through regular reports on compost procurement and the state of composting in *[insert name of area governed by municipal entity issuing policy]*.

ENDNOTES

- 1 U.S. Environmental Protection Agency, “Recovered Materials Advisory Notice V,” September 2007, <https://www.regulations.gov/document?D=EPA-HQ-RCRA-2003-0006-0005>.
- 2 City of Sacramento, California, Sustainable Purchasing Policy, February 2010, https://www.cityofsacramento.org/-/media/Corporate/Files/Finance/Procurement/sustainability/Sustainable_Purchasing_Policy_SPP.pdf?la=en. (“If the life cycle cost of the environmentally preferable product does not exceed the cost of the alternative by more than 10%, and the product meets all necessary specifications, strong consideration should be given to purchase the environmentally preferable product.”)
- 3 U.S. Composting Council, “Using STA Certified Compost,” accessed May 18, 2021, <https://www.compostingcouncil.org/page/CertifiedCompostSTA>. Washington State Legislature, § 43.19A.120.