

Focus on: Disposal of Flavored Vaping Products



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More information

ecology.wa.gov/vapingwaste

Washington State Board of Health

sboh.wa.gov

Special accommodations

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6700 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Washington ban on sale of flavored vapor products

Effective Oct. 10, 2019, the Washington State Board of Health approved an emergency rule banning the sale of flavored vaping products for 120 days. The ban, which came in response to an executive order from Governor Jay Inslee, restricts the sale of all flavored vaping products, including flavored nicotine and THC products.

If disposed of, nicotine vaping products must be managed as hazardous waste

Do not put vaping products in the trash, burn them, or pour them down the drain. Under federal and state regulations, nicotine-containing vapor products are considered hazardous waste, and must be disposed of under Washington regulations.

For retailers disposing of expired or unused flavored vapor products, this means using an approved hazardous waste contractor to collect and dispose of this material. A list of some of these contractors is on the second page of this focus sheet.

Flavored vaping products containing THC must be disposed of as directed by the Washington Liquor and Cannabis Board. Visit lcb.wa.gov/vape/vapor-and-public-health for information.

As a retailer, am I required to dispose of remaining flavored vaping products in my inventory?

No. You may choose to sell your current flavored vaping products outside of Washington state, or maintain your existing inventory pending additional direction from the Washington State Legislature. You may also have other options, such as returning remaining inventory to the manufacturer.

I am a hazardous waste service provider. How should I manifest vaping waste?

If the business is a small quantity generator, then they will need to ship their waste on a bill of lading to a treatment, storage, or disposal (TSD) facility.

Ecology is developing an interim policy explaining how retailers, transporters, and TSDs need to manage vaping wastes. When available, that interim policy will be posted at ecology.wa.gov/vapingwaste.

A retailer that is already classified as a *Medium- or Large-Quantity Generator* (MQGs or LQGs) will manage vaping waste as they do other hazardous wastes.



The requirement to manage flavored vaping products as hazardous waste applies only if a retailer chooses to dispose of these products.

Tax credits may be available for disposal of flavored vaping products

Retailers and distributors may be eligible for a credit on taxes previously paid on vapor products.

In order to claim a vapor product tax credit for destroyed products, the Department of Revenue will require businesses to obtain and preserve an affidavit signed by the person or business destroying the vapor product. The affidavit should contain the following information:

- The name of the business providing the product for destruction
- The quantity (mls) of product destroyed
- The tax amount of the product destroyed
- The date the product was destroyed

Contact the Department of Revenue’s tax assistance staff for additional information: 360-705-6705.

Hazardous waste contractors

The following list of hazardous waste service providers in Washington state. Ecology does not endorse waste contractors, and this list is not comprehensive. Please contact the provider to verify the services available in your location.

Business name	Contact information
Clean Harbors	www.cleanharbors.com 800-444-4244
Emerald Services	www.emeraldrenews.com 888-832-3008
Heritage	www.heritage-enviro.com 877-436-8778
Ingenium	www.pureingenium.com 206-268-0406
Safety-Kleen	www.safety-kleen.com 800-323-5040
Stericycle	www.stericycle.com 866-783-7422
Veolia	www.veolianorthamerica.com