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**SUBSTITUTE HOUSE BILL 2361**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives J. Kohl, Horn, Rust, Foreman, Linville, L. Johnson, R. Johnson and Pruitt)

Read first time 01/28/94.

1 AN ACT Relating to the disposal of large residential appliances;  
2 adding new sections to chapter 70.95 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) Washington state has an active industry involved in the  
6 collection and recycling of retired major appliances;

7 (2) Major appliances often contain a number of problem wastes  
8 including mercury, polychlorinated biphenyls (PCB's) and  
9 chlorofluorocarbons (CFC's); and

10 (3) No guidelines or procedures currently exist to ensure the  
11 proper removal and management of problem wastes.

12 The legislature therefore directs the department of ecology to  
13 register each major appliance processor and to develop uniform  
14 procedures for the proper removal and management of problem wastes.

15 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
16 otherwise, the definitions in this section apply throughout sections 3  
17 through 5 of this act.

1 (1) "Major appliances" means common household appliances containing  
2 a significant quantity of recyclable metal and includes but is not  
3 limited to refrigerators, freezers, stoves, ranges, ovens, air  
4 conditioners, washing machines, clothes dryers, dishwashing machines,  
5 water heaters, trash compactors, garbage disposals, dehumidifiers, and  
6 heat pumps.

7 (2) "Retired major appliances" means used major appliances that are  
8 relinquished by their owners.

9 (3) "Major appliance processor" means an individual, company, or  
10 government agency engaged in the business of removing and handling  
11 problem wastes found in major appliances.

12 (4) "Problem wastes" include, but are not limited to: Capacitors  
13 and ballasts containing polychlorinated biphenyls, mercury switches,  
14 compressor oil, and chlorofluorocarbons found in major appliances.

15 NEW SECTION. **Sec. 3.** (1) Beginning January 1, 1995, the  
16 department shall require each major appliance processor to annually  
17 register with the department. The department shall make available to  
18 each major appliance processor a registration form requesting  
19 substantially the following information:

20 (a) The name, address, and telephone number of the processing  
21 facility;

22 (b) The name, address, and telephone number of the owner and  
23 operator of the facility;

24 (c) A list of equipment and removal procedures to be used to assure  
25 proper removal of problem wastes from major appliances;

26 (d) Procedures for safe storage of problem wastes after removal  
27 from major appliances;

28 (e) A list identifying the individuals or businesses who have  
29 accepted the problem wastes and scrap metal for disposal or recycling;  
30 and

31 (f) Any other reasonably related information required by the  
32 department to meet the requirements of section 4 of this act.

33 (2) The department may charge a fee to recover the cost of  
34 registering major appliance processors. The fee may not exceed twenty-  
35 five dollars.

36 NEW SECTION. **Sec. 4.** (1) By September 1, 1994, the department  
37 shall develop, in consultation with major appliance processors,

1 guidelines specifying how problem wastes contained in major appliances  
2 shall be removed and managed. At a minimum, the guidelines shall  
3 include the removal and management of:

- 4 (a) Capacitors and ballasts containing polychlorinated biphenyls;
- 5 (b) Mercury switches;
- 6 (c) Compressor oil;
- 7 (d) Refrigerant gases; and
- 8 (e) Any other problem or hazardous wastes identified by the  
9 department.

10 (2) Beginning January 1, 1995, and thereafter, each major appliance  
11 processor shall ensure that all problem wastes contained in major  
12 appliances are removed in conformance with the guidelines developed  
13 under subsection (1) of this section.

14 (3) Upon request by the department, a major appliance processor  
15 shall verify compliance with subsection (2) of this section.

16 NEW SECTION. **Sec. 5.** (1) It is a class 3 civil infraction under  
17 chapter 7.80 RCW to violate section 3 or 4 of this act. Each retired  
18 large appliance processed in violation of section 3 or 4 of this act  
19 shall be considered a separate infraction.

20 (2) The department shall provide a written warning through  
21 registered mail to a major appliance processor identifying any  
22 violations under section 3 or 4 of this act. The department shall  
23 assess the monetary penalties established under subsection (1) of this  
24 section if a major appliance processor is not in compliance with  
25 section 3 or 4 of this act within thirty days of receiving the written  
26 warning.

27 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are each  
28 added to chapter 70.95 RCW.

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