

Nonmercury-Added Products Purchasing Preference Policy

FREQUENTLY ASKED QUESTIONS

1. Question: Does the policy cover disposal of mercury-added products?

Answer: No, the policy establishes the purchasing priority and preference required in RCW 70.95M.060. However, in accordance with RCW 70.95M.030, agencies must dispose of mercury and mercury-added products in an environmentally responsible and acceptable manner based on the [department of health's instructions on proper disposal methods](#).

2. Question: Are there civil penalties for violation of this chapter?

Answer: Yes, in accordance with RCW 70.95M.080, a violation of this chapter (RCW 70.95M) is punishable by a civil penalty not to exceed one thousand dollars for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed five thousand dollars for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW [70.105D.190](#).

This is not collected or enforced by the Department of Enterprise Services, as the Department of Ecology is the defined department for Chapter RCW 70.95M.

3. Question: What documentation to support environmental purchases is recommended?

Answer: Purchasing entities can use the [Interstate Mercury Education and Reduction Clearinghouse's \(IMERC's\) Mercury-Added Products Database](#) to document their purchasing decisions regarding this policy and procedure. In addition, agencies will be able to use WEBS to document and track environmental preferences.