WSR 26-19-060
EXPEDITED RULES
DEPARTMENT OF ECOLOGY

[Order 26-10—Filed September 15, 2026, 8:13 a.m.]

Title of Rule and Other Identifying Information: Chapter 173-310 WAC, Litter receptacles.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department of ecology (ecology) is proposing to align the litter receptacle rule with new statutory requirements for solid waste collection containers under RCW 70A.205.750. The law (RCW 70A.205.750) applies to containers provided by a waste hauler or a jurisdictional authority as part of a collection service. This includes public collection efforts, as well as individual collection services for residents and businesses.

Ecology's proposal includes aligning the minimum standards for litter receptacles under WAC 173-310-060 with requirements for solid waste collection containers under RCW 70A.205.750. The proposal also includes updates to the effective dates for compliance under WAC 173-310-100.

Reasons Supporting Proposal: A new law requires standardized colors for waste collection bins starting in 2028. Ecology's rule for litter receptacles, chapter 173-310 WAC, has requirements for receptacles in public places that conflict with these new color standards. This expedited rule making is necessary to align the litter receptacle minimum standards under chapter 173-310 WAC with the statutory requirements for solid waste collection containers under RCW 70A.205.750. The proposed changes would modernize the minimum standards for litter receptacles while helping achieve the legislature's vision for consistent-looking waste containers across Washington state.

Statutory Authority for Adoption: RCW 70A.200.090 Litter receptacles—Use of anti-litter symbol—Distribution—Placement—Violations—Penalties.

Statute Being Implemented: RCW 70A.205.750 Collection bins—Color coding requirements.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of ecology, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Patrick Merscher, Olympia, Washington, 564-233-1065.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: This rule making incorporates by refer-

ence new statutory requirements for solid waste container colors and does not make any material change from those statutory requirements. The proposed changes also include typographical corrections and minor clarifications to language that would not change the effect of the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Bari Schreiner, Department of Ecology, Governmental Relations, P.O. Box 47600, Olympia, WA 98503-7600, phone 360-763-2898, email ecyrerulemaking@ecy.wa.gov, BEGINNING September 15, 2026, at 12:00 a.m., AND RECEIVED BY November 24, 2026, at 11:59 p.m.

September 15, 2026
Heather R. Bartlett
Deputy Director

RDS-7319.1

AMENDATORY SECTION (Amending WSR 00-19-015, filed 9/8/00, effective 10/9/00)

WAC 173-310-060 Minimum standards. Litter receptacles obtained and placed in public places as required by this chapter shall meet the following minimum standards:

(1) General specifications.

(a) ((~~The body of each litter receptacle must be constructed of a minimum of 24-gauge galvanized metal or other material of equivalent strength, that will with normal wear and tear, reasonably resist corrosion and acts of vandalism.~~

~~(b) All outside edges of each litter receptacle must be rounded.~~

~~(c)~~)) Openings in covered litter receptacles must be readily identifiable and readily accessible for the deposit of litter.

((~~(d)~~)) (b) Construction and general configuration of litter receptacles must be in conformance with all pertinent laws, ordinances, resolutions or rules pertaining to fire, safety, public health or welfare.

(2) Color and marking.

(a) ((~~The entire outer surface of each litter receptacle must be colored medium green conforming with Federal Color Standard No. 595A, Color No. 24424, or Color No. 34424~~)) Each litter receptacle shall follow the color coding and labeling requirements for waste bins under RCW 70A.205.750.

(b) Each litter receptacle shall bear the official anti-litter symbol, as adopted herein. The symbol must ((~~be colored deep blue conforming with Federal Color Standard No. 595A, Color No. 15180. The symbol may not be distorted as to~~)) keep its proportions and may not be incorporated into a commercial advertisement on the receptacle. For

litter receptacles along the right of way of public highways, the symbol must be of a size so as to be distinguishable from a minimum distance of 75 feet.

(c) ((~~The words **"Deposit Litter"** must be placed on the litter receptacle. Lettering used for these two words must be block-type capital letters to be readily legible at a distance of 30 feet.~~

~~(d) No~~)) A commercial advertisement may be placed on any litter receptacle((~~. However, the person owning any receptacle may place a single line on the receptacle identifying his ownership, and a single credit line designating any donor of the litter receptacle other than the owner may also be placed on the receptacle: Provided, That the lettering does not exceed the size specified for the words **"Deposit Litter,"** and~~)) provided that the advertisement does not interfere with or distract from the prominence of the receptacle, the anti-litter symbol, or the receptacle label.

(3) Maintenance. Compliance with these minimum standards shall include proper upkeep, maintenance, and repair of litter receptacles sufficient to permit the receptacles to serve the functions for which they were designed and to prevent the appearance of the receptacles from becoming unsightly. Inadequately maintained or unsightly litter receptacles are in violation of these minimum standards.

(4) Wherever litter receptacles are placed in any public place other than where required by this chapter, the receptacles shall conform to the provisions of this chapter.

AMENDATORY SECTION (Amending WSR 00-19-015, filed 9/8/00, effective 10/9/00)

WAC 173-310-100 Effective date and compliance. (1) ((~~This chapter shall become effective on September 1, 1972.~~

~~(2) All litter receptacles in any public place designated in this chapter that are placed after the effective date hereof shall conform to the provisions of this chapter.~~

~~(3)~~)) Any litter receptacle((~~s~~)) in any public place designated in this chapter that were in place before the effective ((~~date hereof must be modified to conform with marking requirements of this chapter no later than January 1, 1973~~)) dates established under RCW 70A.205.750 do not need to be modified to conform with the minimum standards of this chapter.

((~~(4) All~~)) (2) Any litter receptacle((~~s~~)) in any public place designated in this chapter ((~~must be~~)) that is placed, modified, or replaced ((~~so as to~~)) after the dates established in RCW 70A.205.750 must fully conform with all requirements of this chapter ((~~no later than July 1, 1975~~)).