

WAC 173-331-400 Authorization of used battery collectors. (1)

This section refers to RCW 70.95.610(1).

(2) Beginning May 1, 1991, any person who collects used vehicle batteries nonincidental to accepting exchanges during sale of new batteries, excluding local governments with approved local hazardous waste plans pursuant to RCW 70.105.220, must have a department approved authorization issued by the department of licensing.

(3) License fees for each business location shall be fifteen dollars annually.

(4) Application forms for a used vehicle battery collector authorization will be available at unified business identifier service locations located throughout the state.

Note: Assistance finding the nearest unified business identifier service is available by calling 1-800-562-8203.

(5) Ecology review of application for authorization as a used vehicle battery collector:

(a) Any application for authorization or reauthorization as a used vehicle battery collector is subject to review and final approval or disapproval by the department of ecology.

(b) The applicant will be notified if the department has evidence that the applicant has failed to comply with environmental regulations affecting the handling, storage, transport, reclamation, or disposal of vehicle batteries. Such failure is sufficient reason for the department to disapprove or rescind authorization as a vehicle battery collector.

(c) Notification shall be in writing and shall include a statement of the basis for the department's belief that failure to comply has occurred and an indication of the department's intentions regarding authorization.

(d) The applicant may submit to the department comments on the department's intended action and basis for that action. Any comments shall be submitted in writing to the department within fifteen days from date of receipt of the department's notice letter unless the department provides an extension.

(e) After reviewing any comments, the department shall issue a letter notifying the applicant of its decision whether to authorize the applicant as a vehicle battery collector. Such decision may be appealed to the department by written application for review within fifteen days of receipt by the applicant of the department's decision. The department shall issue a notice of its decision on the application for review within fifteen days of the receipt of such application. This notice shall be the department's final decision.

(f) Pursuant to RCW 43.21B.110 (1)(c), the department's final decision is appealable to the pollution control hearings board.

[Statutory Authority: RCW 70.95.670. WSR 91-05-020 (Order 90-36), § 173-331-400, filed 2/11/91, effective 3/14/91.]