

WAC 173-900-260 Warnings and penalties for manufacturer violations.

**Table 260
Manufacturer Warning and Penalties**

| Type of Violation | Written Warning | First Penalty | Second and Subsequent Penalties |
|--------------------------|------------------------|----------------------|--|
| Registration Violation | Warning Letter | Up to \$1,000 | Up to \$2,000 |
| Labeling Violation | Warning Letter | Up to \$1,000 | Up to \$2,000 |
| Plan Violation | Warning Letter | Up to \$10,000 | Up to \$10,000 |

Warning letter:

(1) When ecology issues a written warning letter via certified mail, for any violation, the warning will include a copy of the requirements to let the manufacturer know what the manufacturer must do to be in compliance status.

Penalties:

(2) **First penalties:** If the manufacturer does not meet the compliance requirements in the warning letter within thirty days of receipt of the warning, ecology will assess a first penalty, as defined in Table 260 above and do one of the following:

(a) Change the manufacturer's status to "in violation";

(b) Add the manufacturer to the "manufacturer registration list" and put them in "in violation."

(3) **Second and subsequent penalties:** Ecology will issue second and subsequent penalties as defined in Table 260 no more often than every thirty days for the same violation.

(4) Ecology will deposit all penalties collected under this section into the electronic products recycling account created under RCW 70.95N.130.

Appeals:

(5) Violations and penalties may be appealed to the pollution control hearings board, pursuant to chapter 43.21B RCW.

[Statutory Authority: RCW 70.95N.230. WSR 16-06-107 (Order 15-03), § 173-900-260, filed 3/1/16, effective 4/1/16. Statutory Authority: Chapters 70.95N, 70.105, and 70.105D RCW. WSR 07-21-013 (Order 07-05), § 173-900-260, filed 10/5/07, effective 11/5/07.]