

**WAC 173-910-540 Processing facility requirements.** (1) Processing facilities must operate their facility in a way that protects human health and the environment.

(2) Processing facilities must comply with all federal, state, and local requirements and, if it exports, those of all transit and recipient countries that are applicable to the operations and transactions in which it engages related to the processing and disposal of mercury-containing lights, parts of the mercury-containing lights, or mercury from the mercury-containing lights. These include, but are not limited to, applicable legal requirements relating to:

(a) Waste and recyclables processing, storage, handling, and shipping;

(b) Air emissions and waste water discharge, including stormwater discharges;

(c) Worker health and safety; and

(d) Transboundary movement of materials, waste, or scrap for recycling or disposal.

(3) Processing facilities must be open and transparent concerning compliance with all federal, state, and local requirements. Upon request by the department, person, or individual, a processing facility must make information available about any financial penalties, regulatory orders, or violations received in the previous three years. If the processing facility receives subsequent penalties or regulatory orders, the processing facility must make that information available to the requestor within sixty days after any subsequent penalties or regulatory orders are issued.

(4) Processing facilities participating in a product stewardship program must register with the stewardship organization as required in WAC 173-910-310.

(5) Processing facilities must allow access to the department for purposes of ensuring compliance with this chapter.

(6) Processing facilities may not use federal or state prison labor for processing mercury-containing lights.

(7) Any processing facility found to be out of compliance with this section or the requirements of the plan will not be allowed to participate in the program.

[Statutory Authority: Chapter 70.275 RCW. WSR 12-23-049 (Order 11-09), § 173-910-540, filed 11/16/12, effective 12/17/12.]