

WAC 173-910-340 Stewardship organization penalty and appeal.

(1) Stewardship organizations that fail to implement their program or submit a plan, updated plan, or annual report, or that fail to comply with a warning letter, will receive penalties in the amounts provided in WAC 173-910-230 multiplied by the number of producers participating in the stewardship organization.

(2) The department will deposit all penalties collected under this section into the mercury-containing lights recycling account created under chapter 70.275 RCW.

(3) To correct a violation the stewardship organization must:

(a) Meet the requirements in the warning or penalty letter from the department; and

(b) Pay any penalties due to the department.

(4) If the stewardship organization, as the agent of its member producers, does not pay the penalties issued against it when due to the department, each participating producer will be responsible for its share of the total penalties.

(5) Penalties applied to the producers in WAC 173-910-230 for the same violation will not also be applied to stewardship organizations.

(6) Penalties may be appealed to the pollution control hearings board, pursuant to chapter 43.21B RCW.

[Statutory Authority: Chapter 70.275 RCW. WSR 12-23-049 (Order 11-09), § 173-910-340, filed 11/16/12, effective 12/17/12.]