Plastics Producer Registration Instructions

By

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For the

Solid Waste Management Program

Washington State Department of Ecology

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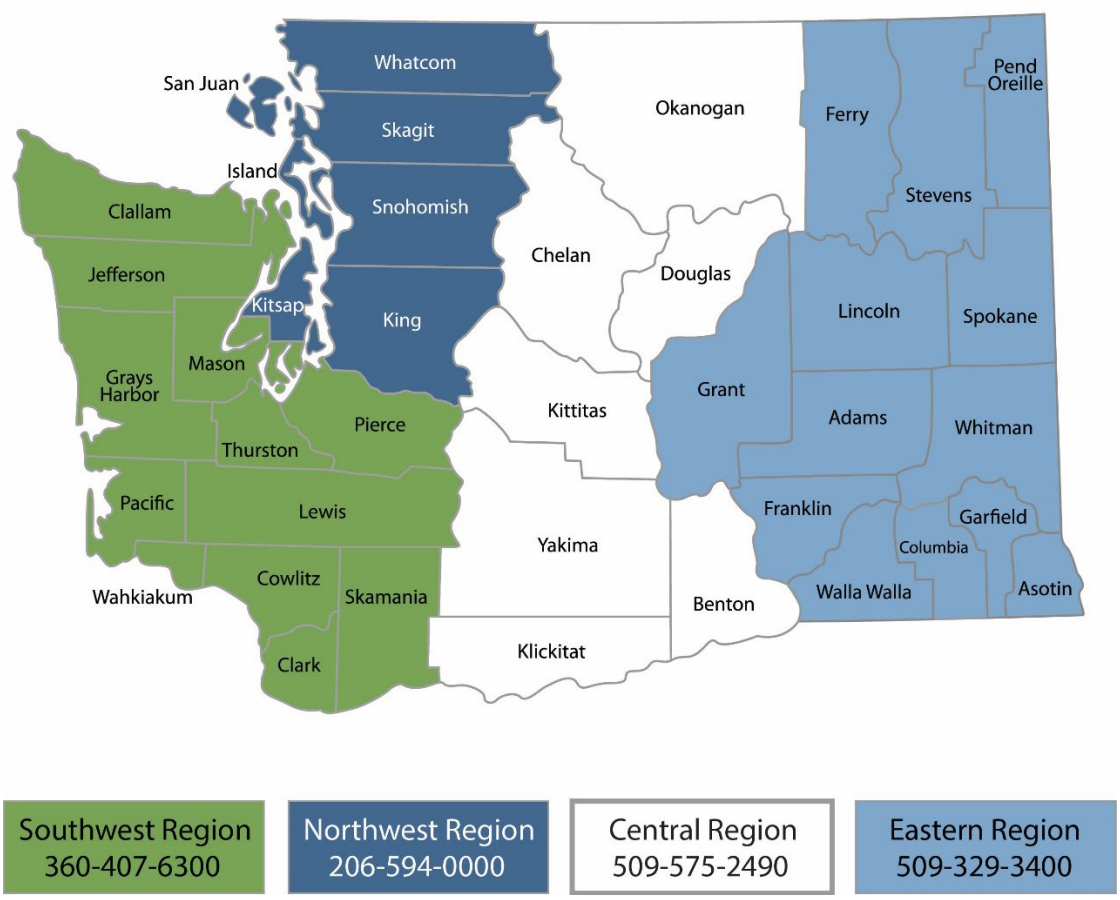
[1] www.ecology.wa.gov/contact

Department of Ecology's Regional Offices

Map of Counties Served



Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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- Shannon Jones

Overview

Washington's plastics law, Chapter 70A.245 RCW[2] requires producers of many common single-use plastics to include a minimum amount of recycled material in their product packaging.

All producers that offer for sale, sell, or distribute covered products in or into Washington are required to register with Ecology on or before **April 1st, 2023, and annually thereafter**. Registration and annual fee payment are required regardless of the date that a producer's category of covered products is required to begin meeting recycled-content minimums as detailed in the timeline below.

Products required to meet recycled-content minimums

- Plastic trash bags
  - 10 percent minimum for recycled content starts Jan. 1st, 2023
  - Trash bag labeling requirements starting Jan. 1st, 2023
- Plastic beverage bottles
  - 15 percent minimum for recycled content starting Jan. 1st, 2023
- Plastic containers for household cleaning and personal care products

Minimum recycled-content phases

Year	Plastic trash bags	Beverage containers*	Household cleaner and personal care	Plastic wine container (187 milliliters)	Dairy milk container
	All producers must renew their annual registration by **April 1** each year				
2023	10 percent	15 percent			
2024					
2025	15 percent		15 percent		
2026		25 percent			
2027	20 percent				
2028			25 percent	15 percent	15 percent
2029					
2030					
2031		50 percent	50 percent	25 percent	25 percent
2032					
2033					
2034					
2035					
2036				50 percent	50 percent

*Excluding plastic wine and milk containers.

[2] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.245

What is SecureAccess Washington (SAW)?

SecureAccess Washington (SAW) is a central login that lets you access government services online while ensuring your privacy. If you don't have a SAW account, you need to create one.

What is the Waste Reduction Portal?

The Waste Reduction Portal is a service within SAW that houses the Plastic Producer Registration system.

What is the Plastic Producer Registration system?

The Plastic Producer Registration Database is a system for plastic producers of certain covered products to submit registrations and in the future, report post-consumer resin data.

Who is required to report to the department?

Washington's post-consumer recycled content law requires producers of certain categories of products sold in plastic packaging to include minimum post-consumer recycled content in the packaging, and to register, report, and pay fees to the Department of Ecology.

The producer is the entity responsible for compliance with all aspects of the post-consumer recycled content law, including registration. If a third-party registers on behalf of the producer, that producer is still responsible for the requirements and is subject to audit and enforcement in the event of non-compliance. If you have questions, please contact the Recycled Content Team at recycledcontent@ecy.wa.gov

Who is a producer?

The producer is the entity responsible for compliance with all aspects of the post-consumer recycled content law, including registration, reporting, fee payment, and recycled content minimum requirements. The producer is the party subject to audit and enforcement action in the event of non-compliance.

- If a brand owner can show that they do not have the decision-making authority over the material composition of the packaging, the person with that decision-making authority can assume responsibility as a producer but may be asked for documentation in the event of auditing or enforcement.
- If a producer is a licensee of a brand, they assume the responsibility as a producer.
- If a product lacks identification of a brand, the producer is again the entity with decision-making authority over the content of the packaging, often the manufacturer.
- If none of the above apply, the entity that distributes the product in or into the state is considered the producer. Interpretation around the responsible party under the definition of producer is subject to change during the rulemaking process.

The rule will take effect in 2024 and any changes in interpretation will apply at that time.

The full definition of Producer is in Chapter 70A.245.010 RCW.

Who can submit a producer registration?

The producer themselves or a third-party representative on behalf of a producer or group of producers.

Registering as a De minimis producer

De minimis producers must notify Ecology of their de minimis status after the completion of rulemaking. Registration of de minimis producers lets Ecology and the public know they aren't delinquent or out of compliance. You can notify Ecology of your de minimis status in this year's registration cycle.

There are two ways De minimis producers can register and notify Ecology.

- For the question in each covered category section, "Is xx a producer under 70A.245 and other Ecology guidance," de minimis producers can answer "yes" and answer the covered product category questions by providing revenue, resin weight, and brand names. The database will automatically use this data to determine whether a producer is de minimis or not based on their provided answers.

Or

- De minimis producers can answer "no" to the question above within each product category, including to their respective product categories. When selecting "no", the producer will be prompted to fill in a required comment box, where they must attest that they are a self-identifying de minimis producer who didn't supply the data to complete the product category questions. By opting not to justify their de minimis claim with revenue and resin weight data, the producer increases the chance of Ecology following up to verify the de minimis claim.

SAW Instructions

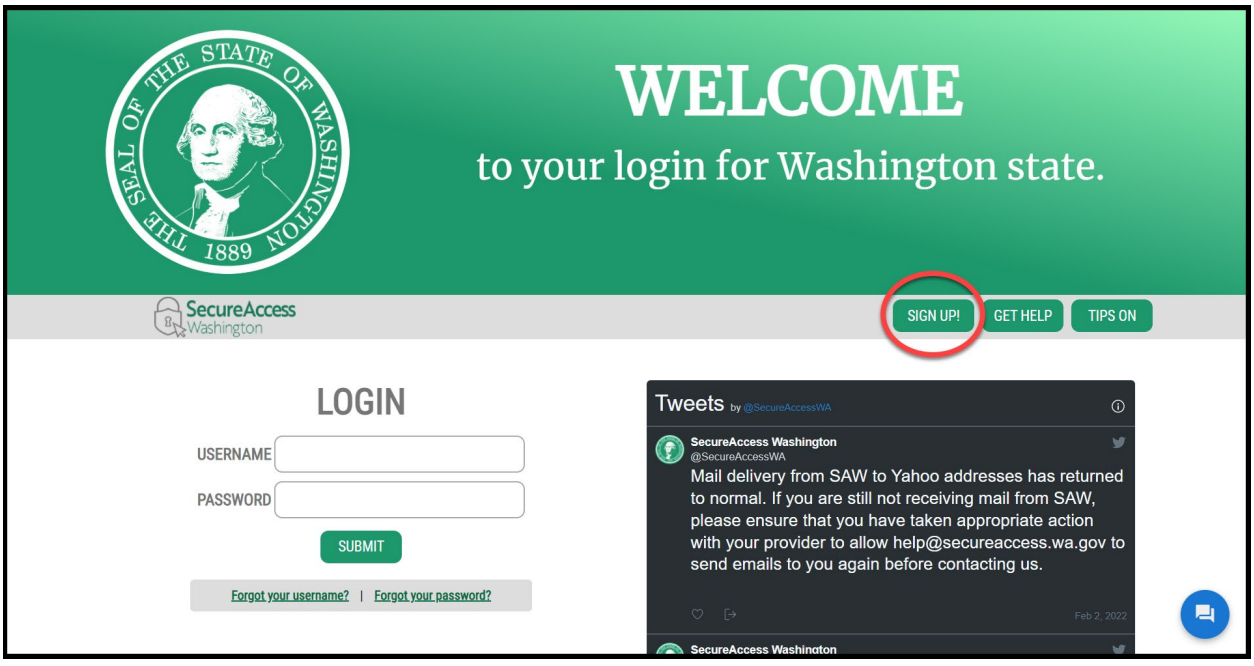
Step 1 – Sign up for a SAW account

To start, you need to have a SAW account[3]. If you already have a SAW account, skip to add a new service to your account section.

Note: SAW accounts are user-specific and shouldn't be shared between users.

Information needed to register:

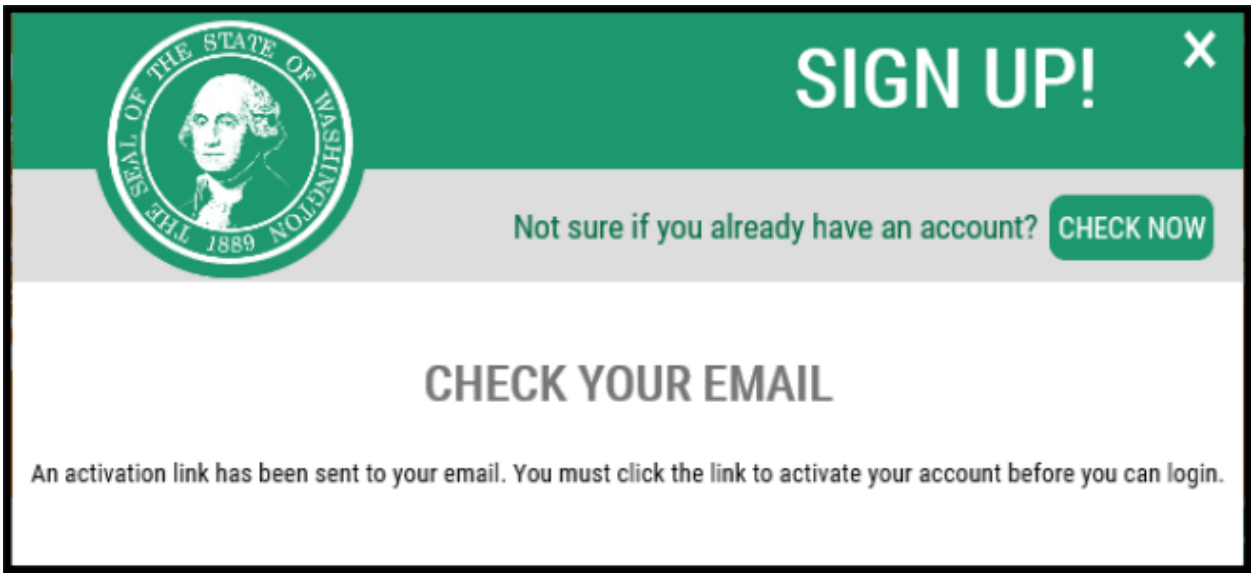
- First name
- Last name
- Primary Email
- Username
- Password



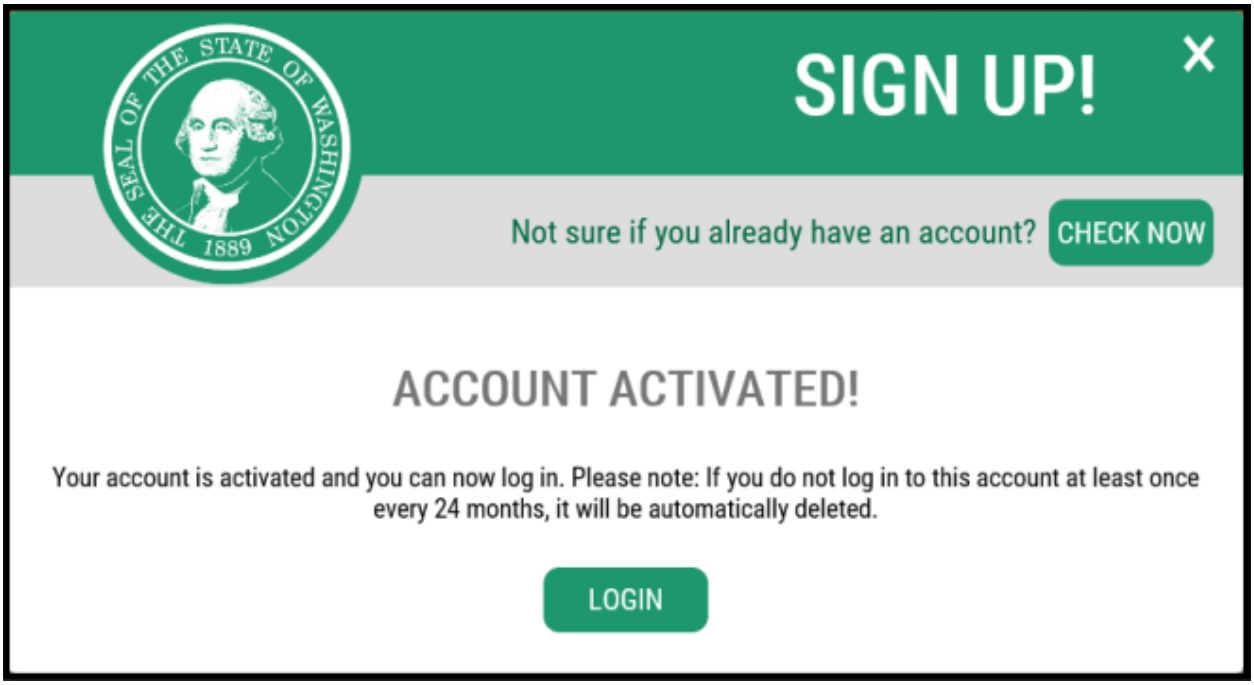
Screenshot 1: Go to the SAW homepage[3]. Click Sign Up to create a username and password. Fill in the form with your information and click Submit.

[3] https://secureaccess.wa.gov/myAccess/saw/select.do

Activate Your SAW Account

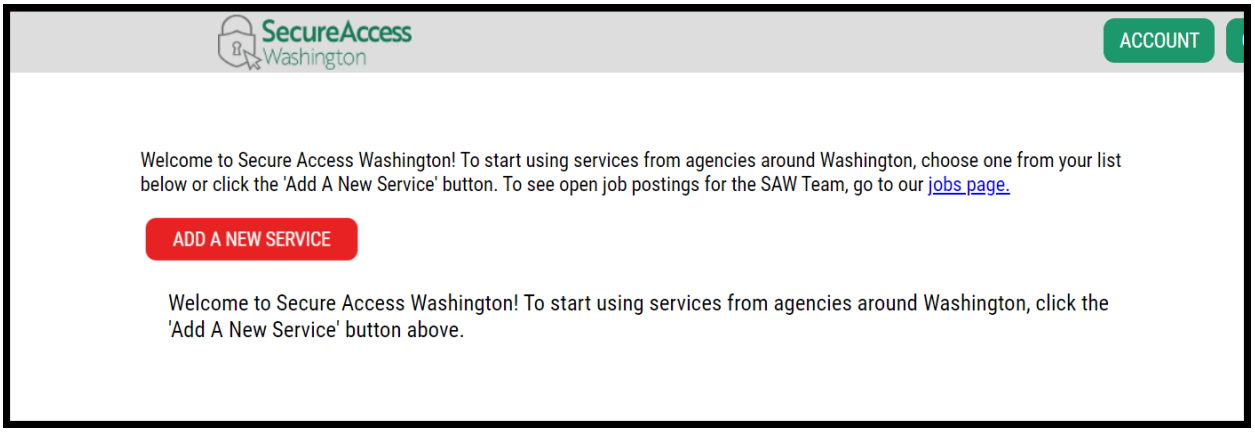


Screenshot 2: Once you click **Submit** from the previous screen, SAW will send you an activation email. Click the activation link inside that email.

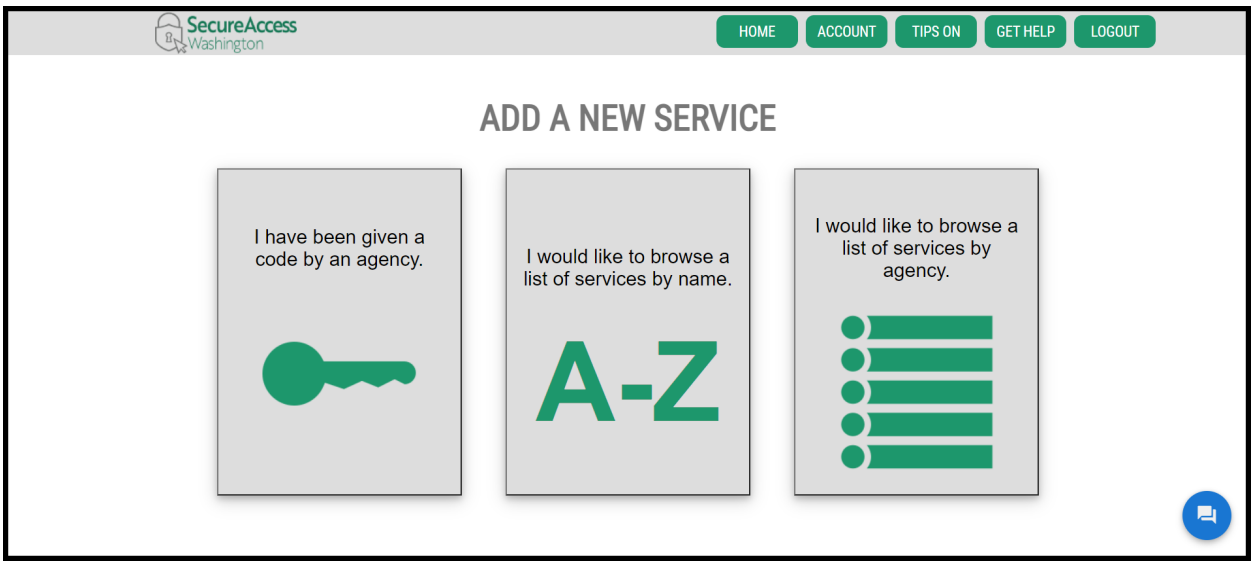


Screenshot 3: Once you click the activation link, SAW verifies your account is active.

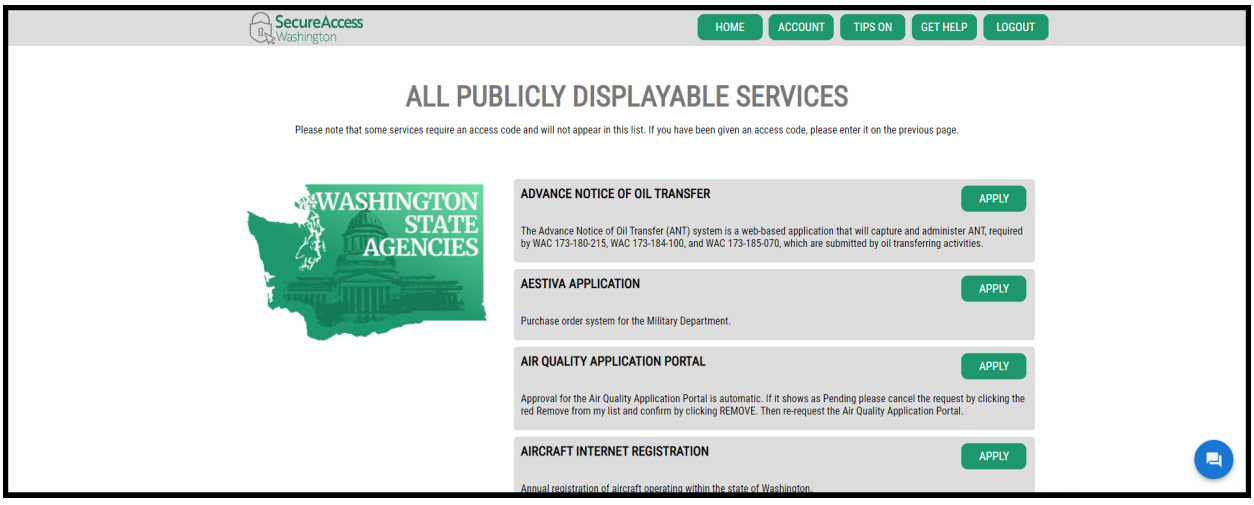
Step 2 – Add a new service to your account



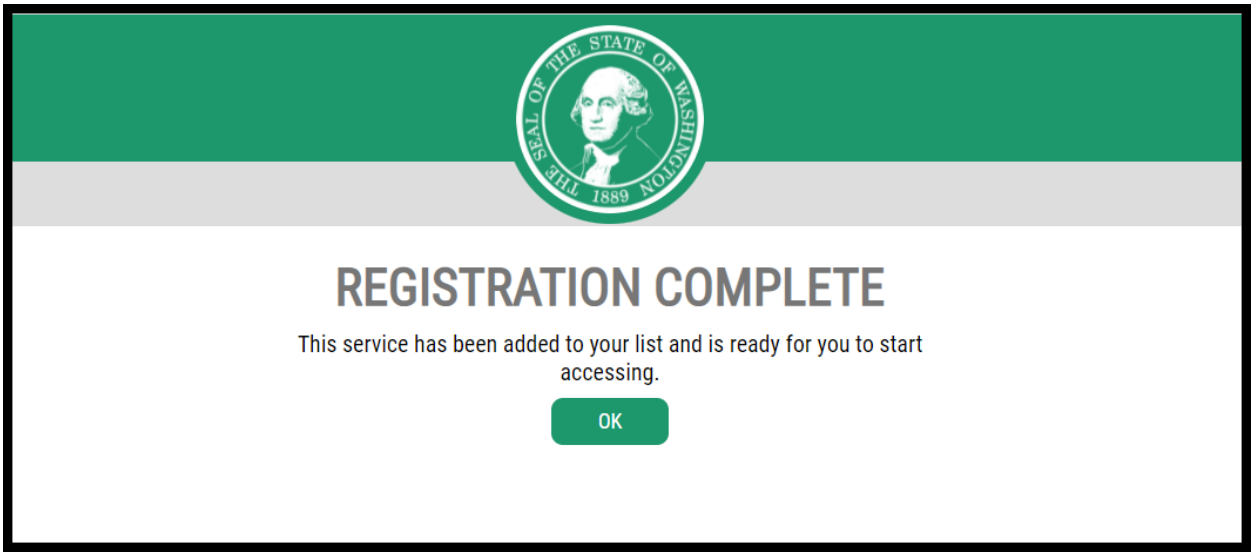
Screenshot 4: Login to SAW and click, **Add a New Service**.



Screenshot 5: Click **I would like to browse a list of services by name**.

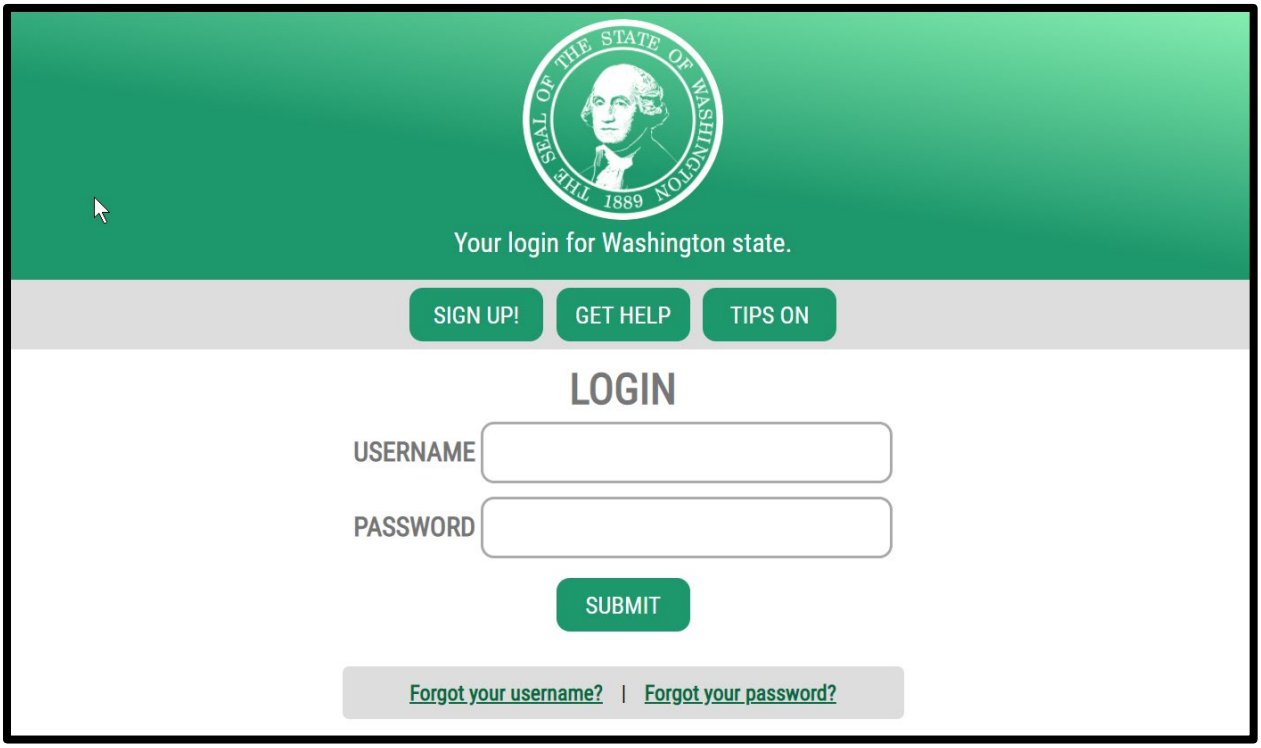


Screenshot 6: Find **Waste Reduction Portal** and click **Apply**.

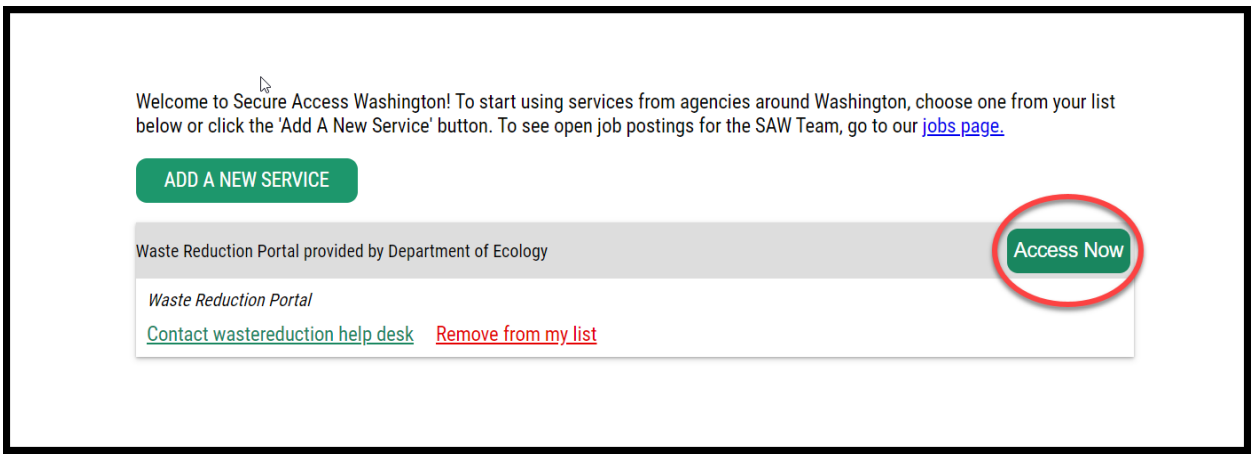


Screenshot 7: Your registration request is automatically approved. Click **OK** to return to your secure services homepage.

Step 3 – Submit your registration

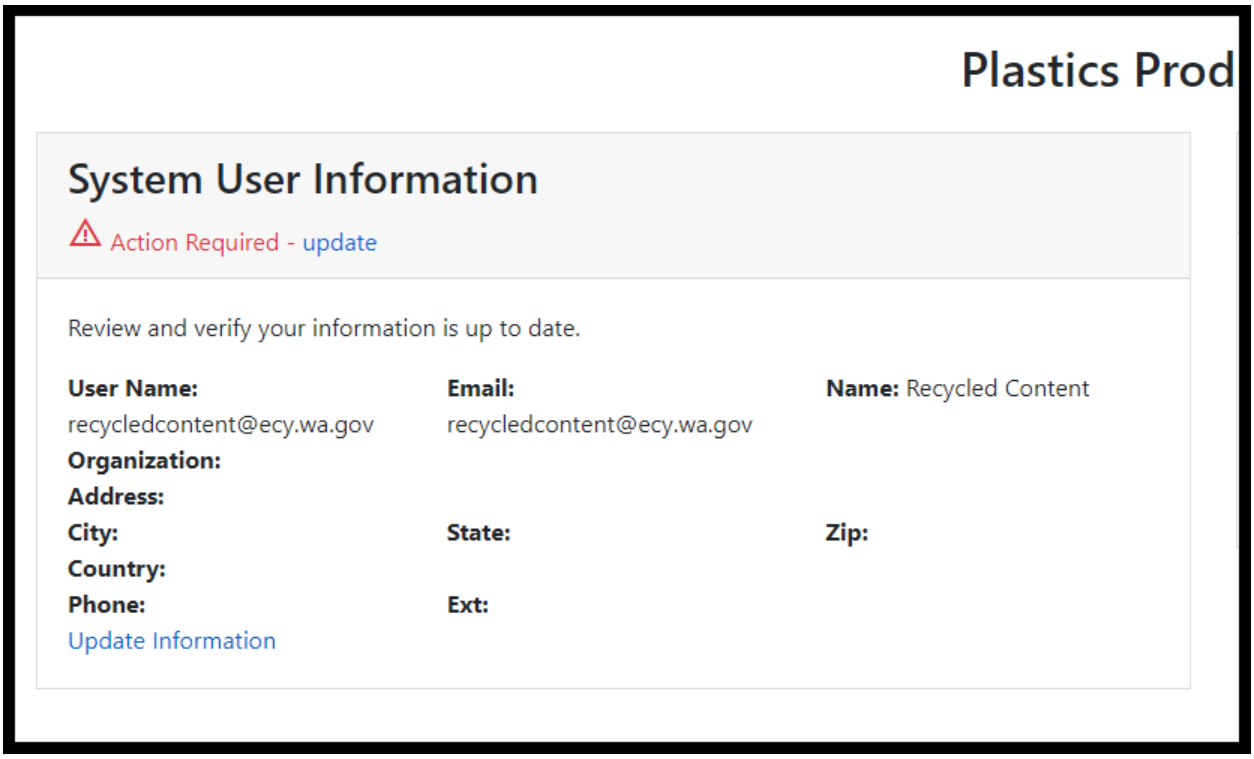


Screenshot 8: Go to the SAW login page[4]. Enter your username and password. Click **Submit**.

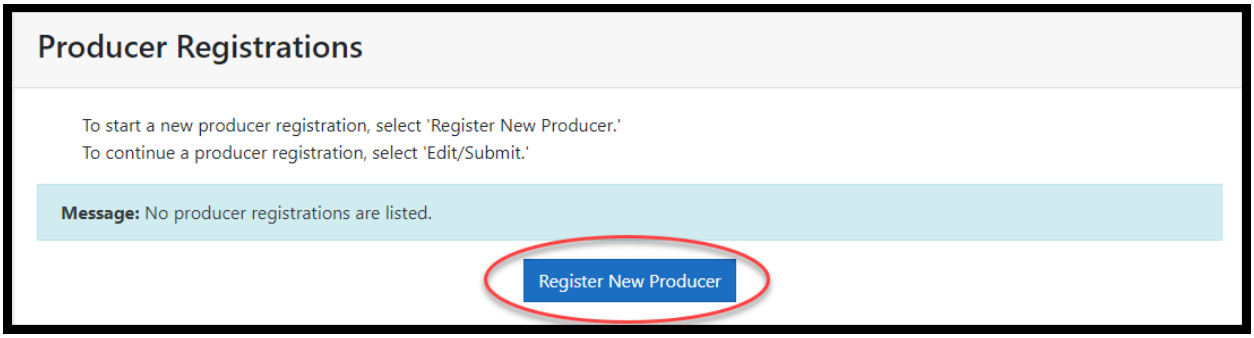


Screenshot 9: Find **Waste Reduction Portal**, click **Access Now**, and click **Continue**.

[4] https://secureaccess.wa.gov/myAccess/saw/select.do



Screenshot 10: Click **Update** Information under the System User section. Enter your information and click **Save**.



Screenshot 11: Click **Register New Producer** and complete the registration. When you are finished, click **Submit**.

Troubleshooting SAW

Ecology doesn't have access to your SAW account. The login page has the following options to recover your account:

- Forgot your password?
- Forgot your username?
- Get Help

After two failed password attempts, your account will lock. If this happens, you'll need to contact SAW.

Users who have not logged into their accounts in the last 24 months will be expired and be deleted from the system.

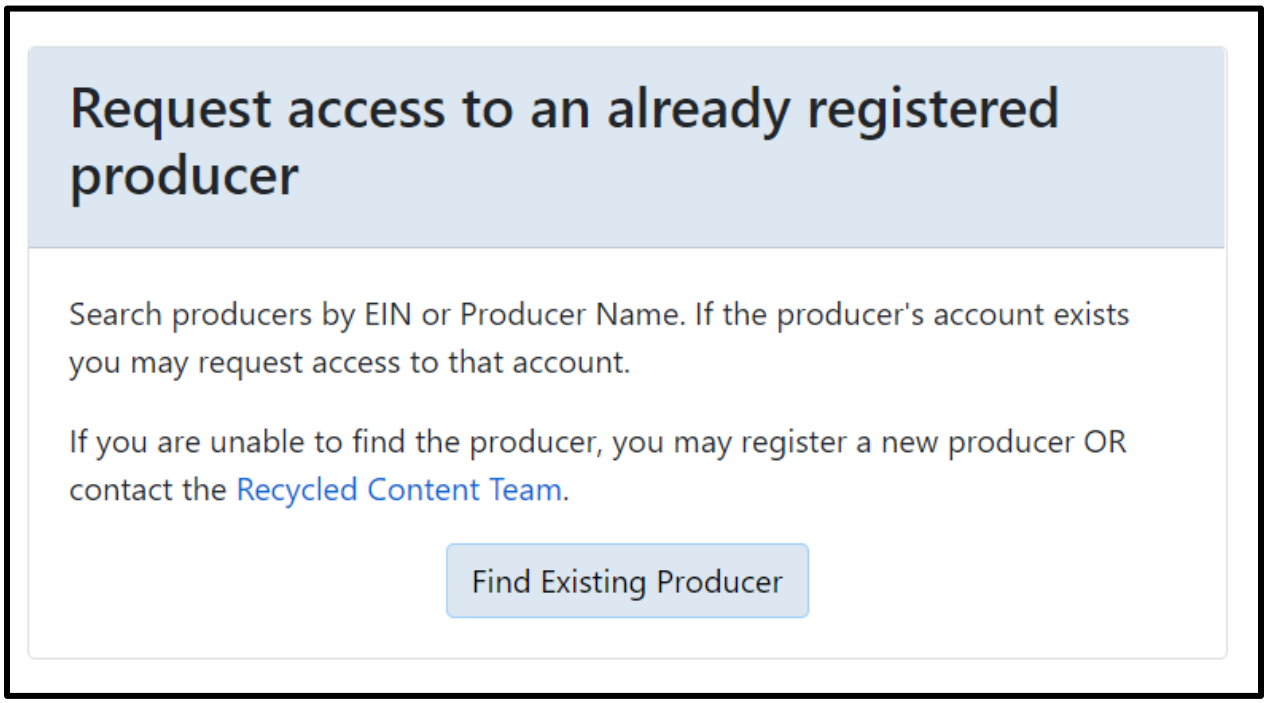
Screenshot 12: To recover your username or password click on forgot your username or forgot your password.

Request access to an already registered producer

If the producer's account already exists, you may request access to that account by selecting “find existing producer.”

This allows users to search producers by EIN, producer name, and PCR account number. The PCR account number can be found on last year's registration (example PCR0000).

If you are unable to find the producer, you may register as a new producer OR contact the Recycled Content Team.



Register new producer instructions

Producer Information

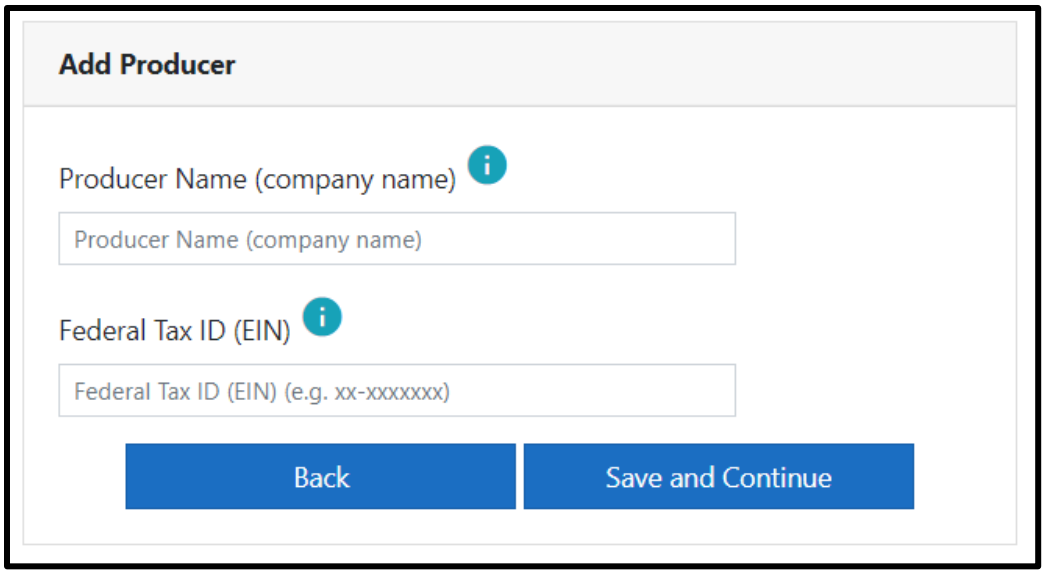
Producer Name (company name)

Enter the producer's name (for example, the company name).

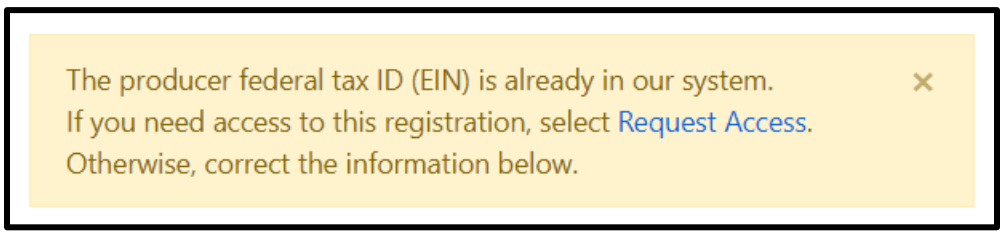
Federal Tax ID (EIN)

An employer identification number (EIN), is also known as a Federal Tax Identification Number. Your EIN is assigned by the IRS and is used to identify a business entity.

If the EIN is already in our system, you'll receive an error and cannot continue your registration and will need to request access to an existing account using the "find existing producer" button.



Screenshot 13 Click **Request Access** to send a request to the Recycled Content Team. You'll be notified once the producer has been added to your account.



Screenshot 14 A request access alert will let you know if the federal tax ID (EIN) has already in our system.

Contact Information

At least 1 Billing contact AND 1 Responsible official are both required. This can be the same contact.

Enter the contact(s) for the producer by selecting **add a new contact**.

Select **edit** to update an already added contact.

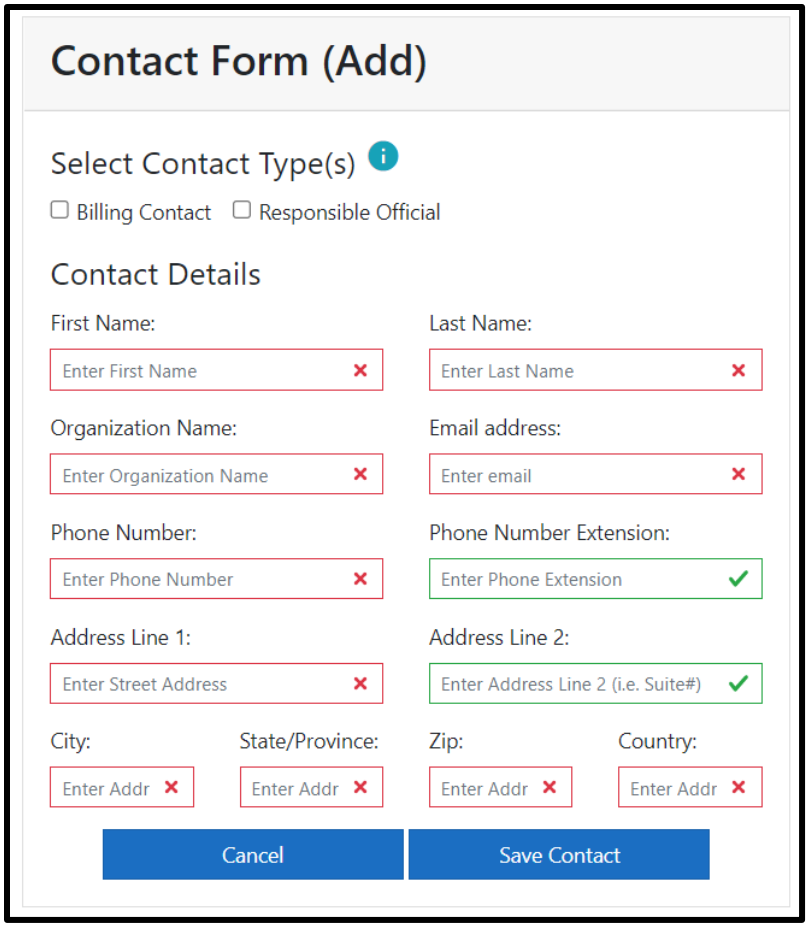
Contact Types

Billing Contact

- This contact information is used for invoicing annual fees
- A billing contact is **required**.
- Accounts Payable can be used for the billing contact, but not for the responsible official.

Responsible Official

- A responsible official is **required**.
- This contact must be able to answer questions related to the producer's resin activities.



Screenshot 15 Select the **contact type** (billing contact or responsible official), enter the required information then click Save Contact.

Covered Product Questions

Plastic Trash Bags

Include all products that were sold or offered for sale within the covered product category when answering each question.

Included

- Covered trash bags include bags made of non-compostable plastic, garbage bags, recycling bags, lawn or leaf bags, can liner bags, kitchen bags, compactor bags, and similar bags used for waste.
- Includes bags used in household, commercial or industrial settings.
- Starting in 2023 plastic trash bags are required to meet additional labeling requirements in RCW 70A.245.060

Not included

- Compostable bags that meet the requirements of Chapter 70A.455 RCW.

Product Category Details

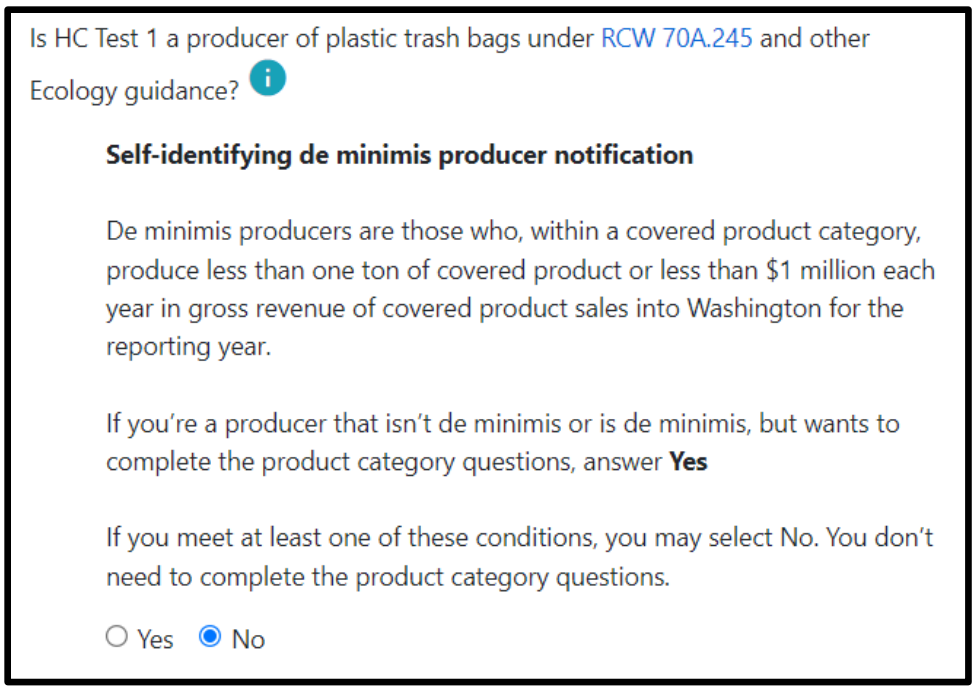
Is HC Test 1 a producer of plastic trash bags under RCW 70A.245 and other Ecology guidance?

Self-identifying de minimis producer notification

De minimis producers are those who, within a covered product category, produce less than one ton of covered product or less than $1 million each year in gross revenue of covered product sales into Washington for the reporting year.

If you're a producer that isn't de minimis or is de minimis, but wants to complete the product category questions, answer Yes

If you meet at least one of these conditions, you may select No. You don't need to complete the product category questions.

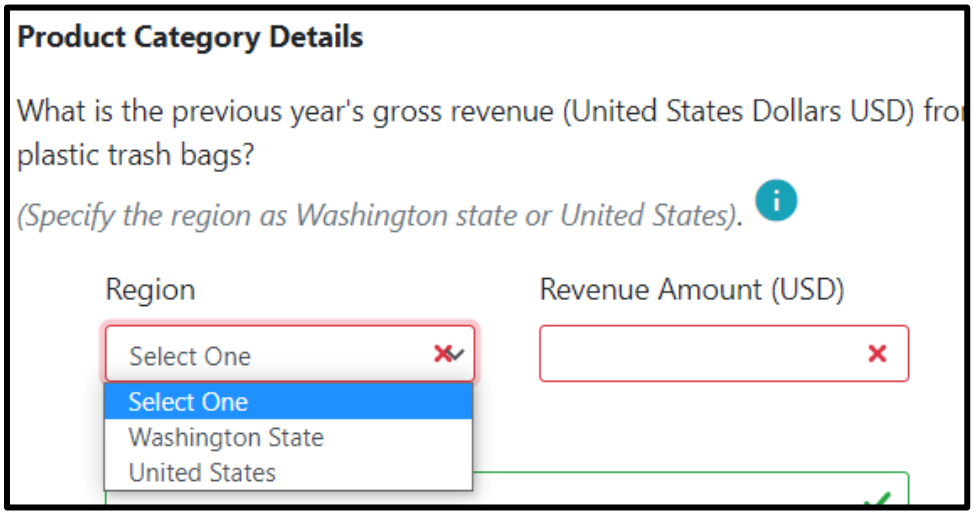


Screenshot 16 Select **yes** or **no.**

What is the previous year's gross revenue (United States Dollars USD) from plastic trash bags?

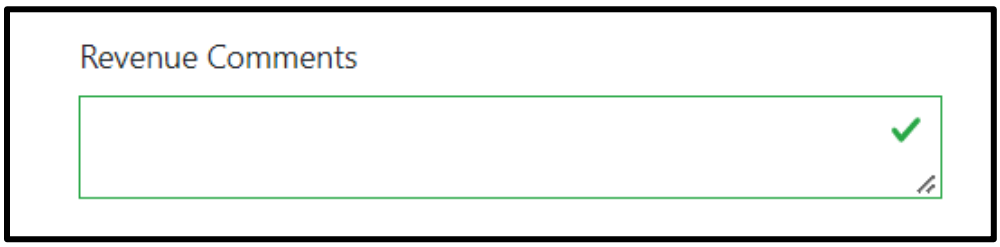
Specify the region as either Washington state or United States.

Revenue means the gross income a producer receives from covered products sold, offered for sale, or distributed in or into Washington. Revenue may be wholesale, retail sales or other revenue the producer receives depending on their position in the supply chain.



Screenshot 17 Select the **region** (Washington State or United States), then enter the **revenue amount total** in the field provided.

Add additional revenue comments.



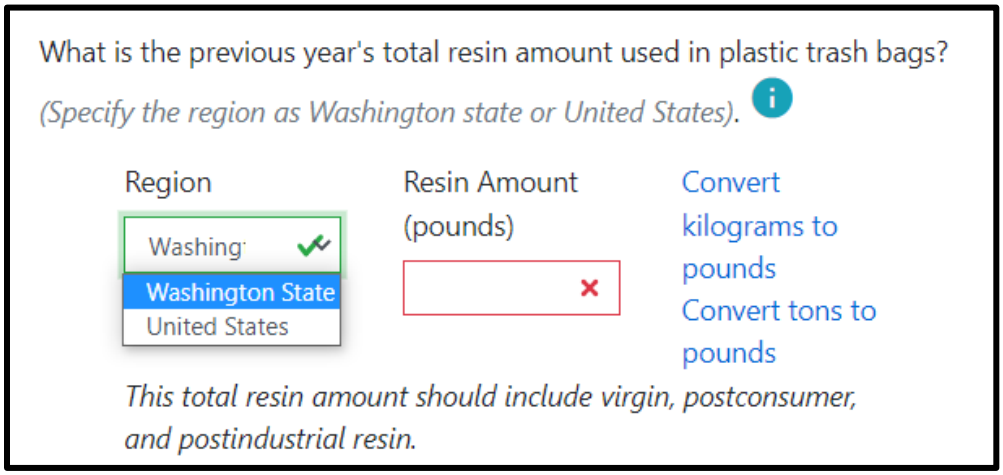
Screenshot 18 Add additional **revenue comments**.

What is the previous year's total resin amount used in plastic trash bags?

Specify the region as either Washington state or United States.

This total resin amount should include virgin, post-consumer, and post-industrial resin.

Ecology prefers Washington state-level data. Using state-level data ensures the greatest accuracy for Ecology to equitably calculate and distribute annual fees among producers.



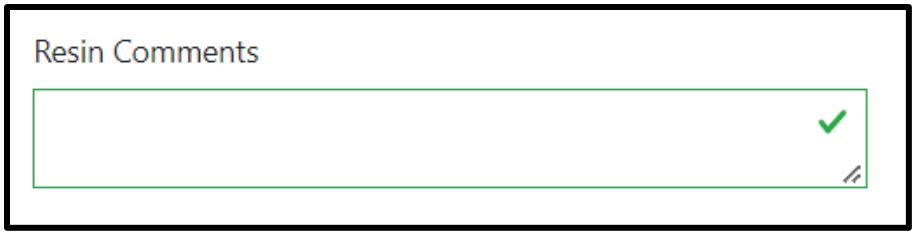
Screenshot 19 Select the **region** (Washington State or United States), then enter your **total resin pounds** in the field provided.

Add additional resin comments.

Ecology prefers Washington state-level data. Using state-level data ensures the greatest accuracy for Ecology to equitably calculate and distribute annual fees among producers.

If the producer provides United States data, they **must** use the "Resin Comments" box below to provide justification that explains why it's not feasible to isolate Washington state-level data from the United States data. If you have regional data in leu of state level data, reach out to staff to prorate the correct amount.

Ecology staff may request more information regarding the infeasibility of calculating Washington state specific averages for any producer who reports national averages.



Screenshot 20 Add additional **resin comments**.

List all brand and sub-brand names the covered products are sold under (as seen on the label). If applicable, provide any unique tax id numbers not provided in the first steps of registration.

Producers must list all brands that they own, regardless of whether they are manufactured by separate entities. Co-branded products must come to an agreement as to who accepts responsibility.

Each brand name should be its own entry. Do not list specific products. If you need to provide more clarity about the listed brand(s), use the comment box.

If the covered product doesn't have a brand, enter unbranded (comments required).

Screenshot 21 Enter **brand name**, select **yes** or **no** for Is the brand a private label or store brand? Select **yes** or **no** for Is the producer the brand owner? Add any **comments** that staff might need to know to process the information. After each entry click "**add brand**" button.

Plastic Beverage Containers

Include all products that were sold or offered for sale within the covered product category when answering each question.

Plastic beverage containers include all beverage bottles except for wine sold in 187 ml bottles and dairy containers.

Wine sold in 187 ml bottles and dairy are not required to meet PCRC minimums until the specified date on the timeline but must meet all other registration requirements and pay annual fees.

Included

- Plastic beverage containers are bottles and other rigid containers made of one or more plastic resins
- Plastic beverage containers sizes range from 2 fluid ounces up to and including 1 gallon
- Plastic beverage containers can be used to hold water, flavored water, beer, wine, spirits, soda, milk, juice, or any other beverage
    - Beverages can be for both human and animal consumption
    - Coffee creamers and non-dairy milks are considered beverages

Not included

- Refillable containers that function in a system of reuse
- Bladders or pouches used for wine
- Liners, caps, corks, closures, and labels
- Containers for some medical, prescription drug, or dietary purposes

Product Category Details

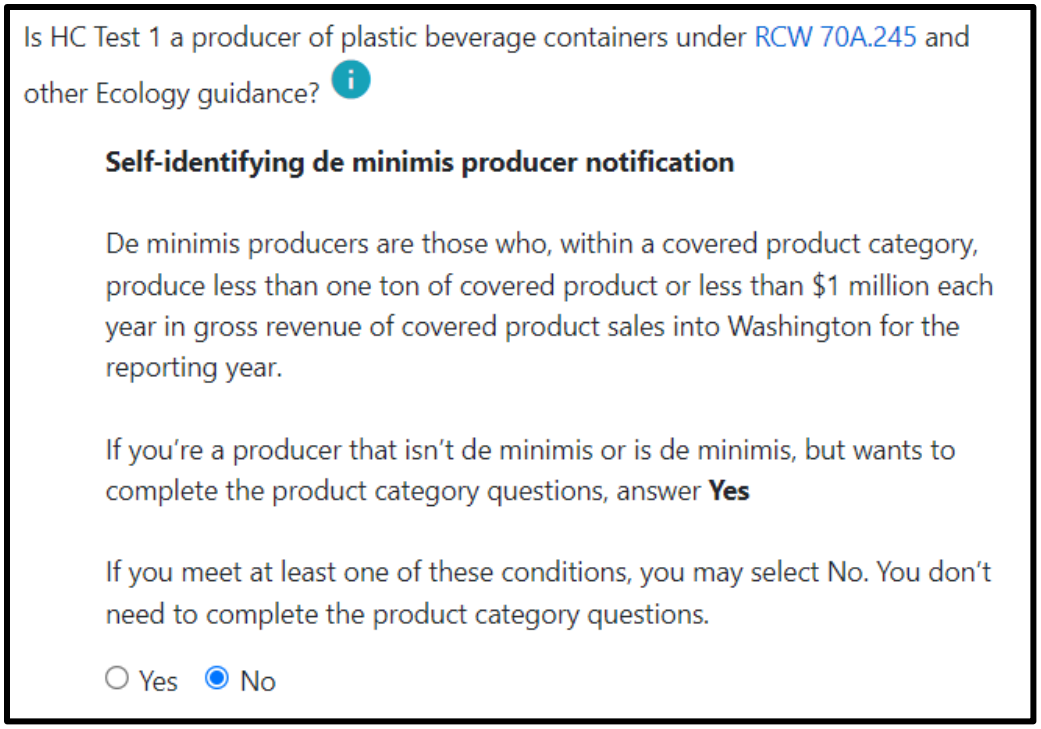
Is HC Test 1 a producer of plastic beverage containers under RCW 70A.245 and other Ecology guidance?

Self-identifying de minimis producer notification

De minimis producers are those who, within a covered product category, produce less than one ton of covered product or less than $1 million each year in gross revenue of covered product sales into Washington for the reporting year.

If you're a producer that isn't de minimis or is de minimis, but wants to complete the product category questions, answer Yes.

If you meet at least one of these conditions, you may select No. You don't need to complete the product category questions.

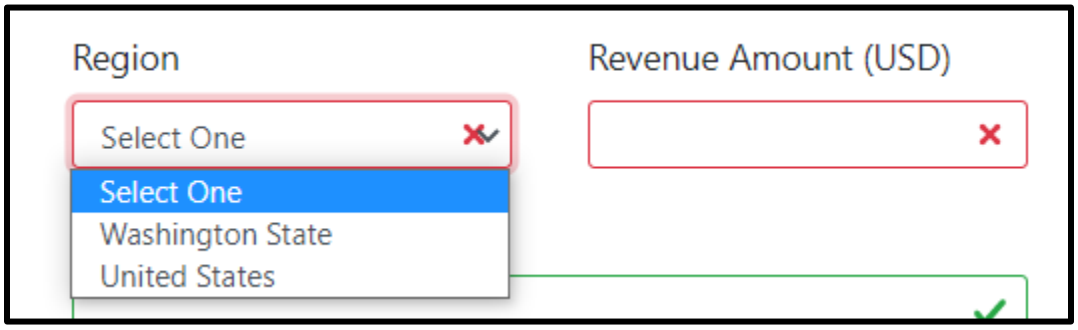


Screenshot 22 Select **yes** or **no**

What is the previous year's gross revenue (United States Dollars USD) from plastic beverage containers?

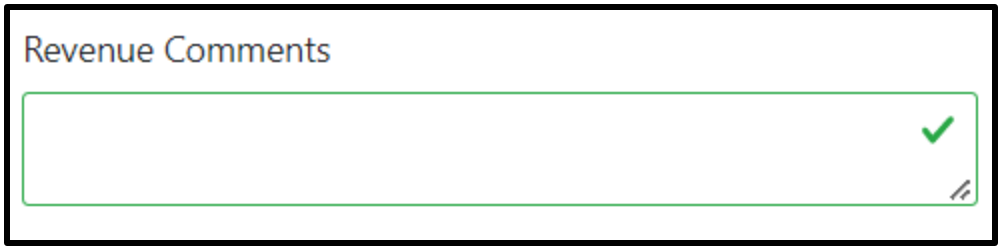
Specify the region as either Washington state or United States.

Revenue means the gross income a producer receives from covered products sold, offered for sale, or distributed in or into Washington. Revenue may be wholesale, retail sales or other revenue the producer receives depending on their position in the supply chain.



Screenshot 23 Select the **region** (Washington State or United States), then enter the **revenue amount total** in the field provided.

Add additional revenue comments.



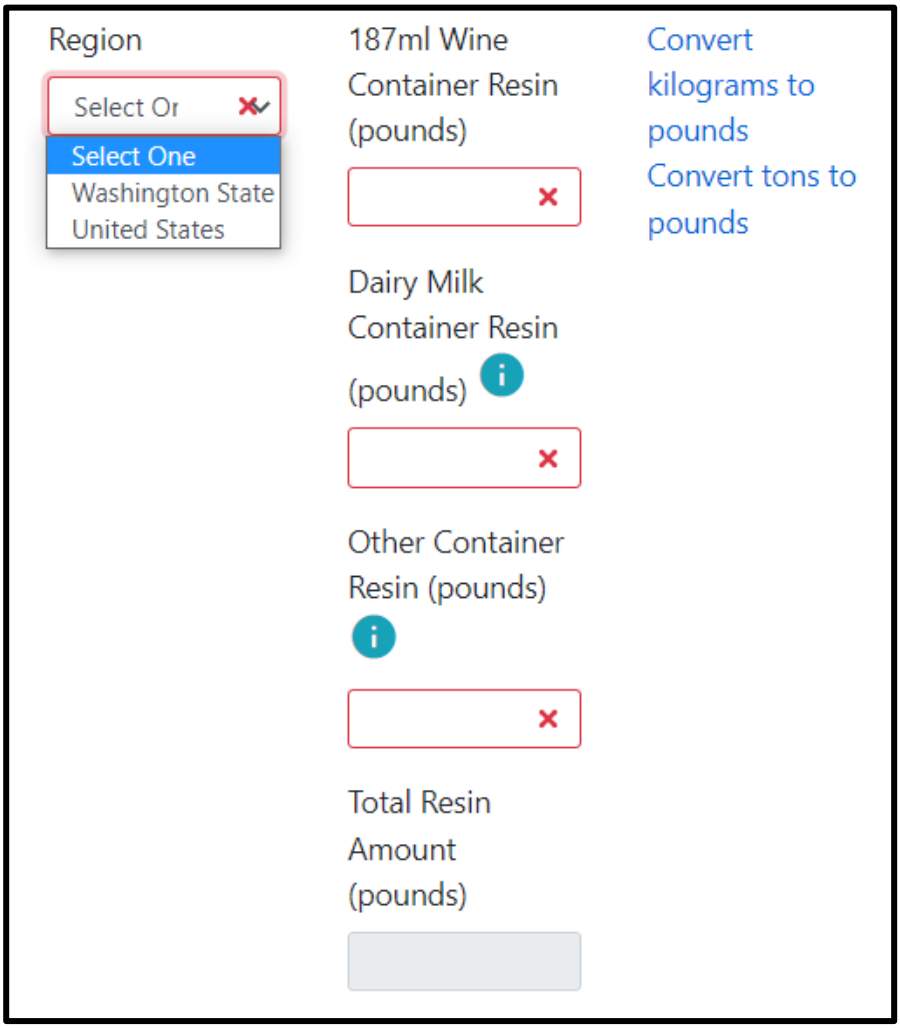
Screenshot 24 Add additional **revenue comments**.

What is the previous year's total resin amount(s) used in plastic beverage containers?

Specify the region as Washington state or United States.

Please specify the amounts of resin for each type of beverage container. If no resin was used for a specific type, enter 0.00.

This total resin amount should include virgin, post-consumer, and postindustrial resin.



Screenshot 25 Select the **region** (Washington State or United States), then enter the **resin total pounds** in the provided fields for 187mL Wine containers, Dairy Milk containers, and Other containers.

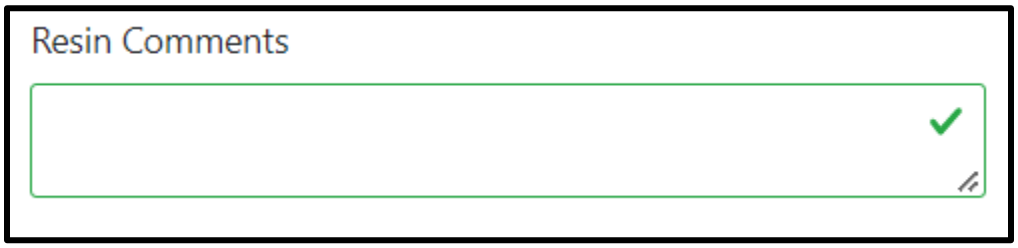
Add additional resin comments.

Ecology prefers Washington state-level data. Using state-level data ensures the greatest accuracy for Ecology to equitably calculate and distribute annual fees among producers.

If the producer provides United States data, they **must** use the "Resin Comments" box below to provide justification that explains why it's not feasible to isolate Washington state-level data

from the United States data. If you have regional data in leu of state level data, reach out to staff to prorate the correct amount.

Ecology staff may request more information regarding the infeasibility of calculating Washington state specific averages for any producer who reports national averages.



Screenshot 26 Add additional **resin comments.**

List all brand and sub-brand names the covered products are sold under (as seen on the label). list all and if applicable any unique tax id numbers not provided in registration.

Each brand name should be its own entry. Do not list specific products. If you need to provide more clarity about the listed brand(s), use the comment box.

If the covered product doesn't have a brand, enter unbranded (explanatory comments will be required).

Screenshot 27 28 Enter **brand name**, Select **yes** or **no** for Is the brand a private label or store brand?. Select **yes** or **no** for Is the producer the brand owner? Add any **comments** that staff might need to know to process the information. After each entry click "**add brand**" button.

Plastic household cleaning and personal care product containers

Include all products that are within the covered product category when answering each question.

Tubes are considered a covered product if they have a neck smaller than the base, are capable of maintaining their shape when empty, and they hold a capacity greater than 8 oz.

Included

For 2023 only, household cleaning products include soaps, detergents, softeners, and stain removers or other chemically formulated domestic consumer products labeled to indicate that the purpose of the product is to clean, or otherwise care for fabric, dishes, or other wares, surfaces including, floors, furniture, countertops, showers, and baths; or other hard surfaces, such as stovetops, microwaves, and other appliances.

- Plastic bottles for household cleaning and personal care products include bottles, jugs, and other rigid containers made of one or multiple plastic resins
- Plastic bottles for household cleaning and personal care products are considered a covered product if they have a neck or mouth smaller than the base and maintain their shape when empty
- Plastic containers ranging from 8 fluid ounces up to and including 5 gallons.
- The scope of included products in 2024 is expected to change under the newly adopted PCRC rule.

Not included

- Reusable packaging intended for refill.
- Used with medical devices/products.
- Nonprescription and prescription drugs.
- Dietary supplements as defined in RCW 82.08.0293 and contain a "supplement facts" box on the packaging.

Product Category Details

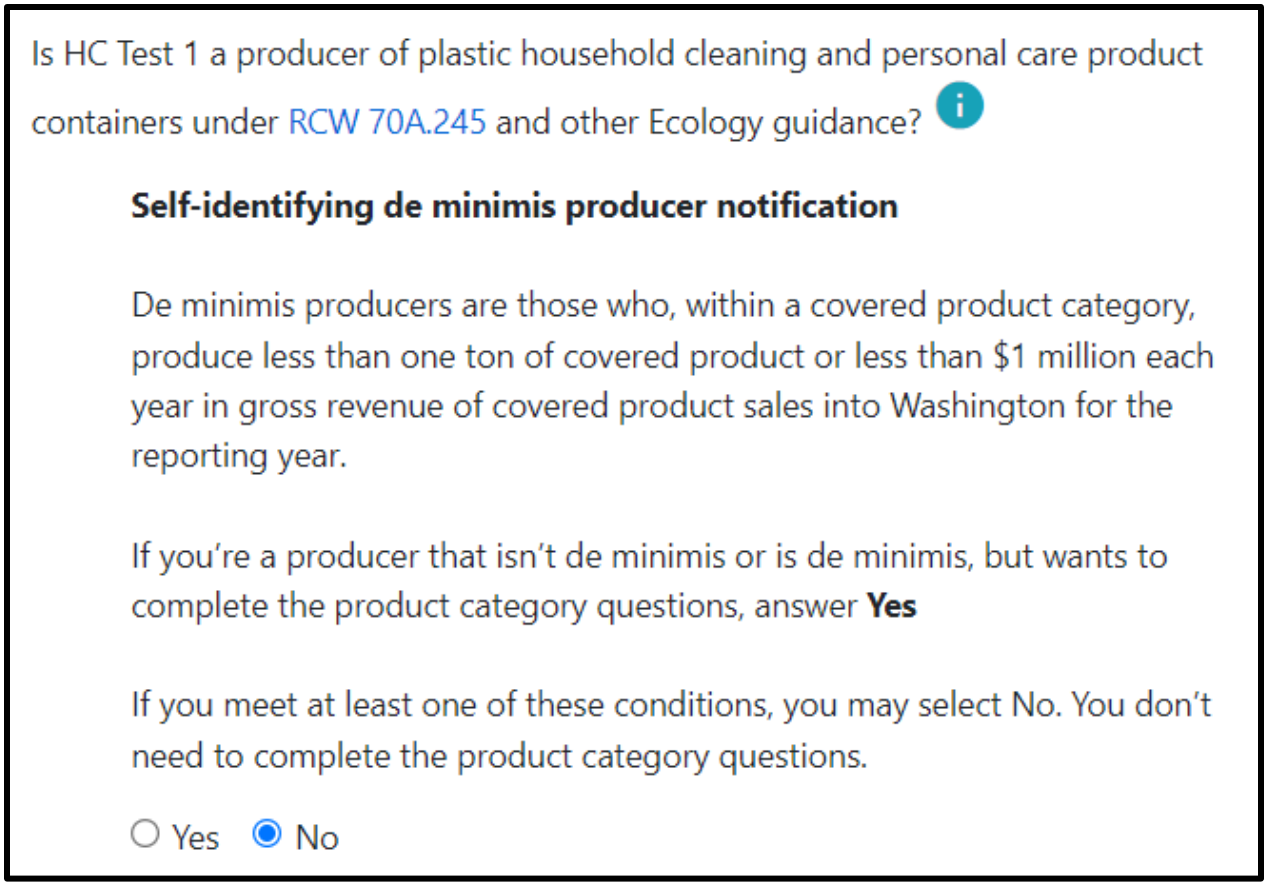
Is HC Test 1 a producer of plastic household cleaning and personal care product containers under RCW 70A.245 and other Ecology guidance?

Self-identifying de minimis producer notification

De minimis producers are those who, within a covered product category, produce less than one ton of covered product or less than $1 million each year in gross revenue of covered product sales into Washington for the reporting year.

If you're a producer that isn't de minimis or is de minimis, but wants to complete the product category questions, answer Yes.

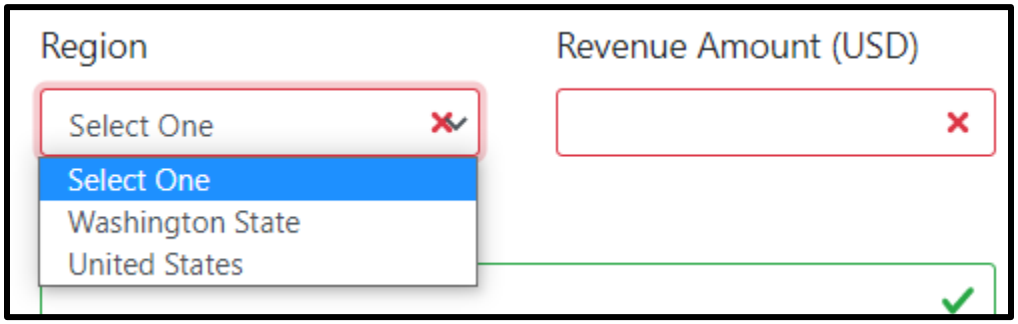
If you meet at least one of these conditions, you may select No. You don't need to complete the product category questions.



Screenshot 29 Select **yes** or **no.**

What is the previous year's gross revenue (United States Dollars USD) from plastic household cleaning and personal care product containers?

Specify the region as Washington state or United States.

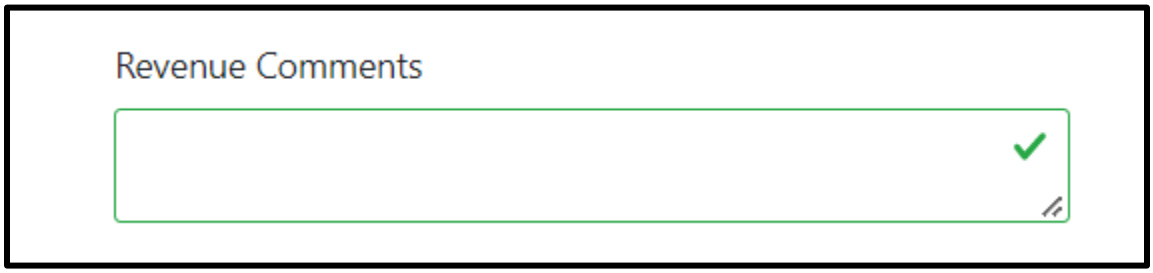


Screenshot 30 Select the **region** (Washington State or United States), then enter the **revenue amount total** in the field provided.

Revenue means gross income a producer receives from covered products sold, offered for sale, or distributed in or into Washington. Revenue may be wholesale, retail sales or other revenue the producer receives depending on their position in the supply chain.

If United States is chosen, the system will prorate the quantity for Washington's population. Using the most recent census data, Washington is 2.32% of the national population.

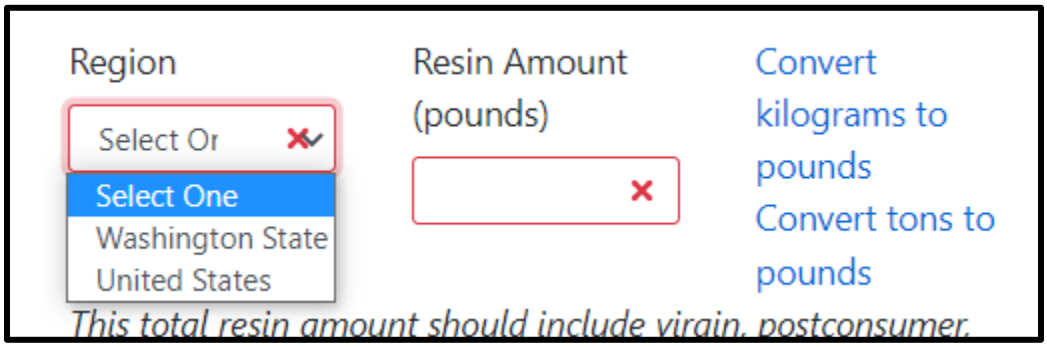
Add additional revenue comments.



Screenshot 31 **Add** additional **revenue comments**.

What is the previous year's total resin amount(s) used in plastic household cleaning and personal care product containers?

Specify the region as Washington state or United States



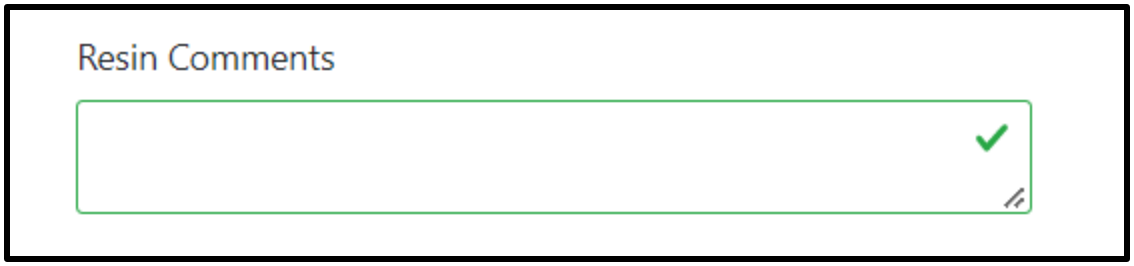
Screenshot 32 Select the **region** (Washington State or United States), then enter your **total resin pounds** answer in the field provided.

Add additional resin comments.

Ecology prefers Washington state-level data. Using state-level data ensures the greatest accuracy for Ecology to equitably calculate and distribute annual fees among producers.

If the producer provides United States data, they **must** use the "Resin Comments" box below to provide justification that explains why it's not feasible to isolate Washington state-level data from the United States data. If you have regional data in leu of state level data, reach out to staff to prorate the correct amount.

Ecology staff may request more information regarding the infeasibility of calculating Washington state specific averages for any producer who reports national averages.



Screenshot 33 Add additional **resin comments**.

List all brand and sub-brand names the covered products are sold under (as seen on the label). If applicable, list any unique tax id numbers not provided in the first steps of registration.

Each brand name should be its own entry. Do not list specific products. If you need to provide more clarity about the listed brand(s), use the comment box.

If the covered product doesn't have a brand, enter unbranded (comments required).

Screenshot 34 Enter **brand name**, select **yes** or **no** for Is the brand a private label or store brand. Select **yes** or **no** for Is the producer the brand owner? Add any **comments** that staff might need to know to process the information. After each entry click "**add brand**" button.

Review & Submit

Review and verify that the information provided in your registration is correct.

- If your registration is correct, click **Submit**.
- To update any detail in your registration, click **Back**.

For each covered product, the system will specify whether reporting is required in addition to registration.

If you used the United States total for total resin quantity, the system will display the prorated amount for Washington.

Answered no to all product categories

If a producer answers no to all product categories, they will be prompted to complete a comment box requesting additional information after they click submit.

Product not covered

Based on the information provided in your registration, annual reporting **IS NOT** required for this category.

This means the covered product met one or both de minimis thresholds.

Product covered

Based on the information provided in your registration, annual reporting **IS** required for this category.

What if I need to update my registration after it has been submitted?

Contact the Recycled Contact Team to request any updated to a submitted registration.

What if I answered no to all covered product category questions?

This producer answered no to all covered product category questions, upon submitting you will need to provide an explanation as to why this entity is not a producer of the covered products under RCW 70A.245 and other Ecology guidance.

Frequently asked questions

Are store brands and private label brands responsible for compliance?

Producers must take responsibility for all the requirements of the law for all brands that they own. This applies even if the product is manufactured by someone other than the brand owner, another person registers on their behalf, or if the producer owns brands under a different name. Every non-exempt covered product must have one designated producer. Store brands and private-label brands are included in this interpretation.

Unless provided with evidence otherwise, Ecology will assume the brand owner is the producer.

Who is a de minimis producer?

There are two possible ways to qualify –

If a single category of a covered product generates less than $1,000,000 each year in revenue in Washington then you are a de minimis producer.

Or

If a single category of a covered product generates less than one ton of containers or trash bags in Washington then you are a de minimis producer.

Although de minimis producers are not required to register, registration (whether de minimis or not) demonstrates to Ecology and the public that the producer complies with the PCR law. Compliance status will be publicly available on the Plastic Producer List[5].

De minimis qualification can only be calculated from all the brands owned by a producer. It cannot be calculated at the individual brand, collection, or subsidiary brand level.

Ecology staff will follow up with producers who are not registered. De minimis producers should complete the questions to notify Ecology of their de minimis status so that there is no confusion from Ecology or from interested parties who review the registered producer list to determine whether or not a producer is in compliance.

[5] https://apps.ecology.wa.gov/WasteReduction/Plastics

What is a 'single category' of a covered product?

A single category is one of the three categories of covered products listed in law:

(i) Plastic trash bags;

(ii) Household cleaning and personal care products that use plastic containers; and

(iii) Beverages that use plastic beverage containers.

What is the definition of revenue?

Revenue means income received by a producer from covered products sold, offered for sale, or distributed in or into Washington. This may be wholesale, retail sales or other revenue the producer receives depending on their position in the supply chain.

What is the process for requesting confidentiality?

To begin the process for confidentiality, send an email to RecycledContent@ecy.wa.gov.

To determine whether you meet the requirements for confidentiality, provide details to justify and certify that the information in your documents relates to production processes unique to your company, or how disclosure of the information may adversely affect your company's competitive position. The Department may ask additional follow-up questions and will respond to requests for confidentiality within 30-60 days.

Unless confidentiality is granted, under chapter RCW 70A.245.090 the department is required to annually publish a list of registered producers of covered products and associated brand names, their compliance status, and other information the department deems appropriate on the department's website. Other data, such as revenue and resin weight, are not publicly posted on the website.

Who qualifies for using national data vs. being able to use Washington state data for calculating state sales?

If producers can demonstrate they do not have Washington specific data, then the producer may use the Washington proportion of the population of your national numbers. Ecology staff may request more information regarding to the infeasibility of calculating Washington state-specific averages for any producer who reports national averages. If you do not have state specific data, but have regional data, please contact our staff for entering those numbers and prorating them for Washington.

What is the difference between annual fees and penalties? When do penalties apply?

The program has one annual fee and two types of penalties:

1. The annual fee covers the annual costs the department expects to incur to implement, administer, and enforce the law, including, during the first two years of implementation,

the cost of rulemaking. This cost estimate is published each January in an annual workload analysis, available for public comment. The collection of annual fees began in 2022 for all producers of covered products. The cost estimated in the annual workload analysis is equitably divided among producers based upon their proportion of the total resin weight sold or offered for sale in Washington.

2. The first type of penalty is for producers in violation of the registration, reporting, or labeling requirements in RCW 70A.245.020, 70A.245.030, or 70A.245.060. Violations of these sections are subject to a civil penalty for each day of violation in an amount not to exceed $1,000. Registration began in 2022 for all covered product producers and is required annually.
3. The second type of penalty is for producers that do not meet the minimum post-consumer recycled content requirements according to RCW 70A.245.020. Penalties apply beginning June 1st of the year following the first year that minimum post-consumer recycled product content requirements apply to a category of covered product. For example, beginning January 1, 2023, plastic trash bags must meet 10% minimum post-consumer content by weight. If that condition is not met by the producer of the plastic trash bags by June 1, 2024, then the trash bag producer is out of compliance and may be subject to penalties.
4. PCRC minimum penalties are calculated as follows:
    - The annual penalty amount must equal the product of both of the following: The total pounds of plastic used per category multiplied by the relevant minimum postconsumer recycled plastic target percentage, less the pounds of total plastic multiplied by the percent of postconsumer recycled plastic used; multiplied by 20.
    - Example: [(Total pounds of plastic used x minimum postconsumer recycled plastic target percentage) – (Total pounds of plastic used x postconsumer recycled plastic percentage used)] x 20 cents.

Equation A – determine actual PCR rate achieved:

Total pounds of PCRC plastic resin/total pounds of all plastic resin = Actual PCRC rate achieved

Equation B – determine PCRC penalty:

[(Total pounds of all plastic resin x minimum PCRC rate) – (Total pounds of all plastic resin x actual PCRC rate achieved)] x 20 cents = PCRC penalty.

5. Ecology will work with producers to come into compliance with the PCRC requirements. Penalties may be reduced based on a producer's demonstration of anomalous market conditions, disruptions, lack of supply of recycled plastic feedstock, or other factors as determined by Ecology.

What products are included in the definition of beverage? What about things like juice or coffee creamer?

“Beverage" includes those beverages intended for human or animal consumption, and in a quantity more than or equal to two fluid ounces and less than or equal to one gallon.

Examples include: water, flavored water, beer or other malt beverages; wine; distilled spirits; mineral water, soda water, and similar carbonated soft drinks; juice; non-dairy beverages and creamers and any beverage other than those specified. This includes creamers added to other beverages. This does not include powders added to liquid.

The only exceptions are infant formula as defined in 21 U.S.C. Sec. 321(z), medical food as defined in 21 U.S.C. Sec. 360ee(b)(3), or fortified oral nutritional supplements used for persons who require supplemental or sole source nutritional needs due to special dietary needs directly related to cancer, chronic kidney disease, diabetes, or other medical conditions as determined by the department.

I need to make changes to my registration. What do I do?

Contact Ecology’s staff to make changes to your registration information at Recycledcontent@ecy.wa.gov. Changes to your registration need to be completed before the calculation of the annual fee.

Please contact Ecology as soon as possible to make changes. Inaccurate data that is not corrected prior to the calculation of the annual fee may result in higher fees in the following year to account for the altered data.

Other Producer Recourses

Plastic Producer Registration recorded information sessions

The PCRC team recorded a series of presentations for plastic producers, the Washington 2022 Plastic Producer Registration recorded information sessions parts 1 – 5.

- Part 1: Covered Products
  - https://www.youtube.com/watch?v=wQWBTrhRc0E
- Part 2: Timeline, PCRC rate adjustments, and temporary exclusions
  - https://www.youtube.com/watch?v=ASvUHMQOdF0
- Part 3: Who is a Producer?
  - https://www.youtube.com/watch?v=b1ZQt9kaWaU
- Part 4: How to register
  - https://www.youtube.com/watch?v=3aUTeD3vPKY
- Part 5: Annual Fees and Penalties
  - https://www.youtube.com/watch?v=Eg9YdgxXhxQ
- Part 1-5: Post-consumer Recycled Content recorded presentations (Parts 1- 5)
  - https://www.youtube.com/watch?v=R2ueBQaRXFU

Ecology Webpages

- Plastic producer-registration
  - https://ecology.wa.gov/Regulations-Permits/Reporting-requirements/Plastic-producer-registration
- Recycled content minimums
  - https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Waste-reduction-programs/Plastics/2021-plastic-pollution-laws/Recycled-content-minimums
- Products required to meet recycled content minimums
  - https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Recycled-content-products

Glossary

Beverage

RCW 70A.245.010[Error! Bookmark not defined.] (1) "Beverage" means beverages identified in (a) through (f) of this subsection, intended for human or animal consumption, and in a quantity more than or equal to two fluid ounces and less than or equal to one gallon:

a) Water and flavored water;
b) Beer or other malt beverages;
c) Wine;
d) Distilled spirits;
e) Mineral water, soda water, and similar carbonated soft drinks; and
f) Any beverage other than those specified in (a) through (e) of this subsection, except infant formula as defined in 21 U.S.C. Sec. 321(z), medical food as defined in 21 U.S.C. Sec. 360ee(b)(3), or fortified oral nutritional supplements used for persons who require supplemental or sole source nutritional needs due to special dietary needs directly related to cancer, chronic kidney disease, diabetes, or other medical conditions as determined by the department.

Dairy Milk

RCW 70A.245.010[6] (5) "Dairy Milk" means a beverage that designates milk as the predominant (first) ingredient in the ingredient list on the container's label.

De Minimis Producer

RCW 70A.245.010 19(b)(iii) De minimis producers that annually sell, offer for sale, distribute, or import in or into the country for sale in Washington:

(A) Less than one ton of a single category of plastic beverage containers, plastic household cleaning and personal care containers, or plastic trash bags each year; or

(B) A single category of a covered product that in aggregate generates less than $1,000,000 each year in revenue.

Employer Identification Number (EIN)

An employer identification number (EIN), is also known as a Federal Tax Identification Number. Your EIN is assigned by the IRS and is used to identify a business entity.

[6] https://app.leg.wa.gov/RCW/default.aspx?cite=70A.245.010

Household cleaning products

Household cleaning products include soaps, detergents, softeners, and stain removers or other chemically formulated domestic consumer products labeled to indicate that the purpose of the product is to clean, or otherwise care for fabric, dishes, or other wares, surfaces including, floors, furniture, countertops, showers, and baths; or other hard surfaces, such as stovetops, microwaves, and other appliances.

Note: this definition is subject to change following the completion of rulemaking.

Personal care products

Personal care products include liquid soap, shampoo, conditioner, styling sprays and gels, and other hair care products, or lotion, moisturizer, facial toner, and other skincare products.

Producer

RCW 70A.245.010 (19)(a) "Producer" means the following person responsible for compliance with minimum postconsumer recycled content requirements under this chapter for a covered product sold, offered for sale, or distributed in or into this state:

(i) If the covered product is sold under the manufacturer's own brand or lacks identification of a brand, the producer is the person who manufactures the covered product;

(ii) If the covered product is manufactured by a person other than the brand owner, the producer is the person who is the licensee of a brand or trademark under which a covered product is sold, offered for sale, or distributed in or into this state, whether or not the trademark is registered in this state, unless the manufacturer or brand owner of the covered product has agreed to accept responsibility under this chapter; or

(iii) If there is no person described in (a)(i) and (ii) of this subsection over whom the state can constitutionally exercise jurisdiction, the producer is the person who imports or distributes the covered product in or into the state.

De minimis "Producer"

RCW 70A.245.010 (19)(b)

(iii) De minimis producers that annually sell, offer for sale, distribute, or import in or into the country for sale in Washington:

A. Less than one ton of a single category of plastic beverage containers, plastic household cleaning and personal care containers, or plastic trash bags each year; or

B. A single category of a covered product that in aggregate generates less than $1,000,000 each year in revenue.