

WAC 16-228-1130 Penalty assignment schedules—Tables I, II, and III.

Table I Licensing Violations			
Level of Violation	Commercial Applicator Operating Unlicensed	Pesticide Dealer Distributing Restricted Use Pesticides Unlicensed	All Other Violations for Operating Unlicensed
First	\$2,500	\$1,000	\$1,000
Second	\$5,000	\$2,500	\$2,500
Third or more	\$7,500	\$5,000	\$5,000

Table II Worker Protection Standard Violations		
Level of Violation	WAC 16-233-021(6) providing emergency assistance. WAC 16-233-201 failure to provide sufficient training to handlers prior to mixing or applying category 1 pesticides, unless handler is exempt from training requirements. WAC 16-233-211 (3) and (4) monitoring handlers applying highly toxic and enclosed space fumigants. WAC 16-233-216 PPE for handlers. WAC 16-233-221 decontamination and eye flush for handlers. WAC 16-233-311 protection of early-entry workers.	All other violations of chapter 16-233 WAC, excluding WAC 16-233-211(1), that warrant a civil penalty
First	\$1,000	\$500
Second	\$2,000	\$750
Third or more	\$3,000	\$1,000

Table III Base Penalties			
Level of Violation	Human Exposure	Adverse Effects Probable (Other than Human Exposure)	Adverse Effects Not Probable
First	\$1,500 and five-day license suspension	\$1,000 and four-day license suspension	\$300
Second	\$3,000 and 10-day license suspension, denial, or revocation	\$2,000 and eight-day license suspension, denial, or revocation	\$600
Third or more	\$6,000 and 20-day license suspension, denial, or revocation	\$4,000 and 16-day license suspension, denial, or revocation	\$1,200 and three-day license suspension, denial, or revocation

[Statutory Authority: RCW 15.58.040 and 17.21.030. WSR 23-04-041, § 16-228-1130, filed 1/26/23, effective 4/1/23. Statutory Authority: Chapters 17.21, 15.58, 34.05 RCW. WSR 03-22-029, § 16-228-1130, filed 10/28/03, effective 11/28/03. Statutory Authority: Chapters 17.21 and 15.58 RCW. WSR 01-01-058, § 16-228-1130, filed 12/12/00, effective 1/12/01. Statutory Authority: Chapters 15.54, 15.58 and 17.21 RCW. WSR 99-22-002, § 16-228-1130, filed 10/20/99, effective 11/20/99.]