

**WAC 173-900-740 Warning, penalties, and corrective action for all retailer violations.**

**Table 740  
Retailer Warning and Penalties**

<b>Type of Violation</b>	<b>Written Warning</b>	<b>First Penalty</b>	<b>Second and Subsequent Penalties</b>
Offering for Sale or Selling Violation	Warning Letter	Up to \$1,000	Up to \$2,000
Labeling Violation	Warning Letter	Up to \$1,000	Up to \$2,000
Public Outreach Violation	Warning Letter	Up to \$1,000	Up to \$2,000

**Warning letter:**

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

**Penalties:**

(2) **First penalties:** If the retailer 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 740 above.

(3) **Second and subsequent penalties:** Ecology will issue second and subsequent penalties as defined in Table 740 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: Chapters 70.95N, 70.105, and 70.105D RCW. WSR 07-21-013 (Order 07-05), § 173-900-740, filed 10/5/07, effective 11/5/07.]