Enterprise Services Policy No. POL-DES-70.95M.060-00

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](https://www.doh.wa.gov/CommunityandEnvironment/Contaminants/Mercury).

1. **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](http://app.leg.wa.gov/RCW/default.aspx?cite=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.

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

**Answer:** Purchasing entities can use the Interstate Mercury Education and Reduction Clearinghous 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.