

**WAC 296-150P-0140 Do you allow the use of alternate materials, alternate design and method of construction?** An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

(a) The applicant's name, address and phone number;

(b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;

(c) Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;

(d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

(a) The applicant's request as described in subsection (1) of this section;

(b) Research into the request;

(c) Expert advice.

(3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150P-0100.

[Statutory Authority: RCW 43.22.340, 43.22.350, 43.22.355, 43.22.360, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.450, 43.22.480, and 43.22.485. WSR 00-17-148, § 296-150P-0140, filed 8/22/00, effective 9/30/00. Statutory Authority: RCW 43.22.340 and 43.22.480. WSR 99-13-010, § 296-150P-0140, filed 6/4/99, effective 7/5/99.]