



Guidance for post-consumer recycled content law

RCW 70A.245

WAC 173-925

Solid Waste Management Program

Washington State Department of Ecology

Olympia, Washington

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Acronyms

ASTM – American Society for Testing and Materials
CFR – Code of Federal Regulations
EIN – Employer Identification Number
IRS – Internal Revenue Service
ISO – International Organization for Standardization
NONC – Notice of Non-Compliance

PCRC – Post-consumer recycled content
RCW – Revised Code of Washington
SAW – SecureAccess Washington System
USAFTC – United States Federal Trade Commission
USC – United States Code of Regulations
WAC – Washington Annotated Code
WLA – Workload Analysis

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Summary

Washington State plastics law, [Chapter 70A.245 RCW](#), requires producers of many common single-use plastics to include a minimum percentage of recycled materials for plastic beverage containers, trash bags, and household cleaning and personal care product containers. This requirement was enacted to improve the state's recycling system, support post-consumer recycled material end markets, and take another step towards ensuring plastic packaging and other packaging materials are reduced, recycled, and reused.

The law, rule, and guidance apply to producers of covered products sold or distributed in or into Washington. Covered products include plastic trash bags and plastic packaging used to contain beverages, household cleaning products, and personal care products, as detailed in the Part A - Definitions section. All producers that offer for sale, sell, or distribute covered products in or into Washington must register with Ecology on or before **April 1st of each year**.

Registration and annual fee payment are required regardless of the date products are required to begin meeting recycled-content minimums.

This guidance provides technical aid and clarity for Post-Consumer Recycled Content, (RCW) 70A.245.010 through 70A.245.050 and 70A.245.090 (1), (2), and (4), and the accompanying Rule, WAC 173-925. This document is subject to change as needed in response to progressions in markets, technologies, new legislation, or other factors that may affect PCRC requirements and the implementation of the law. Ecology will provide updated guidance and additional resources as these changes occur to support continued compliance for all producers.

Part A - Definitions

Applicability

This law applies to all producers of plastic beverage containers, plastic trash bags, and household cleaning and personal care product plastic containers. The rule implements RCW [70A.245.010](#) through [70A.245.050](#) and [70A.245.090](#) (1), (2), and (4) only. RCW 70A.245.060 sets requirements for plastic trash bag labeling requirements, but this rule only applies to the plastic trash bag requirements about post-consumer recycled content (PCRC) requirements noted in .01 through .050., and .090.

This law does not apply to producers of the following rigid plastic containers or other related items used for the following:

1. Prescription or non-prescription drugs as defined in RCW 18.64.011(14) and regulated by the United States Food and Drug Administration
2. Dietary supplements
3. Medical devices or medical products required to be sterile, as regulated by the United States Food and Drug Administration under 21 C.F.R., Parts 200, 300, and 800
4. Aerosols in plastic containers that are subject to 49 C.F.R. § 178.33b
5. Plastic trash bags used for biomedical waste
6. Products in containers sufficiently durable for multiple rotations of their original or similar purpose and are intended to function in a system of reuse
7. Liners, caps, corks, closures, labels, and other items added externally or internally, but otherwise separate from the structure of the bottle or container
8. Pouches or bladders used to contain a beverage

Unless otherwise show, any other product meeting the parameters of the definitions in this law and rule must meet the requirements. See [Part B – Products required to meet recycled content minimums](#) to learn about products that may be temporarily excluded from the post-PCRC requirements only.

Covered and de minimis producers and related definitions

Producers must take responsibility for all the requirements of the law for all brands of covered products that they own. This responsibility 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 covered product must have one named producer.

Ecology will assume the brand owner is the manufacturer absent anyone else coming forward to accept that role or any documentary evidence to the contrary.

Each of the below definitions is important to determine the responsible party for compliance. In the definition of “producer,” (ii)-(iii) only apply if there is no person described in (i).

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.

Producer does not include

- i. Government agencies, municipalities, or other political subdivisions of the state;
- ii. Registered 501(c)(3) charitable organizations and 501(c)(4) social welfare organizations;
or,
- iii. De minimis producers as defined in the section below.

De minimis producer means a person that annually sells, offers for sale, distributes, or imports in or into the country for sale in or into Washington state.

- i. Less than one ton in aggregate of a single category of covered product each calendar year; or
- ii. A single category of a covered product that in aggregate generates less than \$1,000,000 each calendar year in gross revenue from sales of covered products into Washington state.

These thresholds are to be calculated at the level of the "person" as defined on page 14 of this section.

Meeting the qualifications of de minimis producer in one single category of covered products does not prevent a producer from meeting requirements for other covered product categories for which they are above the de minimis threshold.

Brand means a name, symbol, word, logo, or mark that identifies a product and attributes the product to the brand owner.

Department means the Washington State Department of Ecology.

Person means an individual and any form of business enterprise, including all legal entities that are affiliated by common ownership of 50 percent or greater, including parents, franchises, subsidiaries, and commonly owned affiliate companies.

Third-party representative means a person acting as agent for a producer for the purpose of registering the producer, submitting reports, and paying the fees required of the producer by this chapter.

Third-party representatives do not assume full responsibility for compliance as a producer.

Covered products, PCRC products, and excluded products

Covered products mean all beverages, trash bags, personal care products, and household cleaning products sold in plastic containers that are subject or to or will become subject to (according to the timeline in WAC 173-925-040(4)(a)), the requirements of this chapter, including registration, reporting, fee payment, and PCRC minimum percentages.

Covered products does not include:

- i. Rigid plastic containers or bottles that are used for the containment, protection, delivery, presentation, or distribution of:
 - A. Prescription or nonprescription drugs as defined in RCW 18.64.011(14) and regulated by the United States Food and Drug Administration;
 - B. Dietary supplements as defined in this section;
 - C. Medical devices or medical products required to be sterile, as regulated by the United States Food and Drug Administration under 21 C.F.R., Parts 200, 300 and 800;
 - D. Aerosols in plastic containers that are subject to 49 C.F.R. Sec. 178.33b;
- i. Plastic trash bags used for biomedical waste as defined in this section;
- ii. Products in containers sufficiently durable for multiple rotations of their original or similar purpose, and are intended to function in a system of reuse; or
- iii. Liners, caps, corks, closures, labels, and other items added externally or internally, but otherwise separate from the structure of the bottle or containers.
- iv. Pouches or bladders used to contain a beverage.

Dietary supplement as defined by RCW 82.08.0293 means any product, other than tobacco, intended to supplement the diet that:

Contains one or more of the following dietary ingredients:

- i. A vitamin;
- ii. A mineral;
- iii. An herb or other botanical;
- iv. An amino acid;
- v. A dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or
- vi. A concentrate, metabolite, constituent, extract, or combination of any ingredient described in this subsection;

Is intended for ingestion in tablet, capsule, powder, soft-gel, gel-cap, or liquid form, or if not intended for ingestion in such form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and

Is required to be labeled as a dietary supplement, identifiable by the "supplement facts" box found on the label as required pursuant to 21 C.F.R. Sec. 101.36, as amended or renumbered as of January 1, 2003.

Dietary supplements do not include a product labeled with both a supplement facts box and a "nutrition facts" box.

Infant formula means a food which purports to be or is represented for special dietary use solely as a food for infants by reason of its simulation of human milk or its suitability as a complete or partial substitute for human milk.

Medical food means a food which is formulated to be consumed or administered enterally under the supervision of a physician and which is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

Oral nutritional supplement means a manufactured liquid, powder capable of being reconstituted, or solid product that contains a combination of carbohydrates, proteins, fats, fiber, vitamins, and minerals intended to supplement a portion of a patient's nutrition intake.

Post-consumer recycled content (PCRC) means the plastic resin incorporated into plastic packaging or bags for a PCRC product, that is derived specifically from recyclable material generated by households or by commercial or institutional facilities in their role as end users of plastic products and packaging which is no longer used for its intended purpose.

"PCRC" includes returns of material from the distribution chain.

"PCRC" does not include plastic that is separated from the waste stream during manufacturing, such as scrap or other materials that are generated and reused during the same process.

PCRC products means items in the following categories which are actively required to meet and report PCRC minimum requirements in the product packaging for a given year according to the timeline in WAC 173-925-040 (4)(a):

- a) Beverages in plastic beverage containers
- b) Plastic trash bags
- c) Household cleaning products and personal care products in plastic containers

Covered plastic beverage containers

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 or liquid concentrates added to other beverages. This does not include powders or concentrates added to a liquid.

If a producer has a question, they can submit it to us for a determination.

Beverage means liquid products intended for human or animal consumption sold in a quantity more than or equal to two fluid ounces and less than or equal to one gallon. This includes, but is not limited to, any of the following:

- i. Water and flavored water;
- ii. Beer or other malt beverages;
- iii. Distilled spirits;
- iv. Artificial or non-dairy milks and creamers;
- v. Juices, including those derived from concentrate;
- vi. Mineral water, soda water, and similar carbonated soft drinks;
- vii. Dairy milk; or
- viii. Wine;

Beverage does not include:

- i. Liquid in a concentrated form that must be reconstituted with water or another liquid to be consumed, or is added to another beverage for flavoring or sweetening;
- ii. Syrup;
- iii. Powder concentrates or instant drink powders;
- iv. Infant formula;
- v. Medical food; or
- vi. 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.

Beverage manufacturing industry means an association that represents beverage producers.

Dairy milk means a beverage made exclusively or principally from milk obtained from one or more milk-producing animals. Dairy milk includes, but is not limited to:

- a) Whole milk, low-fat milk, skim milk, cream, half-and-half, condensed milk; or
- b) Cultured or acidified milk, kefir, or eggnog.

Plastic beverage container means a factory-sealed bottle or other rigid container that is:

- i. Capable of maintaining its shape when empty;
- ii. Comprised of one or multiple plastic resins; and
- iii. Designed to contain a beverage in a quantity more than or equal to two fluid ounces and less than or equal to one gallon.

Plastic beverage container does not include bladders or pouches that contain a beverage.

Plastic trash bags

Biomedical waste means, and is limited to, the following types of waste:

- a) **Animal waste** is waste animal carcasses, body parts, and bedding of animals that are known to be infected with, or that have been inoculated with, human pathogenic microorganisms infectious to humans.
- b) **Biosafety level 4 disease waste** is waste contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the centers for disease control, national institute of health, biosafety in microbiological and biomedical laboratories, current edition.
- c) **Cultures and stocks** are wastes infectious to humans and includes specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, discarded live and attenuated vaccines, and laboratory waste that has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes, but is not limited to, culture dishes, blood specimen tubes, and devices used to transfer, inoculate, and mix cultures.
- d) **Human blood and blood products** are discarded waste human blood and blood components, and materials containing free-flowing blood and blood products.
- e) **Pathological waste** is waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, and autopsy. "Pathological waste" does not include teeth, human corpses, remains, and anatomical parts that are intended for final disposition.
- f) **Sharps waste** is all hypodermic needles, syringes with needles attached, IV tubing with needles attached, scalpel blades, and lancets that have been removed from the original sterile package.

Plastic trash bag means a bag that is made of plastic, is at least 0.70 mils thick, and is designed and manufactured for use as a container to hold, store, or transport materials for disposal or recycling. "Plastic trash bag" includes, but is not limited to, a garbage bag, recycling bag, lawn or leaf bag, can liner bag, kitchen bag, or compactor bag.

Plastic trash bag does not include compostable bags meeting the requirements of chapter 70A.455 RCW and plastic carryout bags meeting the requirements of chapter 70A.530 RCW.

Plastic trash bag manufacturing industry means an association that represents companies that manufacture plastic trash bags.

Household cleaning and personal care product containers

Household cleaning products means products labeled, marketed, or otherwise indicating that the purpose of the product is to clean, freshen, or remove unwanted substances, such as dirt, stains, and other impurities from possessions, objects, surfaces, interior or exterior structures, textiles, and environments associated with a household. These items include:

- i. Liquid soaps, laundry soaps, detergents, softeners, surface polishes, and stain removers;
- ii. Textile cleaners, carpet and pet cleaners, and treatments; or
- iii. Other products used to clean or freshen areas associated with a household.

“Household” when used in the term "household cleaning products" denotes products marketed at least in part for residential or individual consumer use but does not include products marketed solely for use in institutions such as hospitals and schools, or in commercial or industrial settings.

Household cleaning and personal care product manufacturing industry means an association that represents companies that manufacture household cleaning and personal care products.

Personal care product means a product intended or marketed for use to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, including:

- a) Shampoo, conditioner, styling sprays and gels, and other hair care products;
- b) Lotion, moisturizer, facial toner, and other skin care products;
- c) Liquid soap and other body care products; or
- d) Other products used to maintain, improve, alter, or enhance personal care or appearance.

Post-consumer recycled content, registration, reporting, and fees

Post-consumer recycled content (PCRC) means the plastic resin incorporated into plastic packaging or bags for a PCRC product, that is derived specifically from recyclable material generated by households or by commercial or institutional facilities in their role as end users of plastic products and packaging which is no longer used for its intended purpose.

PCRC includes returns of material from the distribution chain.

PCRC does not include plastic that is separated from the waste stream during manufacturing, such as scrap or other materials that are generated and reused during the same process.

Resin means polymer compounds used to make plastic packaging such as bottles or films.

Ton means the United States customary short ton, equal to 2,000 pounds.

Workload analysis (WLA) means a document posted for public comment each year by January 31st, summarizing the department's estimated costs for the forthcoming fiscal year, July 1st to June 30th of the following year, to implement, administer, and enforce the post-consumer recycled content requirements per RCW 70A.245.020(3).

Part B – Covered products determination

The term "covered product" includes all items, regardless of when producers are required to start reporting and incorporating minimum post-consumer recycled content percentages into their packaging. **PCRC products** are still **covered, but they** specifically refer to products actively required to meet the PCRC and reporting requirements according to the implementation timeline below.

Plastic trash bags

A plastic trash bag is a bag made of plastic at least 0.70 mils thick, designed to hold, store, or transport materials for disposal or recycling.

- **Types of Bags:** The trash bag category covers a range of non-compostable plastic bags used for waste, including garbage bags, recycling bags, lawn or leaf bags, can liner bags, kitchen bags, and compactor bags.
- **Usage:** This applies to trash bags used in household, commercial, or industrial bags.
- **Labeling Requirements:** Trash bags must comply with additional labeling requirements as specified in RCW 70A.245.060.
- **Pet Waste Bags:** Non-compostable plastic pet waste bags are included if they have a thickness of at least 0.70 mils.
- **Packaging:** Trash bags sold as part of a larger packaging unit are still covered products if marketed for waste or recyclables.

Examples

- Standard Household Trash Bags
- Heavy-Duty Trash Bags
- Scented Trash Bags
- Yard Waste Bags
- Small or Bathroom Trash Bags
- Odor-Resistant Trash Bags
- Compactor Bags
- Specialty Bags (e.g., Pet Waste Bags)
- Contractor Bags

Anatomy of covered trash bags

- **Gauge Definition**
 - **Description:** The gauge refers to the thickness of the plastic material used in the trash bag
 - **Measurement:** In mils (thousandths of an inch) or microns (one-millionth of a meter)
 - **Gauge requirement:** A minimum thickness of 0.70 mils
- **Bag Material**
 - **Description:** The main body of the trash bag, which holds the waste
- **Bag Walls**
 - **Description:** The sides of the trash bag that contain and support the waste

- **Seams**
 - **Description:** The areas where the sides and bottom of the bag are joined together
- **Bottom Gusset (if applicable)**
 - **Description:** An expanded base that increases space and adds stability to the bag
- **Closure**
 - **Description:** The top opening of the bag, designed to be sealed to contain waste securely
- **Drawstring or Handles (if applicable)**
 - **Description:** Drawstrings are used to securely close the bag, while handles help with lifting and transporting.

Compostable Bags

Compostable trash bags that meet the requirements of Washington plastic product degradability law (chapter [70A.455 RCW](#)) are not included.

- **Standards:** Meet scientific standard ASTM D6400 or D6868 for composting in industrial settings.
- **Labeling:** Bags must meet labeling requirements set forth by the USAFTC guides.
- **Visibility:** Labels should be easily distinguishable to the public and processors upon quick inspection.
- **Certification:** Must have third-party certification that confirms compliance with ASTM standards.
- **Design Features:** The bag should have green, beige, or brown labeling or other design features that differentiate it from non-compostable bags.
- **Compliance:** Listed on a producer's declaration of compliance for Washington State.

Specialized Waste Bags

Plastic bags designed for hazardous or biomedical waste must meet content requirements but are exempt from labeling requirements.

- **Animal Waste:** Includes carcasses, body parts, bedding, and other materials from animals infected with or exposed to infectious pathogenic microorganisms
- **Contaminated Waste:** Waste contaminated with blood, excretions, exudates, or secretions from animals or humans who are quarantined due to pathogens classified as biosafety level 4 by the Centers for Disease Control and Prevention (CDC) or the National Institutes of Health (NIH)
- **Infectious Cultures and Stocks:** Waste from biological cultures, specimens, etiologic agents, biological products, discarded vaccines (both live and attenuated), and laboratory waste that has come into contact with these materials
- **Human Blood and Blood Products:** These include any materials that contain human blood or blood parts.

- **Pathological Waste:** Includes biopsy materials, tissues, and anatomical parts obtained from surgical procedures or autopsies
- **Sharps Waste:** Needles, scalpel blades, and other sharp objects used in medical or laboratory settings

Plastic beverage containers

A beverage is any liquid product intended for human or animal consumption, sold between two fluid ounces and one gallon.

Examples

- Water
- Sparkling Water
- Flavored Water
- Carbonated Soft Drinks (Soda)
- Non-Carbonated Soft Drinks
- Fruit Juices
- Nectars
- Juice Blends
- Vegetable Juices
- Plant-Based Milks
- Coffee
- Tea
- Alcoholic Beverages
- Energy Drinks
- Sports Drinks
- Fruit Smoothies

Anatomy of covered plastic beverage containers

- **Body**
 - **Description:** The main part of the container that holds the beverage
 - **Composition of containers:** Plastic beverage containers are rigid bottles and other containers made from one or more types of plastic resins.
 - **Shape:** Can vary in shape and size, depending on the type of beverage and design
- **Neck**
 - **Description:** The top portion of the bottle where the body narrows before the cap
 - **Features:** Often has threads or a smooth surface to accommodate the closure
 - **Requirement:** Only sealed plastic beverage containers are subject to these requirements.
- **Shoulder**
 - **Description:** The transition area between the body and the neck
 - **Features:** Provides structural support to the container and helps guide the beverage when pouring
- **Label Area**
 - **Description:** The space on the container where labels or branding information is applied
 - **Features:** Often a flat or slightly contoured area designed for easy application of labels

- **Beverage types:** Beverages include liquids with added supplements, such as Vitamin C. The exclusion for dietary supplements only applies when the product lacks a “Nutrition Facts” label and only has a “Supplement Facts” label.
- **Base**
 - **Description:** The bottom part of the container that provides stability and support
 - **Features:** These can include structural reinforcements or indentations to enhance stability and strength, allowing the covered plastic container to stand stably on the shelf with a base.

Animal beverages

Animal beverages cater to hydration, health, and nutritional needs. They are designed to support animals' health, hydration, and well-being in various life stages and conditions. They are labeled with a nutrition facts box. If labeled as dietary supplements with a supplement facts box, these products are not included.

Examples

- Pet Water Enhancers
- Electrolyte Solutions
- Milk Replacers
- Specialty Beverages (non-alcoholic dog or cat beer)
- Animal Nutritional Drinks
- Herbal Teas for Pets

Beverage concentrates

Beverage concentrates are drinks in concentrated form that must be diluted with water or another liquid before consumption. Beverage concentrates packaged in plastic containers are not covered products.

Examples

- Juice Concentrates
- Soda Syrups
- Energy Drink Syrups
- Iced Tea Concentrates Cold
- Brew Coffee Concentrates

Refillable Containers

Containers designed for reuse in a refillable system are not included.

Parts and Accessories

Caps, corks, closures, and labels are not included.

Specialized Containers

Containers specifically for medical, prescription drug, or dietary purposes are not included.

Pouches and Bladders

Pouches or bladders used to contain beverages are not included.

Plastic wine containers

Small 187-milliliter plastic wine bottles are not required to meet post-consumer recycled content standards until 2028, when they must start incorporating at least 15% recycled content.

Anatomy of covered plastic wine containers

- **Body**
 - **Description:** The main part of the container that holds the beverage.
 - **Composition of containers:** Plastic wine containers are rigid bottles and other containers made from one or more types of plastic resins and are limited in size to only 187-milliliter containers.
 - **Requirement:** Only sealed plastic wine containers are subject to these requirements.
- **Neck**
 - **Description:** The narrower part at the top of the container leading to the opening.
 - **Features:** Often designed with threads for a screw cap or other closure type, allowing for a secure seal to maintain freshness.
- **Shoulder**
 - **Description:** The transition area between the body and the neck.
Features: Provides structural support to the container and helps guide the wine during pouring.
- **Label Area**
 - **Description:** The space on the container where labels or branding information is applied.
 - **Features:** Often a flat or slightly contoured area designed for easy application of labels.
- **Base**
 - **Description:** The bottom part of the container that provides stability and support.
 - **Features:** These can include structural reinforcements or indentations to enhance stability and strength, allowing the covered plastic container to stand stably on the shelf with a base.

Refillable Containers

Containers designed for reuse in a refillable system are not included.

Parts and Accessories

Caps, corks, closures, and labels are not included.

Specialized Containers

Containers specifically for medical, prescription drug, or dietary purposes are not included.

Pouches and Bladders

Pouches or bladders that are used to contain wine are not included.

Plastic dairy milk containers

Covered dairy containers hold beverages made primarily or exclusively from the milk of one or more milk-producing animals. These plastic containers range in size from two fluid ounces to one gallon and include both "ready-to-drink" products and those intended for business-to-business sales.

Examples

- Milks
- Buttermilk
- Yogurt Drinks
- Kefir
- Creamers
- Half-and-Half
- Eggnog
- Condensed milk
- Whipping creams

Anatomy of covered plastic dairy milk containers

- **Neck**
 - **Description:** The narrower portion at the top of the container that leads to the opening
 - **Features:** The design often includes threads for screwing on a cap, providing a secure closure, with a neck that aids in easy pouring and helps prevent spills.
 - **Description:** The area where the body of the container transitions to the neck
 - **Features:** Adds structural integrity to the container
- **Handle (if applicable)**
 - **Description:** An integrated grip area, usually molded into the side of the container
 - **Features:** Provides an easy and secure way to hold and pour the milk, particularly in larger containers like gallon jugs
- **Body**
 - **Description:** The main part of the container that holds the milk
 - **Features:** Typically rectangular or cylindrical, designed to maximize space efficiency in refrigerators

- **Composition of containers:** Plastic beverage containers are rigid bottles and other containers made from one or more types of plastic resins.
- **Label Area**
 - **Description:** The surface of the container where branding, nutritional information, and other details are printed or attached
 - **Features:** Typically flat or slightly curved, designed to hold adhesive labels securely without peeling
 - **Beverage types:** Beverages include liquids with added supplements, such as Vitamin D. The exclusion for dietary supplements applies only if the product lacks a 'Nutrition Facts' label and instead has a 'Supplement Facts' label.
 - **Description:** The bottom of the container that provides stability
 - **Features:** Often slightly indented or reinforced to ensure the container stands upright and is stable during storage and transport

Refillable Containers

Containers designed for reuse in a refillable system are not included.

Parts and Accessories

Caps, corks, closures, and labels are not included.

Specialized Containers

Containers specifically for medical, prescription drug, or dietary purposes are not included.

Pouches and Bladders

Pouches or bladders that are used to contain dairy milk are not included.

Plastic household cleaning & personal care products

Household cleaning and personal care products are the second category of covered products required to begin incorporating and reporting on PCRC minimum percentages. Beginning in 2025, they must incorporate a minimum of 15 % recycled content.

Anatomy of covered household cleaning and personal care products in bottles

Household cleaning and personal care product containers range from eight ounces (or equivalent volume) to five gallons (or equivalent volume). These containers can hold various products, from solids to powders and liquids.

- **Body**
 - **Description:** The main part of the container that holds the cleaning product
 - **Container composition:** This includes bottles, jugs, and other rigid containers made from one or more types of plastic resins.
- **Neck**
 - **Description:** The top portion of the bottle where the body narrows before the cap or dispensing mechanism
 - **Features:** Often has threads or a smooth surface to accommodate the closure
- **Label Area**
 - **Description:** The space on the container where labels or branding information is applied
 - **Features:** Often a flat or slightly contoured area designed to apply labels easily
- **Base**
 - **Description:** The bottom part of the container that provides stability and support
 - **Features:** These can include structural reinforcements or indentations to enhance stability and strength, allowing the covered plastic container to stand stably on the shelf with a base.

Anatomy of covered plastic Jars and tubs

- **Neck**
 - **Description:** The area just below the lid is typically narrower than the body, allowing the lid to be secured.
 - **Features:** Can be threaded to accommodate a screw-on lid or a smooth area where the lid contacts the jar or tub to create a seal
 - **Requirement:** Tubs and jars are considered covered products if they have a neck smaller than the base.
- **Shoulder**
 - **Description:** The area where the neck meets the body, often sloped
 - **Features:** Helps in the transition between the neck and the body, often adding to the structural integrity of the jar
- **Body**
 - **Description:** The main section of the tub or jar that holds the contents
 - **Features:** Typically wide and cylindrical or slightly tapered
 - **Size:** Covered plastic jars and tubs range from eight ounces to five gallons.

- **Container composition:** This includes tubs, jars, and other rigid containers made from one or more types of plastic resins.
- **Label Area**
 - **Description:** The body section where labels or branding are applied
 - **Features:** Often flat or slightly curved for easy application and visibility of labels
- **Base**
 - **Description:** The bottom part of the tub or jar that provides stability.
 - **Features:** Flat or slightly indented to allow the container to stand upright securely. Sometimes, it includes structural elements for added strength and balance.

Anatomy of covered plastic tubes

Tubes are covered products if they have a neck smaller than their base, maintain their shape when empty, and range in size from eight ounces to five gallons.

- **Orifice**
 - **Description:** The hole through which the product is dispensed
 - **Features:** Typically round but may be slotted or pointed for specific applications
- **Shoulder**
 - **Description:** The tapered area between the body of the tube and the cap leading up to the orifice
 - **Features:** The shape can vary and is often designed to help the product flow toward the orifice
- **Body**
 - **Description:** The main cylindrical portion of the tube that holds the product
 - **Features:** Designed to be flexible, allowing users to easily dispense the product by squeezing
 - **Composition of containers:** Plastic beverage containers are rigid tubes made from one or more types of plastic resins.
- **Label Area**
 - **Description:** The space on the container where labels or branding information is applied.
 - **Features:** Often a flat or slightly contoured area designed to apply labels easily.
- **Base**
 - **Description:** The top part of the tube seals the opening, preventing the contents from spilling or drying out.
 - **Features:** A hinged cap that flips open for easy dispensing and snaps shut to seal the tube. A cap that twists on and off, providing a secure seal.

Household cleaning products

Household cleaning products refer to products designed to clean, freshen, or remove unwanted substances from household possessions, surfaces, textiles, and environments. These include soaps, detergents, polishes, stain removers, and textile or carpet cleaners.

Examples

- All-Purpose Cleaners
- All-Purpose Cleaners
- Glass and Window Cleaners
- Bathroom Cleaners
- Floor Cleaners
- Kitchen Cleaners
- Carpet and Upholstery Cleaners
- Oven and Grill Cleaners
- Mold and Mildew Removers (unless they claim to disinfect, in which case they are EPA-regulated)
- Drain Cleaners
- Stainless Steel Cleaners
- Air Fresheners
- Pet cleaners

Commercial and institutional cleaning products

Products marketed *exclusively* for institutional settings, such as off-market cleaners, are not covered. Household cleaning products used in commercial and institutional settings are covered if they meet the packaging shape, capacity, and other requirements applicable to household and personal care product containers. If a product is marketed for professional and consumer use, it is also considered a covered product.

Examples

- Heavy-Duty Degreasers
- Disinfectant Cleaners
- Industrial Floor Cleaners
- Wax Strippers and Polishes
- Ammonia-Based Glass Cleaners
- Carpet Shampoos
- Stain Removers
- Mold and Mildew Removers
- Grout Cleaners
- Industrial Drain Cleaners
- Commercial Oven Cleaners
- Bleach Solutions
- Industrial Air Fresheners
- Quat-Based Sanitizers

Air Cleaners and Air Fresheners

Air cleaners and air fresheners cover products designed for fabrics and other surfaces, including fabric refreshers and air freshener sprays. Aerosols packaged in plastic containers are exempt.

Examples

- Odor-Eliminating Sprays
- Fabric Deodorizers
- Carpet and Upholstery Fresheners
- Multi-Surface Deodorizers
- Room and Fabric Mists
- Linen Sprays
- Furniture Fabric Refresher Sprays
- Wrinkle Remover Spray

Pet cleaners

We include products that clean or care for fabrics or other surfaces, such as odor removers, soiled by pets. This category also covers products used for cleaning pets, like shampoos and freshening products, as part of household cleaning products.

Examples

- Pet Stain Removers
- Pet Bedding Fresheners
- Pet Odor Eliminators
- Pet Shampoo
- Litter Box Cleaners
- Pet Disinfectants
- Pet Grooming Wipes
- Pet Disinfectants
- Pet Disinfectants
- Waterless Bath Spray

Pet products that **wouldn't be included** under household cleaning products are not primarily intended for cleaning or maintaining hygiene. These products typically serve other functions such as nutrition, health care, or enrichment.

Examples

- Pet Food and Treats
- Pet Beds and Bedding
- Pet Health Supplements
- Pet Medications
- Pet Training Products

Therefore, these products are not designed for cleaning or hygiene purposes and do not qualify as household cleaning products.

Personal care products

Cosmetics

A product's classification as a personal care item depends on both the container type and the product inside. If the container meets specific criteria and the product is applied to the skin or hair, it must comply with regulations for personal care products. For instance, the [RCW definition](#) includes hair gel used similarly to cosmetics, though cosmetics have their own specific considerations.

If using recycled resin in a cosmetic product would violate federal regulations, producers must annually request a temporary exclusion from Washington's PCRC minimum requirements. This request should include an explanation of how federal regulations impact the product.

To obtain this exclusion, producers must:

- Annually register and report (if applicable) the total amount of resin in the product
- Pay the fees associated with the weight of resin in the excluded products
- Annually show that the product qualifies for the temporary exclusion from PCRC minimums

Examples

- Acne concealers
- Basic cleansing soaps
- Body scrubs and exfoliants
- Body washes and shower gels
- Cosmetic mouthwash
- Cosmetic toothpaste
- Deodorants (non-antibacterial)
- Hair bulking product
- Hair styling products
- Lip balms (non-medicated)
- Moisturizing creams and lotions
- Perfumes and fragrances
- Mouthwash
- Shampoo and conditioner
- Styling product
- Suntan lotion

Non-prescription drugs

Products regulated as drugs under the federal Food Drug and Cosmetic Act, 21 U.S.C. Sec. 301, et seq., are exempt. This includes over-the-counter or non-prescription drugs with non-prescription drug qualities.

Examples

- Anti-aging creams
- Anti-bacterial deodorant soap
- Anti-cavity toothpaste
- Anti-dandruff shampoo
- Anti-gingivitis mouthwash
- Anti-infective soap
- Antiperspirants
- Dermatological anti-acne products
- Hair regrowth products
- Medicated lip balms
- UV-protectant sunscreen

Part C – Post-consumer recycled content requirements

The PCRC minimum requirements begin the year before each producer category's reporting requirements. The minimum requirements began for beverage and trash bag producers in January 2023, and reporting requirements for these categories began in April 2024. For household cleaning and personal care products, the PCRC minimum requirements will start in 2025, with reporting starting in April 2026. For dairy milk and wine sold in small 187 ml bottles, the PCRC minimum requirements will begin in 2029, with reporting starting in April 2030.

A city, town, county, or municipal corporation may not implement local recycled content requirements for a covered product subject to minimum post-consumer recycled content requirements.

A city, town, county, or municipal corporation may set up local purchasing requirements that include recycled content standards higher than the minimum PCRC requirements of this law.

Timeline Explanation: Covered Product and PCRC Product

The [minimum percentage requirements](#) for each covered product category gradually increase over the next 12 years. By 2036, all packaging for covered product categories must include at least 50% post-consumer recycled content, except trash bags, which must include at least 20% after 2027.

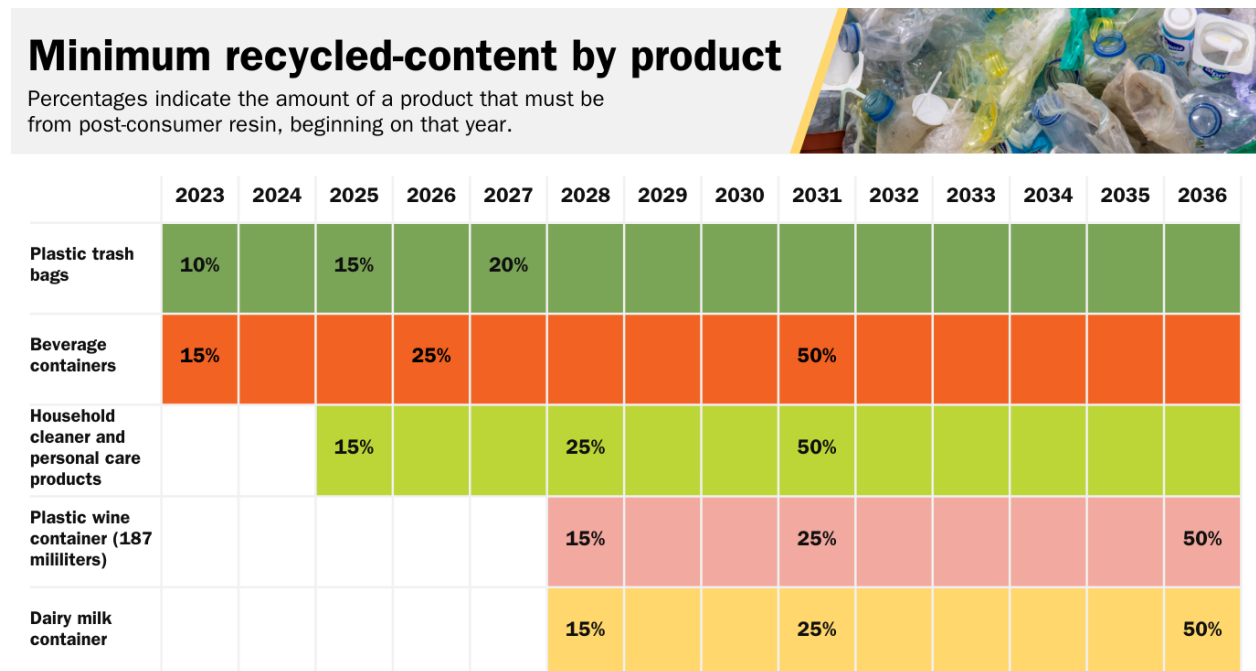


Figure 1: The chart detailing the minimum recycled content is categorized by year to show the requirement for producers to incorporate recycled plastic content in their products.

Starting in 2022, all producers of covered products were required to register and pay fees. In 2023, beverage and trash bag categories became the first PCRC products, as they were mandated to comply with minimum PCRC percentages and reporting requirements. By 2025, the household cleaner and personal care product categories will also have minimum PCRC percentage requirements, qualifying them as PCRC products. By 2028, all covered product categories will be subject to minimum PCRC requirements, meaning every category will qualify as a PCRC product.



Figure 2: Household cleaning and personal care product PCRC minimum requirements will begin at 15%.



Figure 3: Trash bag PCRC minimum requirements will increase from 10% to 15%.



Figure 4: Plastic beverage containers will maintain a 15% requirement and increase to 25% in 2026

Plastic beverage containers

As shown in Figure 1, beverage containers start at a minimum of 15 percent PCRC in 2023, move to 25 percent in 2026, and up to 50 percent in 2031 and thereafter.

Plastic dairy milk containers

As shown in Figure 1, plastic dairy milk containers start at a minimum of 15 percent PCRC in 2028, increase to 25 percent in 2031, and reach 50 percent in 2036.

Plastic wine containers (187 milliliters)

As shown in Figure 1 plastic wine containers (187 milliliters) start at a minimum of 15 percent PCRC in 2028, increasing to 25 percent in 2031 and 50 percent in 2036.

Plastic trash bags

As shown in Figure 1, plastic trash bags start at a minimum of 10 percent PCRC in 2023, reaching 15 percent in 2025 and 20 percent in 2027.

Trash bag labeling requirements started January 1, 2023

Producers must label each package containing plastic trash bags sold or distributed in Washington with the following:

- The name and location of the producer (city, state, and country),

OR

- A uniform resource locator or quick response code (QR code) to a website that has this information.

Plastic household cleaning & personal care products

As shown in Figure 1 household cleaning and personal care products start at a minimum of 15 percent PCRC in 2025, move to 25 percent in 2028, and 50 percent in 2031.

Requesting exclusions for federally regulated products

Two categories of federally regulated products receive blanket exclusions: dietary supplements and Food and Drug Administration (FDA) regulated drugs. No other federally regulated products qualify for automatic exclusions. However, specific federal packaging regulations may make using recycled content technically infeasible. In such cases, producers may request an exclusion.

Producers must prove that federal regulations make including PCRC in their product packaging technically infeasible to request an exclusion. These requests must be submitted by September 1 of the year before the period in which the exclusion should apply. Exclusion requests must be renewed annually because packaging regulations, standards, and material technologies evolve.

Requests granted by Ecology will apply to packaging produced following the requested exclusion and to data reported the year after.

Example

If a request for exclusion is submitted in 2024, it will apply to packing produced in 2025 and for data reported in 2026.

If granted, this exclusion only applies to the PCRC minimum requirements. **Producers with temporary exclusions must still register, report, and pay fees for these covered products.** Covered products that receive approval for exclusion on this basis will be flagged in the Waste Reduction Portal. If flagged, the producer registering and reporting in 2025 may report that they do not meet the required minimums without being considered non-compliant.

All requests for exclusion must be submitted no later than September 1 of the prior reporting year. Ecology will respond to all requests for exclusion within 120 days so that producers know

whether they are exempt in the following year. These requests must document and convincingly support, with validated testing data or the sworn declaration of a qualified engineer, the producer's claim that it is technically infeasible to meet the minimum PCRC requirements during the following year while still meeting applicable federal health and safety standards.

Applicable federal health and safety standards include 21 C.F.R., chapter I, subchapter G, 7 U.S.C. Sec. 136, 15 U.S.C. Sec. 1471-1477, 49 C.F.R. Sec. 178.33b, 49 C.F.R. Sec. 173, 40 C.F.R. Sec. 152.10, 15 U.S.C. Sec. 1261-1278, 49 U.S.C. 5101 et seq., 49 C.F.R. Sec. 178.509, 49 C.F.R. Sec. 179.522, 49 C.F.R. Sec. 178.600-609, or other federal laws.

Federally regulated product exclusions will not be considered for non-regulatory factors like production issues, supply-chain abnormalities, or other circumstances. Please see the Content minimum adjustment section for information on requesting PCRC minimum adjustments for non-regulatory factors.

If Ecology grants a request for exclusion, it only applies for the year it was granted. Producers must continue to apply each year. This accounts for potential innovations or regulatory changes that may impact the compatibility of federal and PCRC law.

The [exclusion request](#) form can be found in the [Plastic Producer Registration and Reporting Portal](#) in the [Waste Reduction Portal](#). You must have created a producer registration to apply for an exclusion.

Applying for temporary exclusion for federally regulated products

There is no blanket [exclusion for federal regulation](#) products. The form to request exclusion requires citation of the applicable federal regulation and an explanation as to why the regulation is specific to the material composition of the packaging and makes the incorporation of PCRC into a particular product technically infeasible to comply with an existing health or safety federal standard. Each request will be unique and should comprehensively explain the constraints based on the parameters of the regulation.

Apply for temporary exclusion within the [Waste Reduction Portal](#) via [SAW](#).

The system will only display producers with completed registrations without an existing application submitted on record.

Application for temporary exclusion

You may apply for a temporary exclusion of certain products from PCRC requirements in the upcoming year.

This form must be submitted before the year in which the temporary exclusion is requested.

[Apply](#)

Screenshot 1: Within Screenshot 1: Within the Plastic Producer Registration, click Apply in the Application for Temporary Exclusion section, fill in the form with your information, and click Submit.

Example of a temporary exclusion request for a federally regulated product

Below is an example of what would start Ecology's consideration of a temporary exclusion request. There is no guarantee that a request for exclusion will be granted, and requests must be re-submitted annually.

Dear Recycled Content Team,

Our company requests a temporary exclusion for Product Brand X.

Federal packaging regulations may either implicitly or consequentially render the inclusion of recycled content in products temporarily infeasible. The Federal packaging regulation that impacts **Product Brand XYZ** is **CFR XYZ**.

CFR XYZ is specific to the material composition of the packaging **because XYZ**. We have attached **ABC** documentation to support our request.

This is where a producer must explain how the regulation applies to the PCRC used in the container, any testing data about the product, or sworn statements by an engineer as to why the packaging cannot incorporate PCRC without violating a federal standard.)

Thanks for your consideration,

XYZ company

Content minimum adjustment petition

Beginning in 2024, Ecology may review annually and determine whether to adjust the minimum post-consumer recycled content percentage required for a type of container, product, or category of covered products for the following year.

Producers or their third-party representatives may submit petitions to adjust PCRC minimum requirements at the time of their registration. These requests would apply to the PCRC requirements for the year after that registration.

If necessary, producers can request these adjustments until December 31, but the later the request, the less time Ecology will have to consider and decide. Producers petitioning for an adjustment in 2025 should submit the request as early as possible in 2024.

A producer petition for PCRC minimum content adjustments must include accurate data for Ecology to decide and propose solutions or plans for overcoming the factors affecting the ability to meet the requirements. This petition could include data and a detailed explanation to prove any of the following barriers to meeting the minimum PCRC rate:

- Changes in market conditions, including supply and demand for PCRC, collection rates, and bale availability both domestically and globally
- Recycling rates
- The availability of recycled plastic suitable to meet the minimum PCRC requirements
- The capacity of recycling or processing infrastructure
- The technical feasibility of achieving the minimum PCRC requirements
- The progress made by producers in achieving the goals of this section and overcoming the barriers above

Petitions to temporarily adjust the minimum PCRC requirements may be submitted via letter or e-mail to Ecology and should include attachments with all supporting data and information.

Recycled-content sources

PCRC can be from mechanical, advanced, chemical, or both recycling, as long as the materials meet the definition of PCRC.

PCRC means the plastic resin incorporated into a PCRC product (plastic packaging or bags) that is explicitly derived from recyclable material generated by households or by commercial or institutional facilities with specifications. The source of the recycled material must be a product discarded by an end user, not material discarded as scrap or excess feedstock by a manufacturer when making a container. PCRC from commercial and institutional facilities:

- Includes the material in their role as end users of plastic products and packaging that is no longer used for its intended purpose
- Includes returns of material from the distribution chain. “Returns of material from the distribution chain” means the return of used containers to the manufacturer via a product distributor.
- Does **not** include post-industrial recycled materials or plastic separated from the waste stream during manufacturing, such as scrap or other materials generated and reused during the same process

Bio-resin is not a substitute for using PCRC and will not count toward the minimum requirements.

Part D – Producer registration and reporting

Washington's Plastics Law Overview

Under [Chapter 70A.245 RCW](#), Washington's plastics law mandates that producers of many common single-use plastics incorporate a minimum amount of recycled content into their products.

Registration Requirement

Producers who sell, offer for sale, or distribute covered products in or into Washington must register with the Department of Ecology by April 1st of each year.

Reporting within the registration

When the reporting requirements for your covered product category become effective, the Plastic Producer Registration process is designed for you to submit your registration and report simultaneously.

Obligations by Producer Type

In-state producers

In-state producers only need to report and register for the covered products distributed for purchase by end users in Washington. This requirement applies regardless of where the producer is located and includes online sales.

Distribution into the state

Definition and Reporting Requirements for Distribution

"Distributed" refers to products distributed or sold directly to consumers. If the consumer is located in Washington, all products sold, offered for sale, or distributed to consumers in or into Washington are subject to reporting.

Reporting Guidelines for Producers

- **Producers with Distribution Centers in Washington:** Even if a producer has a distribution center in the state, they are only required to report on the products they distribute or sell directly to consumers.
- **Producers of National or Regional Retail Brands:** These producers may calculate the reported weight by multiplying their national sales weight by the percentage of stores located in Washington. They should also include the total weight of online sales made into Washington.

Existing Stock of Covered Products

In-state distributors, wholesalers, and retailers with covered products manufactured before PCRC requirements take effect may continue to sell their existing stock to the public.

Covered Producer

The covered producer is responsible for complying with all aspects of PCRC law, including:

- Registration
- Reporting
- Fee Payment
- Recycled Content Minimum Requirements

In non-compliance, the producer is subject to audit and enforcement action.

Determining the Producer

- **Brand Owner:** The owner of the brand, sub-brands, store brands, or private selection (the brand or logo printed on the product packaging) is considered the producer **unless the following scenarios apply:**
- **Brand Licensee:** If the producer is a licensee of a brand, they assume responsibility as the producer.
- **Manufacturer:** A manufacturer may accept responsibility on behalf of a brand owner. If no one else accepts this role or there is no documentary evidence to the contrary, Ecology will assume the brand owner is the manufacturer.
- **Unbranded Products:** If a product lacks brand identification, the producer, typically the manufacturer, has decision-making authority over the content of the packaging.
- **Distributor:** If none of the above apply, the person who distributes the product in or into the state, including online sales, is considered the producer.

For full definitions of “producer,” “person,” “brand,” and “de minimis producer,” refer to WAC 173-925.030. See [Part A - Definitions](#) of this document for more details.

Examples of covered producers

Example A

A retailer has a household cleaner manufactured and labeled under their store brand. The retailer has given the manufacturer no direction over the packaging requirements and grants the authority for the product to be manufactured and labeled as a store brand-labeled product. The manufacturer has no further direction under the contract. The manufacturer makes all decisions about container specifications. In this case, the manufacturer of the cleaner is the covered producer and is responsible for compliance. This fits under [RCW 70A.245.010 \(19\)\(a\)\(ii\)](#).

Example B

A retailer sells a beverage bottled and labeled by a separate manufacturer but outlines the specifications for the material content of the packaging in their order specifications. They sign a product order where details about the amount of recycled content in the packaging are established. In this case, the retailer selling the product under their brand name may take responsibility as the producer of the packaging.

Example C

A retailer owns a bottling facility that bottles water for sale under its own brand and bottles for another retailer under a license agreement that does not include packaging specifications. The bottling retailer is the responsible producer as manufacturer of a covered product sold under its own brand under RCW 70A.245.010 (19)(i). The bottling retailer is also the responsible producer as manufacturer of a covered product under a licensing agreement that does not specify the packaging, aside from the branding. This scenario illustrates a situation that aligns with the provisions outlined in RCW 70A.245.010 (19)(a)(ii). [70A.245.010 \(19\)\(a\)\(ii\)](#).

Example D

A retailer is a direct importer of beverages in plastic bottles from another country. No person in the U.S. provided specifications for the bottles in which the beverage is packaged for retail sale. The retailer is the first importer of the products in or into Washington. The retailer is the covered producer under [RCW 70A.245.010 \(19\)\(a\)\(iii\)](#).

De minimis producer

De minimis producers are determined at the level of a single covered product category. A producer may produce one category of covered products considered de minimis but still sell enough resin weight or revenue in another category to be a covered product producer. This means the producer is exempt from reporting for the de minimis category but must meet all fee, PCRC, and reporting requirements for any other product categories that do not qualify as de minimis.

For each product category, you are a de minimis producer if **either** of the following applies to the aggregated total of all the brands you own and under which you sell that category of covered products in Washington state:

- a. You, including all brands and sub-brands you own, produce less than one ton in aggregate of a single category of covered products each year.

OR

- b. You, including all brands and sub-brands you own, produce a single category of covered product that in aggregate generates less than \$1,000,000 each year in gross revenue of sales of covered product into the state.

The de minimis exemption applies to producers who annually sell, offer for sale, distribute or import into the country for sale in Washington. Examples of de minimis producers

Example A

Producers classified as de minimis in one product category but as covered in another category must meet requirements only for the covered category. They are exempt from reporting, PCRC minimums, and fees solely for the de minimis category. However, if a producer sells any additional category of covered products in Washington that exceeds the de minimis threshold, they must fulfill all reporting, fee, and PCRC requirements for that category. Full exemption from all requirements applies only if all product categories sold into the state meet de minimis conditions.

Example B

The producer met the de minimis criteria one year but did not the following year.

Requirements apply to the first full year of de minimis status. If a product exceeds the de minimis threshold halfway through a year in which requirements take effect, they must report as a de minimis producer in the following year.

Example C

If a producer meets de minimis criteria one year and then does not the following year. The PCRC requirements will only apply to the first full year that the threshold is met.

Notifying the department

There are two ways de minimis producers can register and notify the department.

- De minimis producers can answer yes to their respective product categories and answer the product category questions, such as revenue, resin, and brand names. In this way, the portal can determine whether a producer is de minimis based on their provided answers.

Or

- De minimis producers can answer no to all categories, including their respective product categories. When submitting their registration, a required comment box will appear, where the de minimis producer can provide an explanation stating they are a self-identifying de minimis producer that did not want to complete the product category questions.

A producer must still fully register for any category not considered to be non-de minimis.

Requirements for De Minimis Producers

De minimis producers are exempt from fulfilling PCRC requirements and are not required to pay annual fees. However, they must create a Secure Access Washington account to submit their notification of de minimis status by April 1 each year.

How to Submit a De Minimis Producer Notification

1. **Select "No" for All Categories:** Select "No" for all product categories when completing the notification.
2. **Leave a Comment:** Include a comment stating that the organization has self-identified as a de minimis producer and has submitted a de minimis producer notification.

Note: Your organization will *not* appear on the [public producer list](#) since no categories were selected.

Guidance for De Minimis Producers

De minimis producers have the choice to complete the resin and tonnage questions. Doing so can reduce the likelihood of being audited by the department, and your organization will be included on the [public producer list](#).

Registration by de minimis producers lets the department and the public know they aren't delinquent or out of compliance.

Inactive Products

Producers who no longer sell covered products and do not need to register must notify Ecology to be moved to inactive status. This means they are no longer required to register or report. However, producers who were made inactive this year but paid fees last year *may still have an adjustment fee to pay for this year*. If the producer resumes selling covered products, they should inform Ecology to reactivate their account.

Waste Reduction Portal

The Waste Reduction Portal can only be accessed through SecureAccess Washington (SAW). This system is where the producer registration, reporting, and applications for temporary exclusions can be accessed and submitted.

SecureAccess Washington

[SAW](#) is a secure, centralized login system for accessing online government services. Each responsible official who is submitting information for the producer must create an SAW account to use the Waste Reduction Portal.

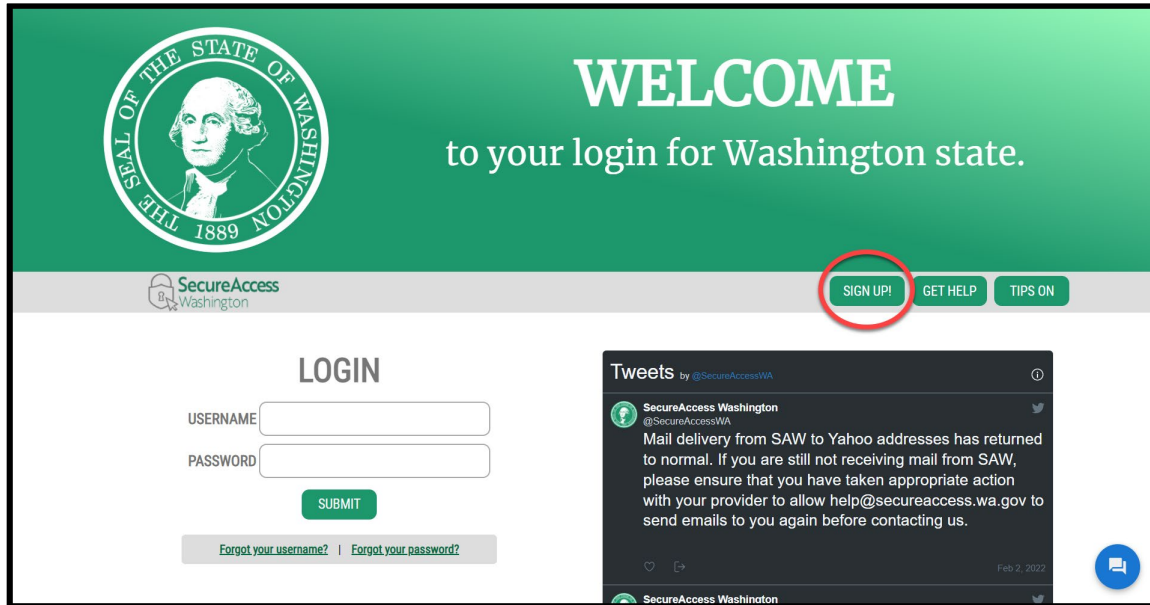
If a responsible official already has a SAW account for Washington government services, they can use it—there is no need to create a new one. However, **each responsible official must have its own SAW account**. Please avoid sharing accounts.

SAW Instructions

Create an Account

To start, the responsible official will need a [SAW account](#). If you already have one, skip to the “Add a New Service” section for your account.

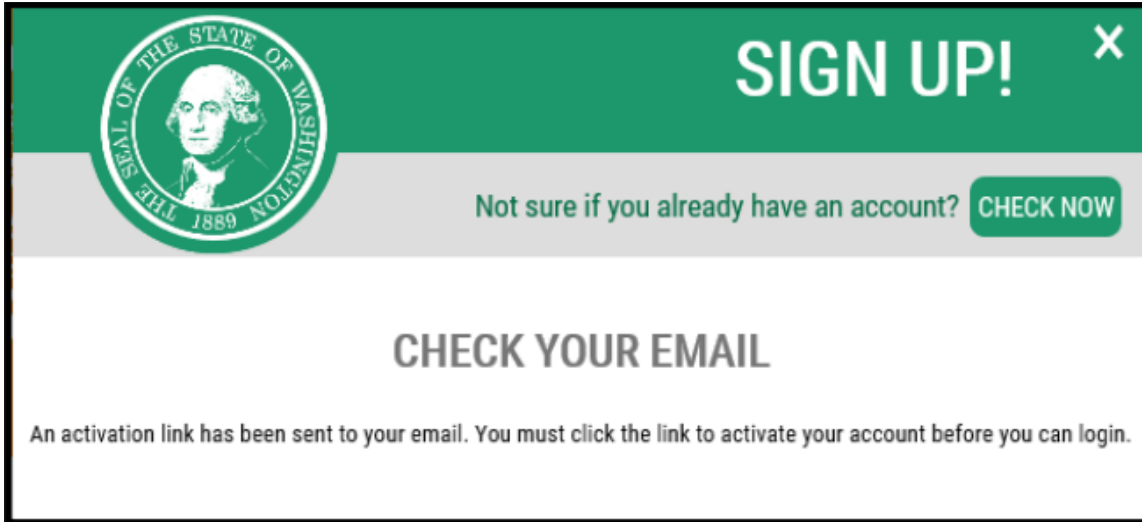
Go to the SAW homepage, click “Sign Up,” and complete the form to create a username and password. Click “Submit.”



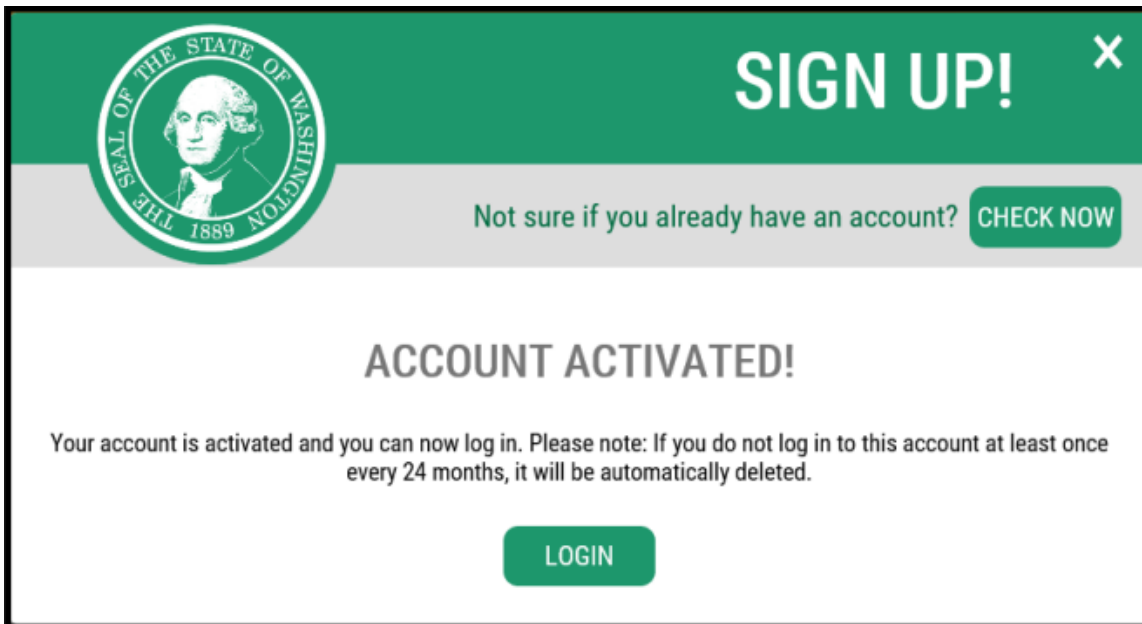
Screenshot 2: Sign in with your username and password to access the database. If you don't have an account, follow the link to create one.

Activate Your Account

After submitting, you’ll receive an activation email. Open it and click the activation link to verify your account. Once your account is active, log in to SAW.



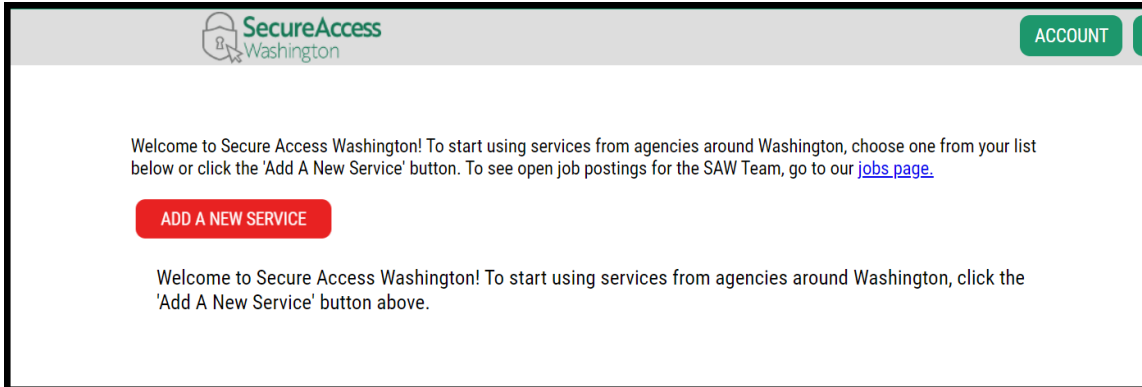
Screenshot 3: Check your email for the activation link to complete your account setup.



Screenshot 4: Your account is now activated. Click the 'Login' button to access your account.

Add a New Service

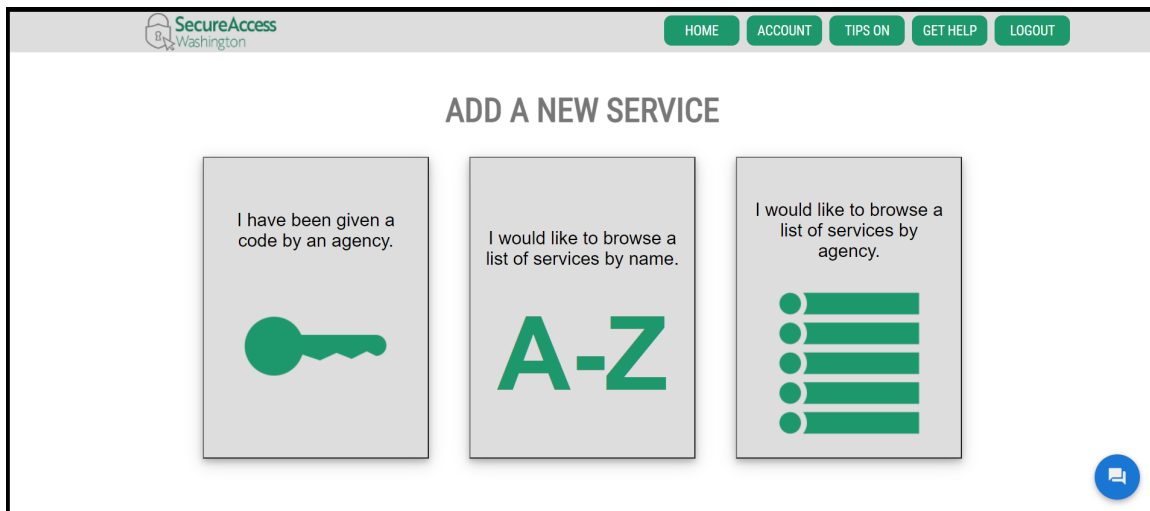
After logging in, click “Add a New Service.”



Screenshot 5: Screenshot 5: Log in to SAW and click “Add a New Service.”

Browse for Services

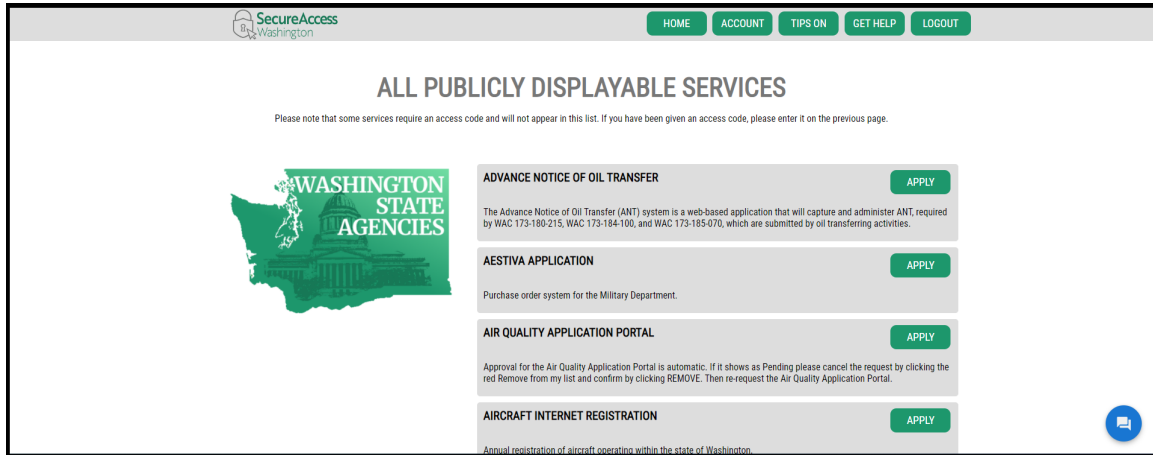
Select “I would like to browse a list of services by name.”



Screenshot 6: To add a new service, choose how you'd like to search: by Agency Code, A-Z, or from a List of Services.

Apply for the Waste Reduction Portal

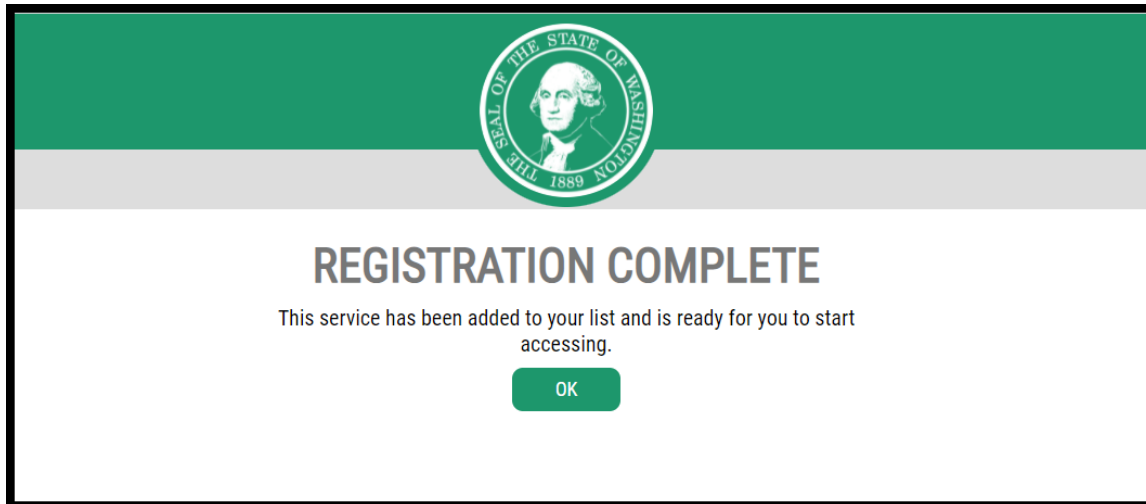
Find "Waste Reduction Portal" and click "Apply."



Screenshot 7: "Browse the list services to find the 'Waste Reduction Portal' and click 'Apply' to proceed.

Confirm Registration

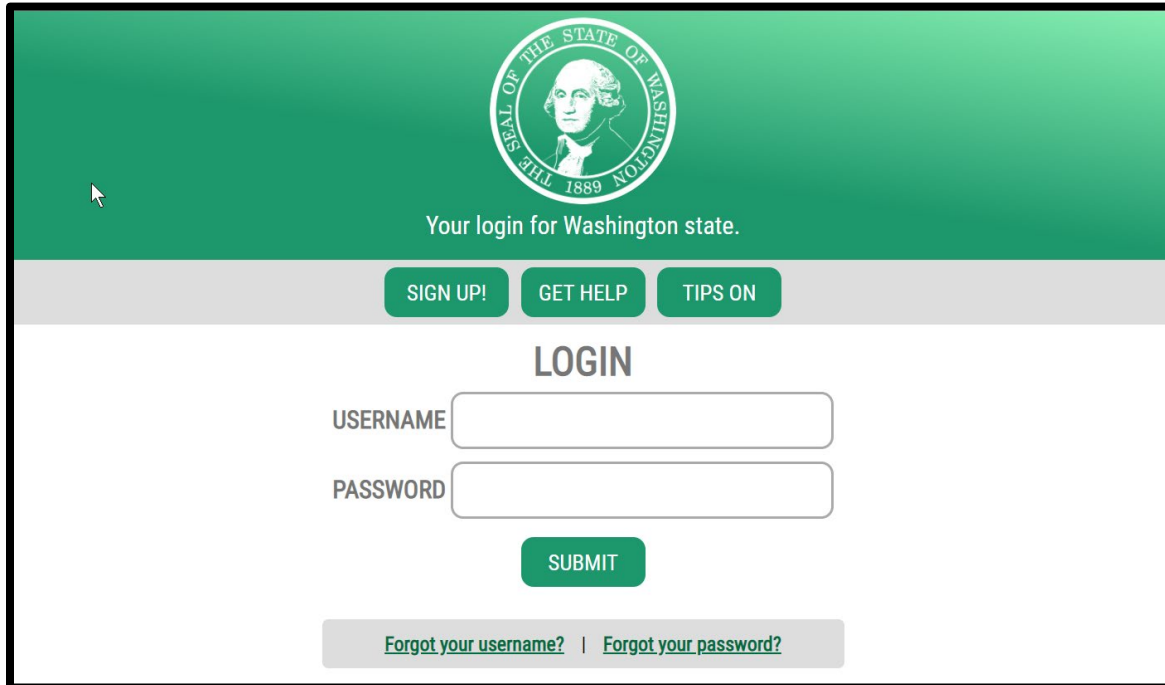
Your registration request will be automatically approved. Click "OK" to return to your secure services homepage.



Screenshot 8: Your registration request is automatically approved. Click "OK" to return to your secure services homepage.

Login Again

Return to the SAW login page, enter your username and password, and click "Submit."



Seal of the State of Washington
1889

Your login for Washington state.

SIGN UP! GET HELP TIPS ON

LOGIN

USERNAME

PASSWORD

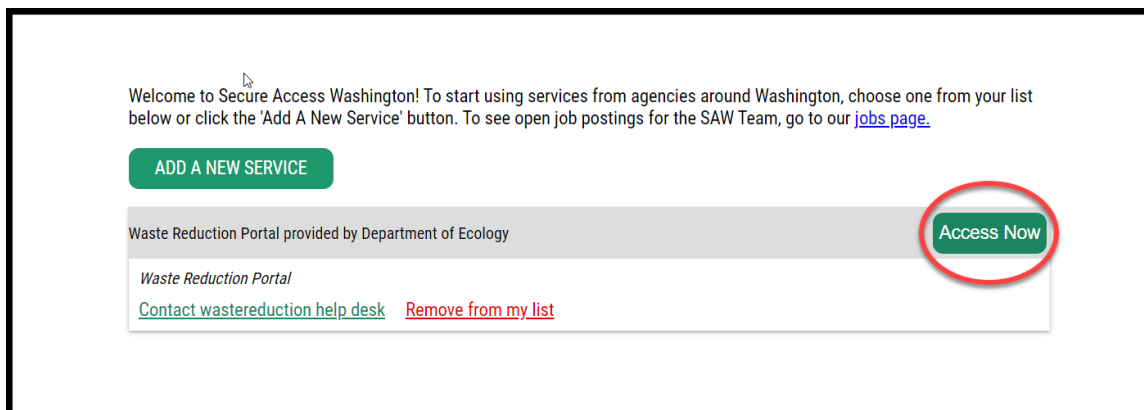
SUBMIT

[Forgot your username?](#) | [Forgot your password?](#)

Screenshot 9: Enter your username and password to log in to your account.

Access the Portal

Find the "Waste Reduction Portal " on your homepage, click "Access Now," and then click "Continue."



Welcome to Secure Access Washington! To start using services from agencies around Washington, choose one from your list below or click the 'Add A New Service' button. To see open job postings for the SAW Team, go to our [jobs page](#).

ADD A NEW SERVICE

Waste Reduction Portal provided by Department of Ecology

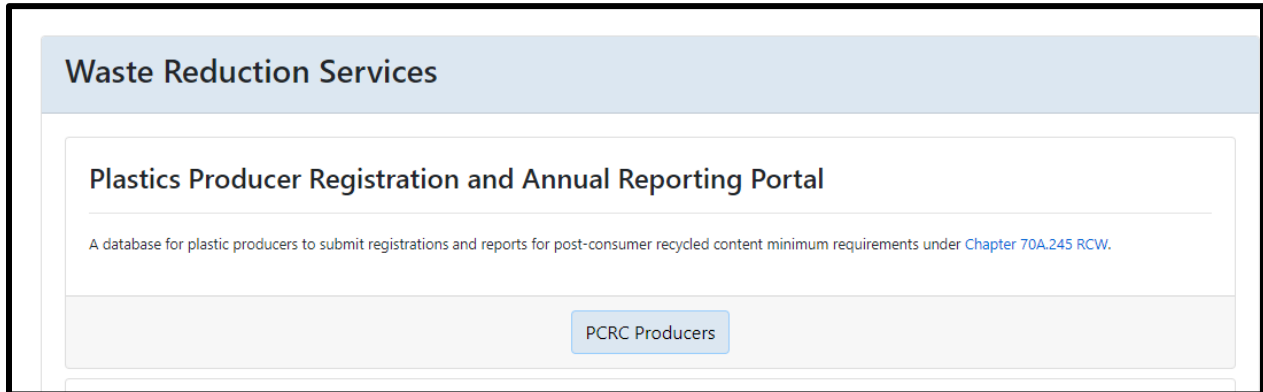
Waste Reduction Portal

[Contact wastereduction help desk](#) [Remove from my list](#)

Access Now

Screenshot 10: Click 'Access Now' to enter the Waste Reduction Portal.

Locate the Plastic Producer Registration and Annual Reporting Portal in the Waste Reduction Portal, then click on “PCRC Producers” to proceed.



Screenshot 11: To access the Plastic Producer Registration and Annual Reporting Portal, click on “PCRC Producers.”

Troubleshooting SAW

Ecology cannot access your SAW account. If you need to recover your account, use the following options on the login page:

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

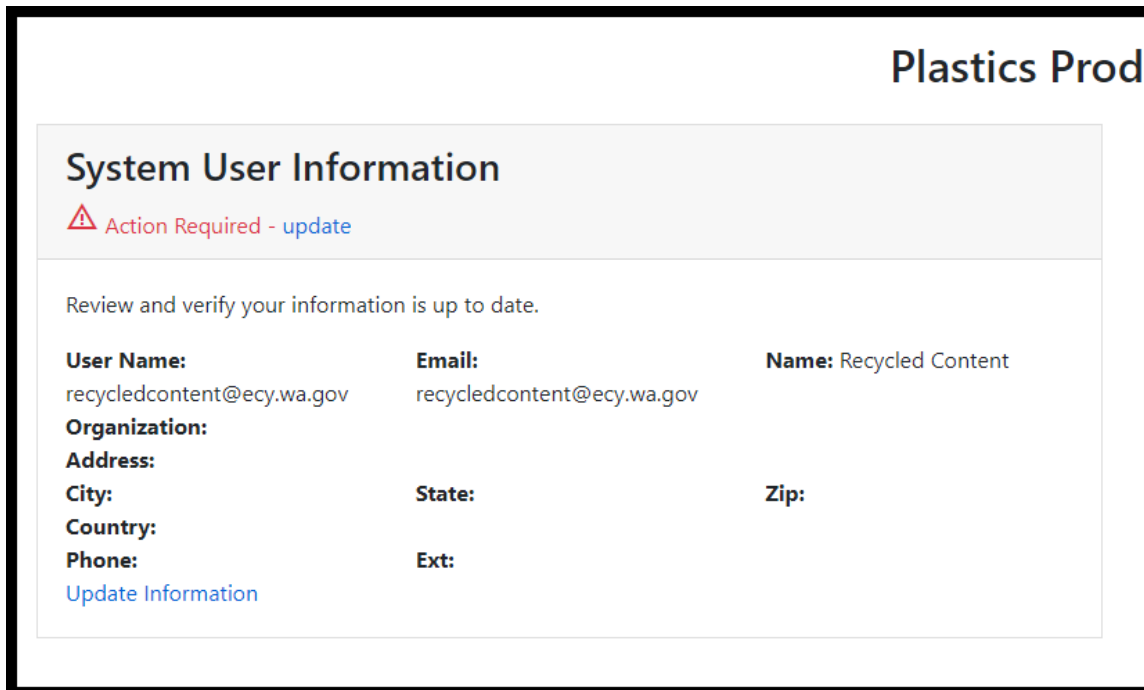
Please note that after two unsuccessful password attempts, your account will be locked, and you will need to contact SAW for help. Accounts inactive for more than 24 months will expire and be removed from the system.



Screenshot 12: To recover your username or password, click “forgot your username or forgot your password.”

System user information

Each SAW user will have unique system user information to them. Do not share SAW accounts.



Screenshot 13: A dedicated form for users to input their details, allowing for easy account setup and management.

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.

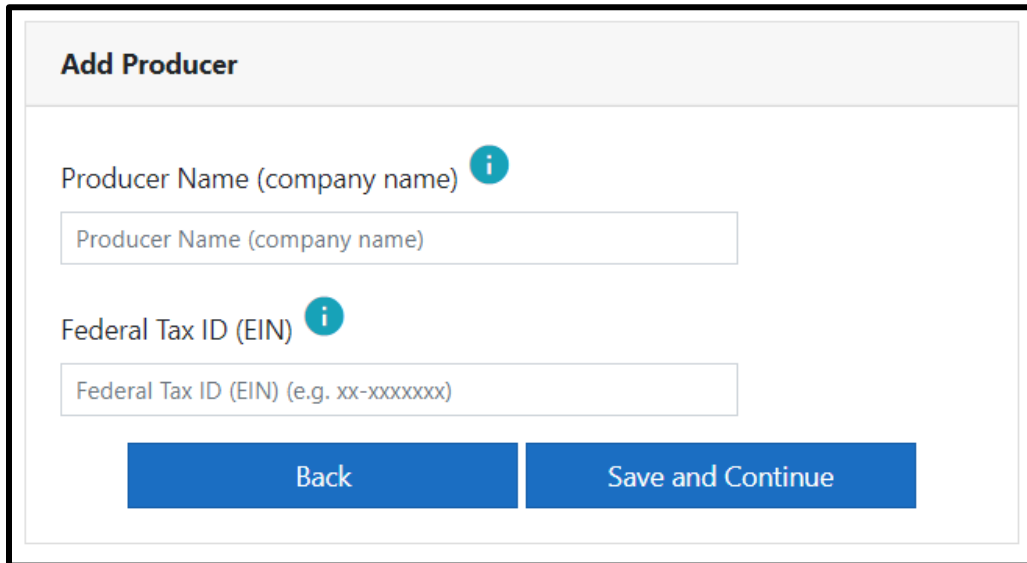
We recommend using the parent company's EIN to register for their children.

If registering a new producer, enter the producer's federal tax ID (EIN)

If registering an existing producer, this field will auto-populate for you.

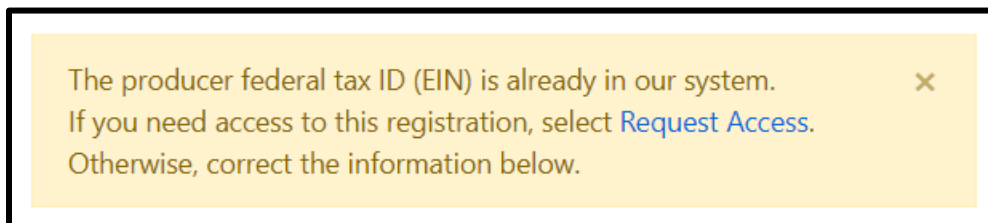
If you're registering and submitting an annual report for an existing producer, this field will auto-populate for you.

Suppose you enter an EIN for a new producer, and the EIN is already in our system. In that case, 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.



The screenshot shows a web form titled "Add Producer". It contains two input fields: "Producer Name (company name)" and "Federal Tax ID (EIN)". Both fields have an information icon (i) to their right. Below the fields are two blue buttons: "Back" and "Save and Continue".

Screenshot 14: 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.



The screenshot shows a yellow error message box with a close button (x) in the top right corner. The text inside the box reads: "The producer federal tax ID (EIN) is already in our system. If you need access to this registration, select [Request Access](#). Otherwise, correct the information below."

Screenshot 15: A request access alert will let you know if the federal tax ID (EIN) is already in our system.

Registration and reporting

Registration began on April 1, 2022, and annually after that, any producer of covered products distributed, sold, or offered for sale in or into Washington must register using the Waste Reduction Portal.

Reporting begins on January 1, 2024, and annually after the certain covered product categories must submit an annual report based on the law's specified timeline, indicating the amount of PCRC used in their products. Annual reports are due by April 1.

Reporting is submitted at the time of registration within the producer's registration. When a covered product requires PCRC, the registration system will prompt the producer to enter their resin composition.

The screenshot shows a form titled "Resin Composition". At the top, there is a table header with columns: "Resin Type", "Resin Source", "Resin Quantity", "Comments", and "Action". Below the header is a section titled "Add Resins Compositions". This section contains four input fields: "Resin Type:" with a dropdown menu showing "Select Resin Type", "Resin Source:" with a dropdown menu showing "Select Resin Source", "Quantity (Washington State) :" with a text input field showing "Resin Quantity (Washin", and "Comments:" with a text input field showing "Comments". To the right of these fields is a blue button labeled "add resin".

Screenshot 16: Enter the resin composition data for your products in the fields provided, including virgin and post-consumer.

Producers will be prompted to enter their resin composition by type. Select the resin type and source, then enter the quantity of resin. Do this for each resin type until the system shows 0.00 of the total remaining.

The screenshot shows a summary table titled "Resin Composition(s)" with a link for "[Trash Bags](#)". The table has four columns: "Resin Type", "Resin Source", "Resin Quantity", and "Comments".

Resin Type	Resin Source	Resin Quantity	Comments
Low-density polyethylene 4 (LDPE or PE-LD)	Virgin	1080000.00	
Low-density polyethylene 4 (LDPE or PE-LD)	PCRC	120138.50	
		Subtotal: 1200138.50 (of 1200138.50 lbs total required)	
		Remaining: 0.00 (of 1200138.50 lbs total required)	
		Percent PCRC: 10.01039 %	

Screenshot 17: An example of a resin composition being entered includes virgin and post-consumer data.

General Instructions

New producers

For those registering with a new producer, this producer is not in our system and has never registered or reported.

Select “Register new producer” and enter the producer's name (for example, the company name) and Employer Identification Number (EIN).

Producer Registrations and Annual Reports

Register a new Producer
To start a new producer registration, select **Register New Producer**.

To continue a producer registration, find the producer below and select **Edit/Submit**.

Register an existing Producer
If you previously created a registration for a producer, find the producer below and select **Edit/Submit**. The producer will already have access to the current registration cycle.

Submit an annual report for a Producer
To submit an annual report for a producer already registered, find the producer below and select **Edit/Submit**. The producer will already have access to the current reporting cycle.

Message: No producer registrations are listed.

Register New Producer

Screenshot 18: Click “Register New Producer” and complete the registration. When you are finished, click “Submit.”

Existing producer

A new responsible official needs access to producers who have registered and entered our system. Find the “Request access to an already registered producer” then click “Find Existing Producer.”

Request access to an already registered producer

Search for a producer by EIN or name. If the producer’s account exists, select Request Access.

If you’re unable to find the producer, either register the new producer or contact the [Recycled Content Team](#) for help.

[Find Existing Producer](#)

Screenshot 19: To access a registered producer, click ‘Request access to an already registered producer’ and select ‘Find Existing Producer’ to proceed.

Use the search bar to filter by Producer Name, EIN, or PCR Account #. Once you have found the correct producer, click 'Request Access' to notify the Recycled Content team. Results will not appear in the search if you already have access to the producer. Please allow up to 48 hours for approval of your access request.

Request access to an already registered producer ✕

Use the search to filter by Producer Name, EIN, or PCR Account#. Click 'request access' to send a request to the recycled content team.

Not displaying producers that you already have access to.

Show entries Search:

Action	Name	EIN	PCR Account#
request access	KIK International LLC		
request access	Shiseido Americas Corporation		
request access	Sunshine Makers, Inc.		
request access	Christian Dior Perfumes, LLC		
request access	S.C. Johnson & Son, Inc.		

Showing 1 to 5 of 393 entries First Previous 2 3 4 5 ... 79 Next Last

Screenshot 20: To request access to a registered producer, use the search bar to filter by Producer Name, EIN, or PCR Account #. Click 'Request Access' to notify the Recycled Content team.

For Registration and Reporting

- **Employer Identification Number (EIN):** Use the parent company's EIN to register any subsidiary brands.
- **Billing Contact:** Required
- **Responsible Official:** Required
- **Company Name**
- **Revenue:** Confirm whether Washington state's revenue from covered products from the previous year is above or below \$1 million.
- **Total Resin Amount:** Report the total resin used in Washington state in the prior year, including virgin, post-consumer, and post-industrial plastic resin.
- **Brand Names:** List all brand names under which the covered products are sold and show whether they apply to private label or brand owner products.

For Reporting Only

- **Resin Types:** Specify the types of resin used in your products for the previous calendar year.
- **PCRC Resin Certification (Optional):** Provide any available documentation that certifies your PCRC resin.

Third-party representative registers on behalf of a producer

Third-party representatives may submit data on behalf of a producer or group of producers, including the information required. Still, as defined in WAC 173-925-030(22), the producer is responsible for compliance and subject to potential enforcement actions outlined in WAC 173-925-080 through 173-925-100.

Contact information

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

If registering a new producer, enter the contact(s) for that producer.

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

If registering an existing producer, your previous contact(s) will auto-populate for you.

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.

Contact Form (Add)

Select Contact Type(s) i

Billing Contact Responsible Official

Contact Details

First Name: ✘ Last Name: ✘

Organization Name: ✘ Email address: ✘

Phone Number: ✘ Phone Number Extension: ✔

Address Line 1: ✘ Address Line 2: ✔

City: ✘ State/Province: ✘ Zip: ✘ Country: ✘

Screenshot 21 Select the contact type (billing contact or responsible official), enter the required information, then click “Save Contact.” Responses are required in red-outlined fields and optional for green-outlined fields.

Covered product category questions

All producers must answer the product category details when submitting a registration or an annual report unless they’re self-identifying de minimis producers.

Combine all products within the same covered category when entering data.

Example

If you have multiple beverage products (e.g., beverage product 1 and beverage product 2), report them together, as they fall under the beverage-covered product category.

Covered product category questions for plastic trash bags

When answering each question, include all products sold or offered for sale within the covered product category.

Producer questions


Is [Producer Name] a producer of plastic trash bags under [Chapter 70A.245 RCW](#) 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 are a producer who is not 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.

Is **Producer** a producer of **PLASTIC TRASH BAGS** under [Chapter 70A.245 RCW](#) 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.

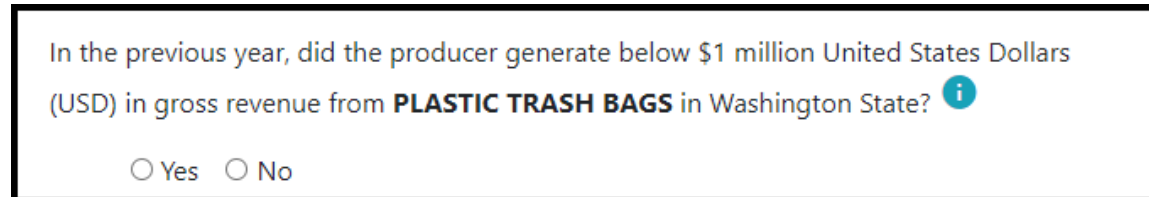
Yes No

Screenshot 22: De minimis producers produce less than one ton of covered products or earn less than \$1 million in gross revenue from covered product sales in Washington during the reporting year. If you're a de minimis producer or wish to complete the product category questions, select 'Yes.' Otherwise, choose 'No' to bypass the product category section.

Product category details

In the previous year, did the producer generate **below \$1 million United States Dollars (USD) in gross revenue from plastic trash bags in Washington State?**

Revenue means the gross income a producer receives from one category of 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.



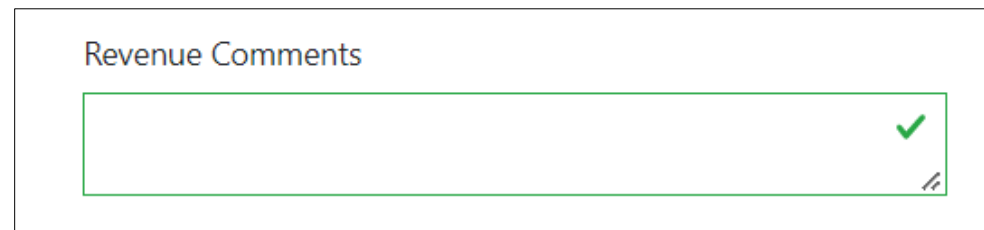
In the previous year, did the producer generate below \$1 million United States Dollars (USD) in gross revenue from **PLASTIC TRASH BAGS** in Washington State? ⓘ

Yes No

Screenshot 23: Select yes or no if the producer generates below \$1 million USD for trash bags in Washington State

Add additional revenue comments (optional).

You are not required to provide exact revenue numbers. That information is optional to include. Revenue numbers are not confidential (unless a confidentiality request has previously been submitted and approved by the Department).



Revenue Comments

Screenshot 24: Add additional revenue comments.

What was the previous year's total resin weight sold into Washington in plastic trash bags?

When choosing United States, the system will prorate your United States numbers to Washington's population. You do not have to do the calculation yourself.

Specify the region as either Washington State or United States.

This total resin amount should include virgin, post-consumer, and post-industrial resin and be reported in pounds. The system provides two links to the right of the resin amount field to convert tons and kilograms to pounds if needed.

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.

What was the previous year's total resin weight sold into Washington in **PLASTIC TRASH BAGS**?
 (Specify the region as Washington state or United States). i

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

Region	Resin Amount (pounds)	Convert kilograms to pounds
<input style="border: 1px solid red;" type="text" value="Select One"/>	<input style="border: 1px solid red;" type="text"/>	Convert tons to pounds

Screenshot 25: Select the region (Washington State or United States), then enter your total resin pounds in the field provided. You can use the options to the right to convert kilograms or tons to pounds. Other units of weight will not be accepted.

If the producer provides United States data, they must use the 'Resin Comments' box to provide a justification that explains why it is infeasible to isolate Washington state-level data from the United States data.

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

If your products aren't sold nationwide and you want to use a regional calculation, use Washington as the region and explain your calculation in the comment section below.

Producers of national or regional retail brands may calculate the reported weight based on the national retail sales weight multiplied by a percentage representing the number of stores located in Washington. Producers may then add the total weight of online sales into Washington, as shown in the equation below.

Example of regional data calculation

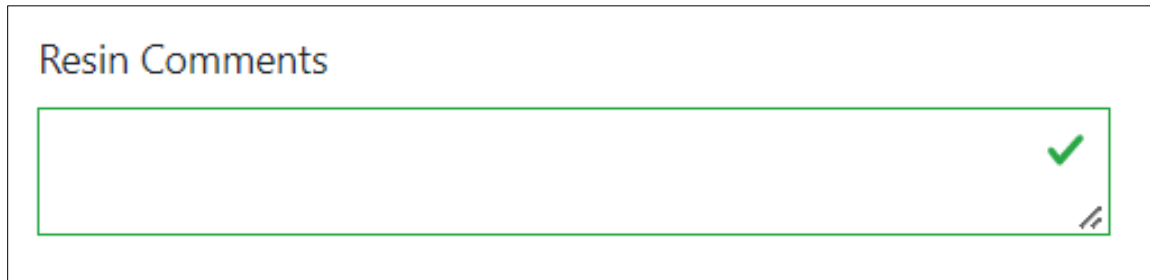
Regional data calculation



Equation 1. Example of regional resin data calculation

Add additional resin comments.

Adding additional resin comments is required for anyone who specified United States as the region or used a regional calculation. Explanatory comments will decrease the need for follow-up with the reporting producer during Ecology’s data quality analysis.



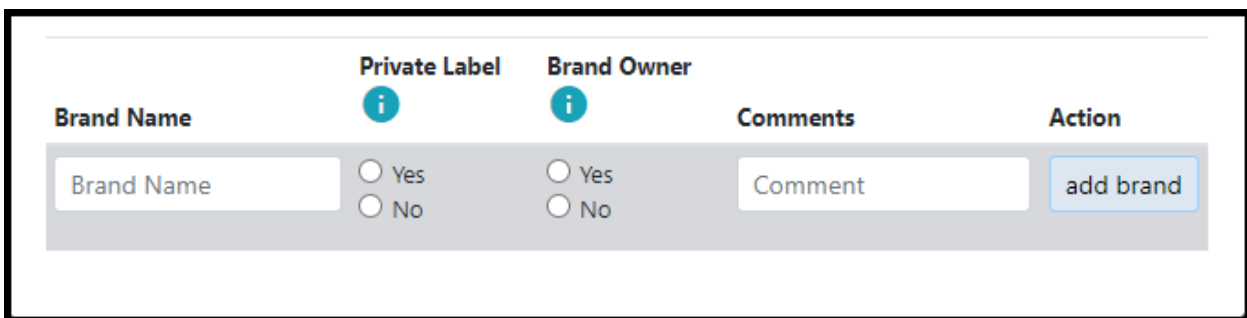
Screenshot 26: Add additional resin comments.

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 27: Enter the brand name, and 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

Any producer of plastic trash bags must complete this section to submit an annual report.

Enter your resin information for the reporting year below:

- When entering virgin and post-consumer resin information in pounds, you also need to select a resin type from the drop-down.
- The weights entered must equal the resin weight specified for the product category details.
- The system will calculate your PCRC percentage once the information is entered.

The screenshot shows a web interface for entering resin information. At the top, there is a section titled "Resin Composition" which contains a table with the following columns: "Resin Type", "Resin Source", "Resin Quantity", "Comments", and "Action". Below the table is a form titled "Add Resins Compositions". This form includes four input fields: "Resin Type:" with a dropdown menu showing "Select Resin Type", "Resin Source:" with a dropdown menu showing "Select Resin Source", "Quantity (Washington State) :" with a text input field containing "Resin Quantity (Washin", and "Comments:" with a text input field containing "Comments". To the right of these fields is a blue button labeled "add resin".

Screenshot 28: Select the resin type source, list the quantity, and then click “Add resin.” Comments are optional unless the resin type Other is selected, in which case they are required.

To add resin information, select the resin type and source, list the quantity, and then select **Add**.

Comments are optional unless the resin type Other is selected, then comments are required.

To edit a line of data entered in the Resin Composition table, select **Edit** from the Action column to the corresponding information line.

To delete a line of data entered in the Resin Composition table, select **Delete** from the Action column to the corresponding information line.

Covered product category questions for plastic beverage containers

When answering each question, include all products that were sold or offered for sale within the covered product category.

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

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

Producer questions

Is [Producer Name] a producer of plastic beverage containers under Chapter 70A.245 RCW 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.

Is **Producer** a producer of **PLASTIC BEVERAGE CONTAINERS** under [Chapter 70A.245 RCW](#) 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.

Yes No

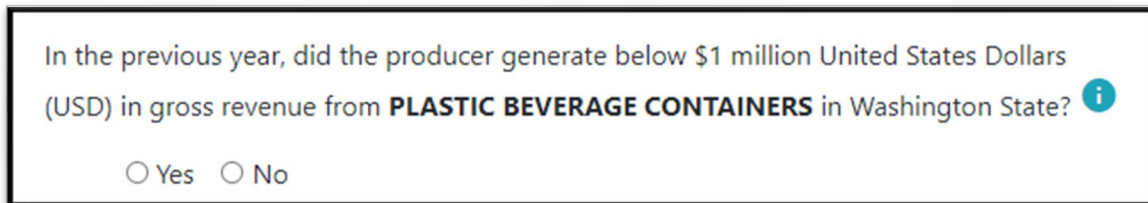
Screenshot 29: Select yes or no.

Product category details

All producers must answer the Product Category Details unless they're a self-identifying de minimis producer.

In the previous year, did the producer generate **below \$1 million United States Dollars (USD) in gross revenue from plastic beverage containers in Washington State?**

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.



In the previous year, did the producer generate below \$1 million United States Dollars (USD) in gross revenue from **PLASTIC BEVERAGE CONTAINERS** in Washington State? ⓘ

Yes No

Screenshot 30: Select the region (Washington State or United States), then enter select yes or no.

Add additional revenue comments (optional).

Do not provide exact revenue numbers. Revenue numbers are not confidential unless a confidentiality request has previously been submitted and accepted.



Revenue Comments

Screenshot 31: Add additional revenue comments.

What was the previous year's total resin weight sold into Washington in plastic beverage containers?

Specify the region as Washington state or United States.

When choosing United States, the system will prorate your United States numbers to Washington's population. You do not have to do the calculation yourself.

This total resin amount should include virgin, post-consumer, and post-industrial resin and be reported in pounds. The system provides two links to the right of the resin amount field to convert tons and kilograms to pounds if needed.

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.

What was the previous year's total resin weight sold into Washington in **PLASTIC BEVERAGE CONTAINERS**? (Specify the region as Washington state or United States). [i](#)

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

Region <input style="border: 1px solid red;" type="text" value="Select One"/>	187ml Wine Container Resin (pounds) <input style="border: 1px solid red;" type="text"/>	Convert kilograms to pounds Convert tons to pounds
	Dairy Milk Container Resin (pounds) i <input style="border: 1px solid red;" type="text"/>	
	Other Container Resin (pounds) i <input style="border: 1px solid red;" type="text"/>	
	Total Resin Amount (pounds) <input type="text" value="0"/>	

Screenshot 32: 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.

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

If the producer provides United States data, they **must** use the "Resin Comments" box to provide justification that explains why infeasible to isolate Washington state-level data from the United States data.

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

If your products aren't sold nationwide, and you would like to use a regional calculation, use Washington as the region and explain your calculation in the comment section provided below.

Example of regional data calculation

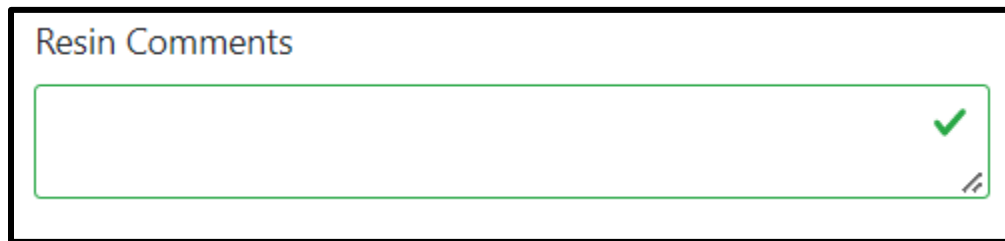
Regional data calculation



Equation 2. Example of regional resin data calculation

Add additional resin comments.

Adding additional resin comments is optional unless you specified United States as the region or used a regional calculation.



Screenshot 33: 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).

Brand Name	Private Label	Brand Owner	Comments	Action
<input type="text" value="Brand Name"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="text" value="Comment"/>	<input type="button" value="add brand"/>

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 the "add brand" button.

Any covered producer of plastic beverage containers must complete this section to submit an annual report.

Only other plastic beverage containers are required to report currently.

This includes all beverage containers within the parameters of the law, except for dairy milk and wine in 187 ml containers which are not required to meet minimum PCRC requirements until 2028.

If you don’t have other beverage containers resin information to report, don’t enter any information and select continue to skip.

If you wish to report dairy milk and wine in 187 ml containers, you’ll have the opportunity to after the Other section.

Enter your resin information for the reporting year below:

- When entering virgin and post-consumer resin information in pounds, you also need to select a resin type from the drop-down.
- The weights entered must equal the resin weight specified for the product category details.
- The system will calculate your PCRC percentage once the information is entered.

Resin Type	Resin Source	Resin Quantity	Comments	Action
Add Resins Compositions				
Resin Type:	Resin Source:	Quantity (Washington State) :	Comments:	<input type="button" value="add resin"/>
<input type="text" value="Select Resin Type"/>	<input type="text" value="Select Resin Source"/>	<input type="text" value="Resin Quantity (Washin"/>	<input type="text" value="Comments"/>	

Screenshot 35: Select resin type, then select the resin source, enter the resin quantity for Washington and add any additional comments. Once all the information has been entered click add resin.

To add resin information, select the resin type, source, and list the quantity and then select **Add**.

Comments are optional unless the resin type Other is selected, then comments are required.

To edit a line of data entered in the Resin Composition table, select **Edit** from the Action column to the corresponding information line.

To delete a line of data entered in the Resin Composition table, select **Delete** from the Action column to the corresponding information line.

Covered Product Category Questions for 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, can maintain their shape when empty, and hold a capacity greater than 8 oz.

Included

- Plastic containers for household cleaning and personal care products include bottles, jugs, and other rigid containers made of one or multiple plastic resins.
- Plastic containers for household cleaning and personal care products are covered if they have a neck or mouth smaller than the base and maintain their shape when empty.
 - Wipes in plastic containers with a mouth that is narrower than the base.
- Plastic containers range from eight ounces or equivalent volume up to and including five gallons or equivalent volume.
- Air cleaners and air fresheners used to care for fabric or other surfaces (e.g., fabric refresher, air freshener spray).

Not included

- Refillable containers that function in a system of reuse.
 - A system of re-use includes products sold in a powder form to be added to a container and reconstituted for reuse. Examples would include window cleaners where refill pouches are sold separately and intended to be mixed with water in an existing container owned by the consumer.
- Bottles used with medical products.
- Household cleaning products sold for use exclusively in institutional or commercial settings.

Producer questions


Is [Producer Name] a producer of plastic household cleaning and personal care product containers under Chapter 70A.245 RCW 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.

Is **Producer** a producer of **PLASTIC HOUSEHOLD CLEANING AND PERSONAL CARE PRODUCT CONTAINERS** under [Chapter 70A.245 RCW](#) 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.

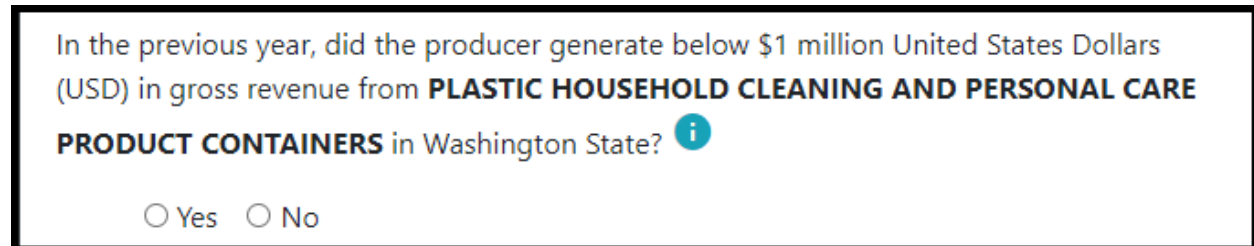
Yes No


Screenshot 36: Screenshot 36: If self-identifying as a de minimis producer, select yes or no.

All producers must answer the Product Category Details unless they're a self-identifying de minimis producer.

In the previous year, did the producer generate **below \$1 million United States Dollars (USD) in gross revenue from household cleaning and personal care product containers in Washington State?**

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.



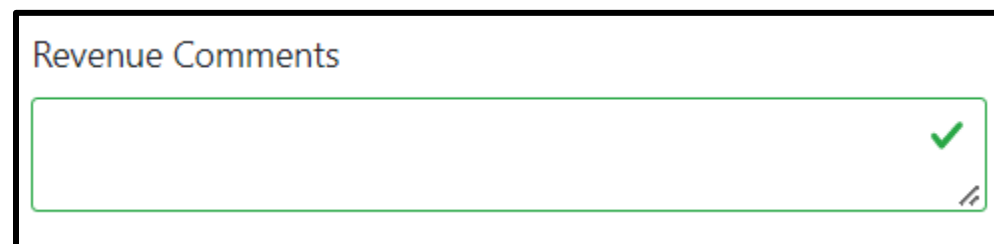
In the previous year, did the producer generate below \$1 million United States Dollars (USD) in gross revenue from **PLASTIC HOUSEHOLD CLEANING AND PERSONAL CARE PRODUCT CONTAINERS** in Washington State? 

Yes No



Screenshot 37: Select the region (Washington State or United States), then enter select yes or no.

Add additional revenue comments (optional).

Do not provide exact revenue numbers unless you choose to. Revenue numbers are not confidential (unless a confidentiality request has previously been submitted).



Revenue Comments

Screenshot 38: Add additional revenue comments.

What was the previous year’s total resin weight sold into Washington in household cleaning and personal care product containers?


Specify the region as Washington state or United States.

When choosing United States, the system will prorate your United States numbers to Washington’s population. You do not have to do the calculation yourself.

This total resin amount should include virgin, post-consumer, and post-industrial resin and be reported in pounds. The system provides two links to the right of the resin amount field to convert tons and kilograms to pounds if needed.

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.

What was the previous year's total resin weight sold into Washington in **PLASTIC HOUSEHOLD CLEANING AND PERSONAL CARE PRODUCT CONTAINERS?**

(Specify the region as Washington state or United States). 

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

Region

Resin Amount
(pounds)

[Convert kilograms to pounds](#)
[Convert tons to pounds](#)

Screenshot 39. Select the region (Washington State or United States), then enter the resin total pounds in the provided fields for plastic household cleaning and personal care product containers.

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.

If the producer provides United States data, they **must** use the "Resin Comments" box to justify why it's not feasible to isolate Washington state-level data from the United States data.

Ecology staff may request more information

about the infeasibility of calculating Washington state specific averages for any producer who reports national averages.

If your products aren't sold nationwide, and you would like to use a regional calculation, use Washington as the region and explain your calculation in the comment section provided below.

Example of regional data calculation

Regional data calculation



Equation 3. Example of regional resin data calculation

Add additional resin comments.

Adding additional resin comments is a choice unless you specified United States as the region or used a regional calculation.

Resin Comments

✓

✎

Screenshot 40: 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. Use the comment box to provide more clarity about the listed brand(s).

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

Brand Name	Private Label i	Brand Owner i	Comments	Action
<input type="text" value="Brand Name"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="text" value="Comment"/>	<input type="button" value="add brand"/>

Screenshot 41: Screenshot 40: 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 the "add brand" button.

This section is not available yet for this product category. Household cleaning and personal care product containers will be reported starting in 2029.

The system will direct you to the Document Upload step once the producer and product category detail questions are complete.

Document upload

Once you have answered all the covered product category questions that apply to you, there is a document upload section before the review-and-submit page.

This document upload section can be used to provide documentation of your ISO accredited third party verification.

This step is optional. You can also choose to self-certify your data by completing the annual report submission on the review and submit page.

For producers submitting only a registration, this is also optional.

Attach any supporting documents for your report or registration. This is an optional step, if you don't want to upload any supporting documents, select continue. i

File to Upload

File Description

Attached Files

Review files in table to ensure all desired documents are attached then select Continue.

File	Description	Action
------	-------------	--------

Screenshot 42: Select your file and then select Upload. When successful, your file will be listed.

Review and submit

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

- If your information is correct, click Submit.
- To update any information, click Back.

Registration submittal

The system will specify whether reporting and registration are required for each covered product.

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

Product category not covered

Based on the information provided in your registration, annual reporting is **not** required for this category. This means the covered product category met one or both de minimis thresholds. This message will be displayed in yellow.

Product category covered

Based on the information provided in your registration, annual reporting **IS** required for this category. This message will be displayed in green.

Compliant

Based on the information provided in your report, this producer has met the PCRC minimums for this product category.

Non-compliant

Based on the information in your report, this producer has not met the PCRC minimums for this product category.

Ecology will calculate penalties and issue a notice of non-compliance. This notice will provide information about how to pay penalties or request a corrective action plan, payment plan, or penalty reduction.

Ecology review

Once submitted, your registration or report will await Ecology review.

This status **doesn't** mean your registration or report **hasn't** been considered submitted; Ecology **hasn't** yet reviewed the information for accuracy or discrepancies.

When in review, the status will change to **review in progress** status.

Upon review, your registration or report will be given any of the following review statuses:

- **Awaiting Submission**
 - If your registration or report has not been submitted, it will show as Awaiting Submission.
- **Awaiting Review**
 - Once the registration or report has been submitted, the status will show as awaiting review until ecology staff can review the registration or report.
- **Action Needed**
 - If your registration or report is in Action Needed status, Ecology has question(s) or has found discrepancies in your submitted data.
 - You should expect Ecology to email you the question(s) or issues
- **Approved**
 - If your registration or report has been approved, Ecology staff did not see any discrepancies or issues with your submitted data.
 - Even though a registration or report has been approved, Ecology can still reach out if any discrepancies come up later.
 - You'll also be notified when your registration or report has been approved.
- **Non-Compliant**
 - If your registration or report is in Non-Compliant status, Ecology staff identified that the producer is non-complaints for either failure to register, label, or report or failure to meet PCRC requirements.
 - You should expect to receive a notification of non-compliance. From here, you can work with Ecology staff to develop a Corrective Action Plan (CAP) and request a penalty reduction.

Amendments or changes to your registration

On the Waste Reduction Homepage, within SAW, under Producer Registrations, there is a requested amendment/unlock button next to your registration information. Or contact the Recycled Content Team at RecycledContent@ecy.wa.gov if the amendment is a previous registration.

Verification or certification requirements for reporting

Ecology may conduct audits and investigations to ensure compliance. This can include asking for verification of de minimis status, registration information, annual reports, or other submitted information.

Providing ISO-accredited third party verification through the reporting process will decrease the chance of an audit.

This documentation is uploaded during the document upload step within the reporting process.

Mass balance

Mass balance calculations can only be used at the individual producer level.

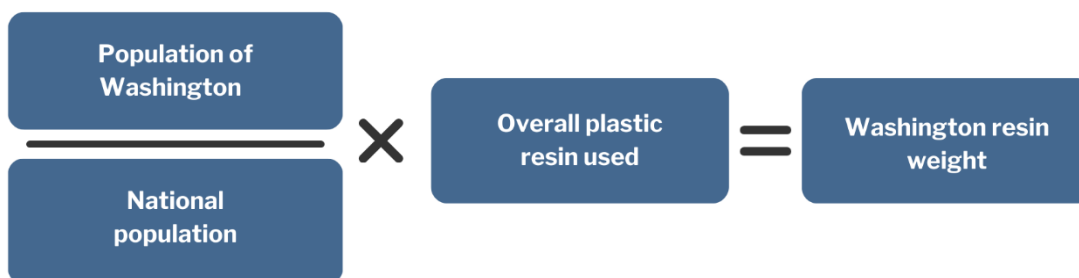
A third-party representative cannot use mass balance calculation for all the producers for whom they submit reports. The allowance for a third party representative is only to reduce the administrative strain of a brand owner trying to acquire data from a manufacturer who supplies its products.

The brand owner is still responsible at the individual level for meeting PCRC requirements.

National numbers versus Washington-specific numbers

If producers can prove they do not have Washington-specific numbers, they may report their national numbers. Based on current US census data, Ecology will use the Washington proportion of the National population to convert the national number to a Washington one. Ecology staff may request a demonstration of the inability to calculate Washington state-specific data for any producer who reports national or regional averages.

Conversion of national plastic resin weight to Washington resin weight



Equation 4. Conversion of national plastic resin weight to Washington resin weight.

Brands and sub-brands

If the producer is a brand owner and sells their products under several sub-brands, then producers must list all the brands under which their products are sold as printed on the product packaging. They must list the sub-brands and include their revenue and resin weight in their reporting.

The producer does not have to list specific products, just the brand and sub-brand under which their products are sold.

Product Brands

List all brand names the covered product is sold under (as seen on the label).

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).

Brand Name	Is Private Label?	Producer is Brand Owner?	Comments	Action
<input type="text" value="Brand Name"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="text" value="Comment"/>	<input type="button" value="add brand"/>

Screenshot 43: Enter the brand name, select whether it is a private label or whether the brand owner owns it, add any additional comments, and click add brand. Repeat this process until all the brand names have been added.

Confidentiality

To begin the confidentiality process, email RecycledContent@ecy.wa.gov requesting confidentiality for data to Ecology in the PCRC reporting process.

The email submitted to Ecology must justify and certify that the information in your documents relates to production processes unique to your company or how disclosing the information may adversely affect your company's position.

Requests to hold brand relationships confidential due to the production of products for other brands won't be granted.

Be aware that under chapter RCW 70A.245.090, Ecology must annually publish on our website a list of registered producers of covered products and associated brand names, their compliance status, and other information Ecology deems proper.

pr

Confidentiality requests

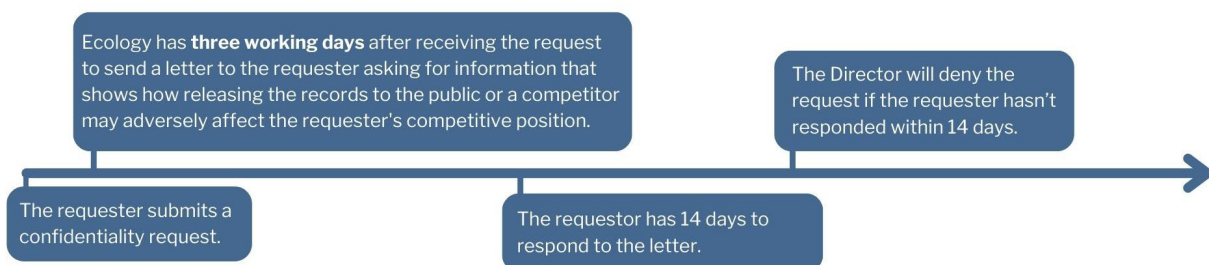


Figure 5. Overview of process and timeline for confidentiality requests.

Qualifying reason for confidentiality requests

- Production processes are unique to your company.
- Sales data concerns or relates to trade secrets, strategies, operations, production, sales, customers, inventories, sources of income, profits, losses, and expenditures.
- Any other relevant factors for Ecology’s consideration.

Example request

Here is an example of what would meet Ecology’s requirements.

Dear Recycled Content Team,

Our company is concerned with confidentiality.

We believe disclosing our resin information and our brands threatens our company's competitive position on sales data, which is information that concerns or relates to trade secrets, strategies, operations, production, sales, customers, inventories, sources of income, profits, losses, and expenditures.

XYZ company requests that the sales information **XYZ company** provides to the Department be kept strictly confidential and that this information is not disclosed to the public in any manner, including in any publication by the Department. **XYZ company** certifies that the statements above provide proper justification under Washington law for the Department to maintain **XYZ company** sales data in confidence.

Thanks for your consideration,

XYZ company

Part E - Annual fees and penalties

The PCRC law requires Ecology to estimate the costs to implement, administer, and enforce the law. We received input from stakeholders impacted by the law in developing the methods for distributing our costs through fees for individual producers.

Fees are based on each producer's total weight of plastic resin sold or brought into Washington, as submitted during annual registration or reporting.

Workload analysis

Ecology will publish an annual workload analysis (WLA) by the end of January each year. The public will be allowed to comment on the WLA each year. The recycled team will send communications related to the WLA to our [GovDelivery email list](#).

The WLA outlines the estimated costs Ecology expects to incur to administer and provide oversight for the post-consumer recycled content requirements of RCW 70A.245 for the following fiscal year (July 1 through June 30 of the next year) for two workload categories:

Program administration costs include Ecology's costs to support producer registration; manage and maintain the registration and reporting system and department's website; prepare the annual workload analysis and fee calculation; conduct rule and guideline updates; and implement any requirements that would apply to all producers of covered products, regardless of their PCRC requirements.

Post-consumer, recycled content oversight costs include Ecology's costs to provide compliance monitoring and technical help for producers submitting PCRC reports for products required to meet minimum PCRC requirements in the prior calendar year.

Determination of fees

After annual registration and reporting, fees are calculated and billed to all producers of covered products, regardless of when PCRC requirements start for their category or categories. The annual fees are based on two things:

1. The annual estimated costs from the workload analysis are described in the section above.
2. The total plastic resin weights (including virgin and PCRC) of each producer's covered products from the current registration and reporting data.

De minimis producers

De minimis producers are not required to pay annual fees, and resin data submitted by de minimis producers who choose to report in their annual de minimis notification is not included in the fee calculations.

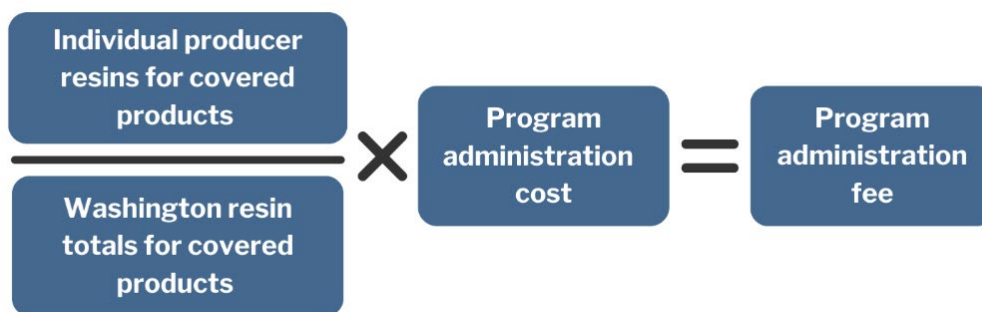
Producer fee equations

Ecology will use three equations to calculate producer fees, illustrated and described below.

Fee calculation equation 1: Program administration fee

The program administration fee is for all producers registered for covered product categories, excluding de minimis producers.

Program administration fee



Equation 5. Calculation of the program administration fee

The definitions for each element of the program administration fee equation are provided below:

Program administration costs are estimated annual workload costs for the department to administer the program and include the following:

- Management and maintenance of the registration and reporting systems and department website.
- Preparation of the annual workload analysis and fee calculation.
- Rule and guideline updates.
- Carrying out any requirements that apply to all producers of covered products.

Individual producer resins for covered products are one registered producer's total pounds of all plastic resins (PCRC and virgin) used in all covered products sold or offered for sale in Washington State during the previous calendar year.

Washington resin totals for covered products are the total pounds of all plastic resins (PCRC and virgin) used in all covered products sold or offered for sale in or into Washington State for the prior calendar year.

Ecology uses producer registration and reporting data for the resin weight figures described above. If a producer has not submitted registration or reporting data for the prior calendar year. The producers previously submitted annual data for resin weight will be used for the fee calculation. Producers who fail to submit registration and PCRC report data by April 1 may be subject to enforcement action.

Fee calculation equation 2: PCRC oversight fee

The PCRC oversight fee is for producers submitting PCRC reports for PCRC products. It is an estimated annual workload cost for the department to provide compliance monitoring and technical help to these producers.

Post-consumer recycled content oversight fee



Equation 6. Calculation of the post-consumer recycled content (PCRC) oversight fee.

The definitions for each element of the post-consumer recycled content oversight fee equation are provided below:

Individual Producer Resins for PCRC Products is the one registered and reporting producer's total pounds of all plastic resins (PCRC and virgin) used in all PCRC products sold or offered for sale in or into Washington State during the previous calendar year.

Washington Resin Totals for PCRC Products are the total pounds of all plastic resins (PCRC and virgin) used in all PCRC products sold or offered for sale in or into Washington State for the prior calendar year.

PCRC oversight costs include the department's costs to provide compliance monitoring and technical help for producers submitting PCRC reports for products required to meet minimum PCRC requirements in the prior calendar year.

Ecology uses producer registration and reporting data for the resin weight figures described above. If a producer has not submitted registration or reporting data for the prior calendar year. The producers previously submitted annual data for resin weight will be used for the fee calculation. Producers who fail to submit registration and PCRC report data by April 1 may be subject to enforcement action.

Fee calculation equation 3: Total producer fee

The Total Producer Fee is the sum of the Program Administration Fee and the PCRC Oversight Fee.

Total producer fee



Equation 7. Calculation of the total producer fee.

The definitions for each element of the total producer fee equation are provided below:

Total producer fee is the sum of the Program Administration Fee and PCRC Oversight Fee for each producer submitting registration and reporting data for covered products. For producers of covered product categories not yet required to submit PCRC reports, the PCRC Oversight Fee amount is zero, and only the Program Administration Fee amount applies.

Program administration fee is for all producers registered for covered product categories, excluding de minimis producers.

The PCRC oversight fee is for producers submitting PCRC reports on PCRC products. Ecology PCRC Oversight Cost is an estimated annual workload cost for the department to provide compliance monitoring and technical help to producers submitting PCRC reports for PCRC products.

Fee adjustments

The statute requires fee adjustments based on the difference between fee revenue and costs for the preceding fiscal year. Ecology will calculate the adjustment after a fiscal year has officially closed. This occurs in September, following the June 30 fiscal year-end date. The fee invoiced the following April will include the adjustment for the most recently closed fiscal year.

The adjustment will be distributed to producers based on the fee amounts paid by each producer for the recently closed fiscal year.

Ecology may also adjust fees for the following:

1. Registration or reporting data submitted by producers after the April 1 deadline.
2. Changes to resin weight data after the April 1 deadline.

Paying fees

Once an invoice has been sent, a producer must pay the fee within 30 days. Annual fees are delinquent if they are not received by the due date.

We have multiple ways for a producer to pay fees.

Pay online

There are two ways to pay online.

Credit cards

Producers can pay by credit card or electronic check. We accept Visa, Mastercard, and Discover credit card payments.

Electronic checks

Electronic check payments can be made using our online payment system, [EcoEPay](#).

An electronic check is a digital version of a paper check, also known as an eCheck, online check, internet check, or direct debit.

eChecks uses the Automated Clearing House (ACH) to direct debit from a customer's checking account into a merchant's business bank account with the help of a payment processor.

For ACH payments, contact the Recycled Content Team for more information.

Pay by mail

Producers can pay by mail by detaching the bottom of the invoice and sending it with a check or money order payable to Ecology.

Mail checks to

Department of Ecology Cashiering Unit
PO Box 47611
Olympia, WA 98504-7611 USA.

Past due payments

Ecology doesn't apply interest or a late fee for past-due payments. If a fee is unpaid for long enough, it will be sent to collections. A producer will receive two formal notices sent by mail before a past-due fee is sent to collections.

If you cannot pay your fee on time, contact the Recycled Content Team.

Requesting a W-9 from Ecology

Visit Ecology's [make a payment](#) webpage for instructions on how to contact Ecology's fiscal office directly.

Part F – Enforcement

A producer may be found non-compliant for two types of violations, each with different methods for assessing penalties. Failure to register, label, or report and failure to meet Post-Consumer Recycled Content (PCRC) requirements. Penalties issued for either type of violation under this section can be appealed to the Pollution Control Hearings Board, as shown in Chapter 43.21B RCW.

Types of violations subject to enforcement include

- Registration, labeling, and reporting violations.
- Violations of PCRC requirements.

Type 1: Failure to register, label, or report

[RCW 70A.245.050](#) authorizes penalties for failure to register, report, or label products in accordance with the requirements of RCW [70A.245.020](#), [70A.245.030](#), or [70A.245.060](#). If a producer is found to be unregistered—either through store audits or other means—by the April 1 deadline, Ecology will issue a written Notice of Violation (NOV) via certified mail. This notice will provide details about the violation and offer guidance to assist the producer in coming into compliance.

Ecology is required to issue one NOV via certified mail before assessing a penalty. If the producer fails to register and submit the required annual report after receiving the NOV, Ecology may impose a civil penalty of up to \$1,000 per day of non-compliance. This penalty will be applied retroactively from the date of non-compliance shown in the first NONC.

Producers can appeal any penalties to the Pollution Control Hearings Board within 30 days of receiving the NOV.

If, after receipt of both NONCs, a producer does not come into compliance by registering and submitting their annual report, Ecology may issue a civil penalty of up to \$1,000 for each day of non-compliance, beginning retroactively with the date of non-compliance noted in the first NONC.

A producer may appeal their penalty to the pollution control hearings board within 30 days of the second NONC.

Type 2: Failure to meet PCRC requirements

Producers who fail to meet the minimum PCRC requirements outlined in [RCW 70A.245.020](#) are subject to penalties. Ecology will calculate the penalty based on data provided by the producer or discovered through audits.

Penalties for failing to meet PCRC requirements will begin on June 1 of the year following the application of PCRC minimums to a covered product category. Ecology will issue a written

Notice of NOV to the producer at that time. Upon receiving the NOV, the producer has several options:

- Take no action and await the issuance of a Notice of Penalty.
- Request a penalty reduction, payment plan, or payment extension.
- Propose a corrective action plan (CAP) in addition to the penalty.

Producers must pay the penalty in full within 30 days from the date of issuance, though a payment schedule may be arranged within that period. Ecology may also consider a grace period when assessing compliance based on the production date of the covered product or container.

Penalty Calculation for PCRC Non-Compliance

Penalties for failing to meet PCRC minimum requirements will be calculated starting June 1, based on the PCRC standards set up in the previous year. For example, as of January 1, 2023, plastic trash bags must contain a minimum of 10% PCRC by weight. If a plastic trash bag producer reports data in 2024 showing a lower PCRC content than the required 10% for 2023, the Department of Ecology will notify the producer as outlined below.

Producers may appeal any penalties to the Pollution Control Hearings Board within 30 days of the penalty being assessed.

Penalty Calculation Formula

Ecology will calculate the penalty based on the producer's reported data, which includes:

- Total pounds of virgin plastic, PCRC plastic, and any other plastic used per product category.
- Data covering all covered products sold or offered for sale in Washington state, submitted during the annual reporting process.

Penalty calculation for failure to meet PCRC requirements

The diagram illustrates the formula for calculating the penalty amount. It consists of two main parts in large blue rounded rectangles, each containing a multiplication of two smaller blue rounded rectangles. The first part is $(\text{Total pounds of plastic used} \times \text{Minimum post-consumer recycled plastic target percentage})$. The second part is $(\text{Total pounds of plastic used} \times \text{Post-consumer recycled plastic percentage used})$. These two parts are subtracted from each other, and the result is multiplied by a final blue rounded rectangle containing the value $\$0.20$.

$$\left[\left(\text{Total pounds of plastic used} \times \text{Minimum post-consumer recycled plastic target percentage} \right) - \left(\text{Total pounds of plastic used} \times \text{Post-consumer recycled plastic percentage used} \right) \right] \times \$0.20$$

Equation 8: Equation displaying the formula used to calculate the penalty amount based on applicable factors.

Corrective Action Plans (CAPs) and Notices of Violation (NOVs)

Violations of PCRC requirements are eligible for a CAP, but producers will receive only one NOV and have 30 days to request a CAP before penalties are issued. Ecology may approve a CAP and suspend a portion of the penalty, provided the plan details how the producer will comply with [RCW 70A.245.020](#). CAPs will not be considered for failure to submit registration and annual reports.

Producers can request a CAP upon receiving the NOV. The request should explain why the PCRC requirements were unmet and include a plan to meet them the following year. Ecology may seek additional information or conduct market research to evaluate the request.

In contrast, violations related to registration and reporting are not eligible for a CAP. In such cases, Ecology will issue two NOVs over 60 days and may use discretion in applying the maximum penalty of \$1,000 per day of violation.

Reduction in penalty

Ecology may also consider reducing the penalty for producers who do not meet PCRC minimums based on the law-set schedule.

In granting a reduction, the following factors will be considered by Ecology:

- Anomalous market conditions.
- Disruption in, or lack of supply of, recycled plastics; and
- Other factors that have prevented a producer from meeting the requirements.

Reporting audits and reviews

Ecology annually reviews all data submitted by producers in registrations and reports. This review includes follow-up on data that seems to be incorrect, largely different from previous reporting years, or otherwise errant.

Ecology may do random audits based on consumer shopping reviews conducted in stores or online or in response to information submitted by the public or another producer. The scope of these reviews may range from simple requests for information to third-party data verification by Ecology.

Ecology annually publishes a list of registered producers, including their compliance and fee payment status.

Part G - Producer resources

GovDelivery

The primary way that the Recycled Content Team will communicate with producers is through our GovDelivery email list.

We will send information on the following:

- WLA comment period and publishing.
- Frequently asked questions in the weeks leading up to the registration and reporting due date, April 1.
- Recorded information sessions for producers.
- Opening of the registration and reporting cycle notice.
- Surveys that help the Recycled Content Team improve our communication and the registration and reporting portal.

Recorded information sessions

The Recycled Content Team will share recorded information sessions for the Plastic Producer Registration and Reporting with our GovDelivery email list before the registration and reporting cycle starts.

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>
- Chapter 173-925 WAC
 - <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-925>

Publications

- Post-consumer plastics recycling overview 2022
 - <https://apps.ecology.wa.gov/publications/SummaryPages/2207031.html>
- Post-consumer plastics recycling overview 2023
 - <https://apps.ecology.wa.gov/publications/UIPages/SummaryPages/2307039.html>
- Post-consumer plastics recycling overview 2024
 - <https://apps.ecology.wa.gov/publications/SummaryPages/2407024.html>
- Post-consumer recycled content (PCRC) rulemaking summary
 - <https://apps.ecology.wa.gov/publications/UIPages/SummaryPages/2307030.html>
- Rule Implementation Plan
 - <https://apps.ecology.wa.gov/publications/SummaryPages/2307053.html>
- Concise Explanatory Statement
 - <https://apps.ecology.wa.gov/publications/SummaryPages/2307052.html>
- WAC 173-925 Post-consumer recycled content in plastic content
 - <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-925>