

WAC 212-17-145 Fireworks importing requirements. (1) Any importer whose fireworks have been laboratory tested by the Consumer Product Safety Commission (CPSC) and found not to be in compliance with the standards in 16 C.F.R. Part 1500 and 1507 must notify the state fire marshal within five business days. Notification to the state fire marshal will include:

(a) A copy of the letter of advice and notice of noncompliance from the CPSC that provides the:

- (i) Product name, type, and class of firework.
 - (ii) Requirement(s) the product did not conform to.
- (b) Current and proposed storage location of the fireworks.

(2) Upon receiving the notification, the state fire marshal will notify:

(a) The local jurisdiction in which the firework is being stored.

(b) Other state and local agencies that may license or regulate explosives and explosives storage.

(3) The importer will hold such hazardous substance and not distribute it until further notice from CPSC which may be in the form of a "Letter of Advice (LOA)."

(4) Overloaded consumer fireworks described as fireworks, UN0336 1.4G that have a quantity of explosive and/or pyrotechnic composition that exceeds the limits for type of firework will be:

(a) Classified as fireworks, UN0335 1.3G.

(b) Stored in an approved, licensed explosive magazine approved for the storage of UN0335 1.3G fireworks.

(5) The following violations of this section are classified as serious threat to public safety and each day of noncompliance will be considered a separate offense:

(a) Failing to notify the state fire marshal within five business days that imported fireworks sampled and laboratory tested by the CPSC failed to conform to CPSC standards.

(b) Storing fireworks that have been identified as overloaded fireworks in a nonapproved facility.

(6) Notwithstanding the existence or use of any other remedy, any licensed fireworks importer or wholesaler violating this section may have its license suspended or revoked.

(7) Penalties for violations of this section are provided in WAC 212-17-515.

[Statutory Authority: RCW 70.77.250. WSR 15-22-082, § 212-17-145, filed 11/3/15, effective 1/1/16. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. WSR 82-22-068 (Order FM 82-10), § 212-17-145, filed 11/2/82.]