

Washington State Register

NOVEMBER 4, 1992

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ISSUE 92-21



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filed not later than October 21, 1992

CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: the 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

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CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of November 1992 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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Gary Reid
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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PROPOSED**-includes the full text of preproposal comments, original proposals, continuances, supplemental notices, and withdrawals.
- (b) **PERMANENT**-includes the full text of permanently adopted rules.
- (c) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (d) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (e) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (f) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

2. PRINTING STYLE--INDICATION OF NEW OF DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections--
 - (i) underlined material is new material;
 - (ii) ~~deleted material is ((lined out between double parentheses));~~
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

5. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

1992 - 1993
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

| Issue No. | Closing Dates ¹ | | | Distribution Date | First Agency Hearing Date ³ |
|---------------------------|-----------------------------|-----------------------|--|-----------------------------|--|
| | Non-OTS & 30 p. or more | Non-OTS & 11 to 29 p. | OTS ² or 10 p. max. Non-OTS | | |
| <i>For Inclusion in--</i> | <i>File no later than--</i> | | | <i>Count 20 days from--</i> | <i>For hearing on or after</i> |
| 92-16 | Jul 8 | Jul 22 | Aug 5 | Aug 19 | Sep 8 |
| 92-17 | Jul 22 | Aug 5 | Aug 19 | Sep 2 | Sep 22 |
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| 92-19 | Aug 26 | Sep 9 | Sep 23 | Oct 7 | Oct 27 |
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| 92-21 | Sep 23 | Oct 7 | Oct 21 | Nov 4 | Nov 24 |
| 92-22 | Oct 7 | Oct 21 | Nov 4 | Nov 18 | Dec 8 |
| 92-23 | Oct 21 | Nov 4 | Nov 18 | Dec 2 | Dec 22 |
| 92-24 | Nov 4 | Nov 18 | Dec 2 | Dec 16 | Jan 5, 1993 |
| 93-01 | Nov 25 | Dec 9 | Dec 23, 1992 | Jan 6, 1993 | Jan 26 |
| 93-02 | Dec 9 | Dec 23, 1992 | Jan 6, 1993 | Jan 20 | Feb 9 |
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| 93-04 | Jan 6 | Jan 20 | Feb 3 | Feb 17 | Mar 9 |
| 93-05 | Jan 20 | Feb 3 | Feb 17 | Mar 3 | Mar 23 |
| 93-06 | Feb 3 | Feb 17 | Mar 3 | Mar 17 | Apr 6 |
| 93-07 | Feb 24 | Mar 10 | Mar 24 | Apr 7 | Apr 27 |
| 93-08 | Mar 10 | Mar 24 | Apr 7 | Apr 21 | May 11 |
| 93-09 | Mar 24 | Apr 7 | Apr 21 | May 5 | May 25 |
| 93-10 | Apr 7 | Apr 21 | May 5 | May 19 | Jun 8 |
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| 93-20 | Sep 8 | Sep 22 | Oct 6 | Oct 20 | Nov 9 |
| 93-21 | Sep 22 | Oct 6 | Oct 20 | Nov 3 | Nov 23 |
| 93-22 | Oct 6 | Oct 20 | Nov 3 | Nov 17 | Dec 7 |
| 93-23 | Oct 20 | Nov 3 | Nov 17 | Dec 1 | Dec 21 |
| 93-24 | Nov 3 | Nov 17 | Dec 1 | Dec 15 | Jan 4, 1994 |

¹All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 92-21-003
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed October 8, 1992, 8:58 a.m.]

October 8, 1992
 Leslie F. James, Director
 Administrative Services

Continuance of WSR 92-11-041.

Title of Rule: Repealing chapter 173-201 WAC and replacing it with chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington.

Purpose: To change adoption date from October 7, 1992, to November 24, 1992.

Date of Intended Adoption: November 24, 1992.

October 7, 1992

Carol Jolly

Special Assistant

WSR 92-21-004
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed October 8, 1992, 10:12 a.m.]

Original Notice.

Title of Rule: WAC 388-22-030 Definitions.

Purpose: Adds definitions and clarity for the words "underpayments, intentional overpayments, and energy costs." The wording "household maintenance and operations" is redefined. The change in "household maintenance and operations" will not change eligibility for supplied shelter or full grant standard.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Overpayments are to be offset by underpayments. There is currently no definition of underpayments in this chapter. Intentional overpayments occur as a result of a deliberate act by a recipient to deceive the department. There is currently no definition of this in this chapter.

Reasons Supporting Proposal: To conform with 1991 Cost of living study.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Betty Brinkman, Division of Income Assistance, 438-8258.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on November 24, 1992, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, TELEFAX 664-0118 or SCAN 366-0118, by November 24, 1992.

Date of Intended Adoption: November 25, 1992.

AMENDATORY SECTION (Amending Order [3381, filed] 5/5/92, effective 7/1/92)

WAC 388-22-030 Definitions. This section contains definitions of words and phrases extensively used in the department's rules concerning the financial aid programs. This section provides a central location for definitions while eliminating the need to repeat the same in each WAC chapter. Related definitions are grouped under the key word.

For medical assistance-Title XIX and medical services (fully state financed) program definitions, see chapter 388-80 WAC. For food stamp program definitions, see chapter 388-49 WAC.

(1) "Adequate consideration" means the reasonable value of the goods or services received in exchange for transferred property approximates the reasonable value of the property transferred.

(2) "Adult" means a person eighteen years of age or older.

(3) "Applicant" means any member of an assistance unit by or for whom a request for assistance has been made.

(4) "Application" means a written request for financial assistance or a written or oral request for medical or social service, provided by the department of social and health services, made by a person in the person's own behalf or in behalf of another person.

(5) "Assistance unit" means a person or group of persons required to be included together when determining eligibility for an assistance program.

(6) "Authorization" means an official approval of a departmental action.

(a) "Authorization date" means the date the prescribed form authorizing assistance is signed.

(b) "Authorization of grant" means attesting the applicant's eligibility for assistance and giving authority to make payment accordingly.

(7) "Automobile" means a motorized vehicle.

(8) "Board and room" means a living arrangement where a person purchases food, shelter, and household maintenance from one vendor.

(9) "Boarding home" means a place where a person purchases food, shelter, and household maintenance on a board and room basis.

(10) "CFR" means the code of federal regulations established by the federal government.

(11) "Cash savings" means money which is not classified as income.

(12) "Certification date" means the date the worker certifies changes in a client's case and authorizes a change in grant.

(13) "Child" or "minor child" means a person under 18 years of age.

(14) "Chore services" means household, yard, and/or personal care services which assist a person in the person's own home.

(15) "Client" means an applicant and/or recipient of financial, medical, and/or social services.

(16) "Continuing assistance" means payments to persons who are eligible for and receive regular monthly grants on a prepayment basis.

(17) "Dependent child" means a child who is not self-supporting, married, or a member of the armed forces of the United States. Receiving public assistance does not constitute self-support.

(18) "Disability." ~~((f))~~ See WAC 388-93-025. ~~((g))~~

(19) "Disaster assistance" means a financial grant or temporary housing for eligible victims of an emergency or major disaster as declared by the governor or president.

(20) "Effective date" means the date eligibility for a grant begins, changes, or ends.

(21) "Encumbrances" means any mortgage, claim, lien, charge or other legally enforceable liability, such as past due taxes, attached to and binding on property.

(22) "Energy costs" means space heat, lighting, water heating, and other household energy consumption.

(23) "Entitlement" means any form of benefit, such as compensation, insurance, pension retirement, military, bonus, allotment, allowance payable in cash or in-kind in which a client may have a claim or interest.

~~((23))~~ (24) "Equity" means quick-sale value less encumbrances.

~~((24))~~ (25) "Estate" means all real and personal property that a deceased person has a right to or interest in as of the date of death.

~~((25))~~ (26) "Exception to policy" means a waiver by the secretary's designee to a department policy for a specific client experiencing an undue hardship because of the policy. The waiver may not be contrary to law.

~~((26))~~ (27) "Fair hearing" means an administrative proceeding to hear and decide a client appeal of a department action or decision.

~~((27))~~ (28) "Federal aid" means the assistance grant programs funded in part by the United States government.

~~((28))~~ (29) "Food stamp program" means the program administered by the department in cooperation with the U.S. Department of Agriculture to certify eligible households to receive food coupons used to buy food.

~~((29))~~ (30) "Fraud~~(-)~~" means:

(a) For financial aid programs, ~~((fraud means))~~ a deliberate, intentional and willful act with the specific purpose of deceiving the department with respect to any material fact, condition or circumstance affecting eligibility or need.

(b) "Food stamp fraud" is defined ~~((in))~~ under chapter 388-49 WAC.

~~((30))~~ (31) "Funeral" means the care of the remains of a deceased person with, appropriate services including necessary costs of, needed facilities, a lot or cremation, and the customary memorial marking of a grave.

~~((31))~~ (32) "General assistance" means state-funded assistance to an eligible pregnant or incapacitated person~~(s)~~ who ~~((are))~~ is not eligible for or not receiving federal aid assistance.

~~((32))~~ (33) "Grant" means an entitlement awarded to a client and paid by state warrants redeemable at par.

(a) "Grant adjustment" means postpayment of the difference between the amount a client was eligible for in a given period and the amount already paid.

(b) "Initial grant" means the payment due from date of eligibility to the date of the first regular grant.

(c) "Minimum grant" means ten dollars, unless a court decision requires payment of a smaller amount, or the grant would have exceeded ten dollars prior to applying a mandatory overpayment deduction.

(d) "One-time grant" means a payment supplementing or replacing a regular grant.

(e) "Regular grant" means the monthly prepayment of assistance on a continuing basis.

~~((33))~~ (34) "Grantee" means the person or persons to or for whom assistance is paid.

~~((34))~~ (35) "House" means a separate structure of one or more rooms.

~~((35)) "Household maintenance" means the requirements for space heating, water heating, cooking, lights, refrigeration, household supplies, garbage, sewage disposal, and water.)~~

(36) "Household maintenance and operations" means household supplies, housewares, linens, sewing supplies, household management, laundry, banking, and telephone.

(37) "Income" means any appreciable gain in real or personal property (cash or in-kind) received by a client during the month for which eligibility is determined, and that can be applied toward the needs of the assistance unit.

(a) "Cash income" means income in the form of money, bank notes, checks or any other readily liquidated form.

(b) "Earned income" means income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the ~~((individual))~~ person is engaged as a self-employed person or as an employee.

(c) "Exempt income" means net income which is not deducted from the cost of requirements to determine need.

(d) "Income in-kind" means income in the form of a requirement which contributes appreciably toward meeting the need for the requirement. Income in-kind shall be evaluated in terms of its cash equivalent under WAC 388-28-600.

(e) "Net income" means gross income less cost of producing or maintaining the income.

(f) "Nonexempt income" means net income which is deducted from the cost of requirements to determine need.

(g) "Recurrent income" means income which can be predicted to occur at regular intervals.

~~((37))~~ (38) "Incapacity" (see WAC 388-24-065 for AFDC and WAC 388-37-030 and 388-37-032 for GA-U).

~~((38))~~ (39) "Inquiry" means a request for information about the department and/or the services offered by the department.

~~((39))~~ (40) "Institution" means a treatment facility within which ~~((an individual))~~ a person receives professional care specific to that facility.

(a) "Institution-medical" provides medical, nursing or convalescent care by professional personnel.

(b) "Institution-private" is operated by nongovernmental authority by private interests.

(c) "Institution-public" is supported by public funds and administered by a governmental agency.

(d) "Institutional services" are those items and services furnished to ~~((individuals))~~ a person in a particular institution.

(e) "Nursing home" means a public facility or private licensed facility certified by the department to provide skilled nursing and/or intermediate care.

~~((40))~~ (41) "Intentional overpayment" means a public assistance financial or medical payment, in whole or part, issued on behalf of an assistance unit when:

(a) The unit was ineligible for such payment; and

(b) The assistance was issued due to:

(i) A deliberate, willful act or omission by an assistance unit member; and

(ii) Intent by the assistance unit member to deceive the department with respect to any material fact, condition, or circumstance which affects eligibility or need.

(42) "Joint account" means a numbered account within a financial institution which is registered to two or more parties and is accessible to each party for withdrawal of a cash resource ~~(())~~. See WAC 388-28-430 (2)(a)(~~(())~~).

~~((41))~~ (43) "Living in own home" means a living arrangement other than a boarding home, hospital, nursing home, or other institution.

~~((42))~~ (44) "Marketable securities" means stocks, bonds, mortgages, and all other forms of negotiable securities.

~~((43))~~ (45) "Minor" means a person under eighteen years of age.

~~((44))~~ (46) "Need" is the difference between the assistance unit's financial requirements, by departmental standards, and the value of all nonexempt net income and resources received by or available to the assistance unit.

~~((45))~~ (47) "Need under normal conditions of living" means the Washington state gross median income adjusted for family size as promulgated by the secretary of HEW, under the authority granted by Title XX of the Social Security Act minus other income during a period of time when not receiving public assistance.

~~((46))~~ (48) "Overpayment" means any assistance paid to an assistance unit where:

(a) Eligibility for the payment did not exist; or

(b) Assistance paid was in excess of need.

~~((47))~~ (49) "Payee" means the person in whose name a warrant or check is issued.

~~((48))~~ (50) "Permanent and total disability" means the inability to do any substantial gainful activity because of a medically determinable physical or mental impairment which can be expected to result in death or which has lasted or is expected to last for at least twelve consecutive months.

~~((49))~~ (51) "Property" means all resources and/or income possessed by a client.

(a) "Personal property" means any form of property which is not real property.

(b) "Real property" is land, buildings thereon and fixtures permanently attached to such buildings. Growing crops are included. Any structure used as a dwelling shall be considered as real property.

(c) "Transfer of property" means a conveyance of title to, or any interest in, property from one party to another through a bill of sale, deed, or any other instrument conveying the interest in property.

(d) "Used and useful property" means property which currently serves a practical purpose for a client.

~~((50))~~ (52) "Protective payment" means a grant payment to ~~((an individual))~~ a person on behalf of an eligible recipient.

~~((51))~~ (53) "Psychiatric facility" means an institution legally qualified to administer psychiatric inpatient treatment.

~~((52))~~ (54) "Public assistance" means public aid to persons in need thereof for any cause including services, medical care, assistance grants, disbursing orders, and work relief.

~~((53))~~ (55) "Recipient" means any person within an assistance unit receiving assistance.

~~((54))~~ (56) "Reinstate" means an authorization to resume payment of a grant from the category in which payment was previously suspended.

~~((55))~~ (57) "Requirement" means an item of maintenance or a service recognized by the department as essential to the welfare of an individual.

(a) "Additional requirement" means a requirement which is essential for some clients under specified conditions. See WAC 388-29-150 through 388-29-270.

(b) "Basic requirements" means the needs essential to all persons; food, clothing, personal maintenance and necessary incidentals, shelter, and household maintenance.

~~((56))~~ (58) "Resource" means an asset, tangible or intangible, owned by or available to a client which can be applied toward meeting financial need, either directly or by conversion into money or its equivalent. Any resource obtained on or after the first of the month in which eligibility is determined is called "income."

(a) "Exempt resource" is a resource which by policy is not considered in computing financial need.

(b) "Nonexempt resource" means a resource which is not exempt, and the value of which is used to determine financial need.

~~((57))~~ (59) "Restitution" means repayment to the state of assistance paid contrary to law.

~~((58))~~ (60) "Separate property" means real or personal property which was acquired by either spouse before marriage, or as a result of gift or inheritance, or was acquired and paid for entirely out of income from separate property.

~~((59))~~ (61) "Statements in support of application" means any form or document required under department regulations.

~~((60))~~ (62) "Suspension" means a temporary discontinuance of a grant payment.

~~((61))~~ (63) "Terminate" means discontinuance of payment or suspension status.

~~((62))~~ (64) "Transfer" means reassignment of a case record from one CSO to another in accordance with a client's change of residence.

~~((63))~~ (65) "Underpayment" means the amount of public assistance financial payment an eligible assistance unit did not receive, but to which the assistance unit was otherwise entitled.

(66) "Unmarried parents" means a man and a woman not legally married who are the natural parents of the same child.

~~((64))~~ (67) "Value" means the worth of an item in money or goods at a certain time.

(a) "Ceiling value" means the limitation established by the department on the gross market value of nonexempt property.

(b) "Fair market value" means the price at which a seller willing, but not required to sell, might sell to a purchaser, willing but not required to purchase.

(c) "Quick-sale value" or "forced-sale value" is the value at which property can be converted into cash almost immediately, and without waiting for "the best offer."

~~((65))~~ (68) "Vendor payment" means an authorized payment to ~~((an individual))~~ a person, corporation, or agency for goods furnished or services rendered to an individual eligible for public assistance.

~~((66))~~ (69) "Vocational training" means an organized curriculum in a school, training unit, or training program under recognized sponsorship with a specific vocational training objective.

~~((67))~~ (70) "Warrant" means the state treasurer's warrant issued in payment of a grant.

~~((68))~~ (71) "Warrant register" means the list of warrants issued specifying payee's name, amount of payment, warrant number, and for each AFDC payment the number of matchable persons whose need is ~~((being))~~ met by the grant.

(a) "Regular warrant register" means the list of regular grants paid.

(b) "Supplemental warrant register" means the list of initial, adjusting, and one-time grants paid.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 92-21-014
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 12, 1992, 1:05 p.m.]

Original Notice.

Title of Rule: WAC 388-83-200 Community options program entry system (COPEs); 388-83-210 Community alternatives program (CAP) and outward bound residential alternatives (OBRA) program; and 388-83-220 Coordinated community AIDS service alternatives (CASA) program.

Purpose: To ensure that an SSI grant eligible person does not participate in the cost of waived services.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Ensure that an SSI-eligible person does not participate in the cost of waived services, regardless of the amount of income received.

Reasons Supporting Proposal: Language clarification. To ensure that an SSI-eligible person does not participate in the cost of waived services, regardless of the amount of income received.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, 753-7462.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on November 24, 1992, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 980504, TELEFAX 664-0118 or SCAN 366-0118, by November 24, 1992.

Date of Intended Adoption: November 25, 1992.

October 12, 1992

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 3220, filed 8/1/91, effective 9/1/91)

WAC 388-83-200 Community options program entry system (COPEs). (1) An eligible person for COPEs is a person eighteen years of age or over who:

(a) Meets the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized person. For the purposes of COPEs, a person is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(b) Requires the level of care provided in a nursing facility;

(c) Has a department-approved plan of care ~~((and the total cost for this plan of care, including the MNIL for one person, is less than ninety percent of the department's state-wide average nursing facility rate))~~ that meets the eligibility requirements for COPEs personal care as described under WAC 388-15-610 (1)(f); ((and))

(d) Is able and chooses to reside at home with community support services, in a congregate care facility, or in a licensed adult family home~~((:)); and~~

(e) Effective October 31, 1992, has received COPEs services on or after April 1, 1992 or applied for COPEs services between April 1, 1992 and October 31, 1992 under WAC 388-15-610 (3).

(2) The department shall not require an SSI eligible COPEs client to participate in the cost of care.

(3) The department shall allocate available income of the SSI-related nongrant eligible COPEs ((recipient)) client as described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), (3), (4), and (5)((-except)). The ((recipient)) client shall retain((s)) an amount equal to the medically needy income level (MNIL) for one person for the ((recipient-s)) client's maintenance needs.

~~((3))~~ (4) The ((recipient)) SSI-related nongrant eligible client residing in an adult family home or congregate care facility shall:

(a) Retain from a maintenance needs amount a specified personal needs allowance as described under WAC 388-29-130 and 388-29-280; and

(b) Pay the lessor of the remaining maintenance needs amount or the facility room and board rate to the facility for the cost of board and room.

~~((4))~~ (5) The department shall include the remaining income ((remaining)) after allocations ((shall be)) as the participation amount for COPES services as described under WAC 388-15-620.

AMENDATORY SECTION (Amending Order 3008, filed 5/31/90, effective 7/1/90)

WAC 388-83-210 Community alternatives program (CAP) and outward bound residential alternatives (OBRA) program. (1) An eligible person for CAP is ~~((an individual))~~ a person:

(a) Meeting the requirements and eligible for services of the division of developmental disabilities and disabled according to SSI rules;

(b) Meeting the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized ~~((individual))~~ person. For the purposes of CAP and OBRA, ~~((an individual))~~ a person is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(c) The department assesses as requiring the level of care provided in an intermediate care facility for the mentally retarded (IMR);

(d) For whom the department approves an individual plan of care describing the provided community support services; and

(e) Able and choosing to reside in the community with community support services according to the plan of care.

(2) An eligible person for the OBRA home and community-based services program is ~~((an individual))~~ a person:

(a) Meeting the CAP eligibility standards in WAC 388-83-210(1) of this section; and

(b) Residing in a Title XIX nursing facility at the time of application for OBRA services.

(3) The department shall not require the SSI eligible CAP or OBRA client to participate in the cost of CAP/OBRA services.

(4) The department shall allocate available total income, including amounts disregarded in determining eligibility, of a SSI-related nongrant eligible CAP or OBRA ((recipient)) client as follows:

(a) For a ~~((recipient))~~ client residing in the ~~((recipient's))~~ client's residence, including a ~~((recipient))~~ client receiving intensive tenant support services, an amount equal to a maximum of three hundred percent of the SSI federal benefit rate for one person shall be protected for the ~~((recipient's))~~ client's maintenance needs;

(b) For a ~~((recipient))~~ client residing in a state-contracted or state-operated group home, adult family home, or congregate care facility, the following amounts shall be protected for the ~~((recipient's))~~ client's maintenance needs:

(i) A specified personal needs allowance, as described under WAC 388-29-130 and 388-29-280;

(ii) An amount equal to the monthly room and board cost for the facility where the ~~((recipient))~~ client resides;

(iii) The first twenty dollars per month of earned or unearned income; and

(iv) The first sixty-five dollars plus one-half of the remaining earned income not previously excluded.

(c) For a ~~((recipient))~~ client described in subsection (3)(b) of this section, the maximum amount allowed for any ~~((recipient's))~~ client's individual maintenance needs shall not exceed three hundred percent of the SSI federal benefit rate. A ~~((recipient))~~ client shall not be allowed an individual maintenance needs deduction of less than the SSI payment standard;

(d) For a ~~((recipient))~~ client with a spouse at home who is not receiving CAP or OBRA services, an amount is protected for the spouse's maintenance needs as computed in WAC 388-95-360 (2)(d);

(e) For a ~~((recipient))~~ client with a dependent relative residing with the spouse not receiving CAP or OBRA services, an amount is protected for the relative's maintenance needs as computed in WAC 388-95-360 (2)(e);

(f) Amounts for incurred medical expenses not subject to third-party payment shall be protected, including:

(i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and

(ii) Necessary medical care recognized under state law but not covered under Medicaid.

(g) Income remaining after deductions in ~~((subdivision))~~ subsection (4)(a), (b), (c), (d), (e), and (f) of this ((subsection)) section will be the participation amount for CAP or OBRA services.

AMENDATORY SECTION (Amending Order 3052, filed 8/21/90, effective 9/21/90)

WAC 388-83-220 Coordinated community AIDS service alternatives ~~((CCASA))~~ CASA program. (1) An eligible person for ~~((CCASA))~~ CASA shall be ~~((an individual))~~ a person:

(a) Meeting the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized ~~((individuals))~~ person. For the purposes of ~~((CCASA))~~ CASA, the department shall consider ~~((an individual))~~ a person institutionalized the date the ~~((individual))~~ person meets other eligibility criteria, except institutional status;

(b) Having a diagnosis of acquired immune deficiency syndrome or disabling class IV human immunodeficiency virus disease or P2 HIV/AIDS diagnosis, if fourteen years of age or under, as defined by the centers for disease control or Washington state department of health;

(c) Determined medically at risk of need for the level of hospital-provided care;

(d) Certified by the person's physician or nurse practitioner as in the terminal stage of life;

(e) Agreeing to receive services in the person's own home, a licensed congregate care facility, or adult family home; and

(f) Having a department-approved and department of health approved plan of care.

(2) The department shall not require the SSI eligible client to participate in the cost of CASA services regardless of income.

(3) The department shall allocate available total income, including amounts disregarded in determining eligibility of

Joseph A. Dear
Director

a ~~((CCASA recipient))~~ SSI-related nongrant eligible CASA client residing at home:

(a) The ~~((recipient))~~ client retains as maintenance needs an amount equal to the medically needy income level (MNIL) for one person; and

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), and (f), (3), (4), and (5).

~~((3))~~ (4) The department shall allocate available total income, including amounts disregarded in determining eligibility of a ~~((CCASA recipient))~~ SSI-related nongrant eligible CASA client residing in an adult family home or congregate care facility as follows:

(a) The ~~((recipient))~~ client shall retain a specified personal needs allowance as described under WAC 388-29-130 or 388-29-280;

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), and (3), (4), and (5); and

(c) Pay remaining income up to the MNIL to the facility for the cost of board and room.

~~((4) CCASA recipient's))~~ (5) The SSI-related nongrant eligible CASA client's income remaining after deductions in subsection (2) or (3) of this section shall be the participation amount for ~~((CCASA))~~ CASA services.

(5) When the department has determined that the client has financial participation under subsection (4), the client must meet the participation obligation to remain eligible.

WSR 92-21-016
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 13, 1992, 8:35 a.m.]

The Department of Labor and Industries is hereby withdrawing proposed amendments to chapter 296-306 WAC, Safety standards for agriculture, filed on September 2, 1992, with public hearings scheduled for October 7, 8, 14, 15, 19 and 26, 1992. (Washington State Register No. 92-18.) The proposed amendments will be refiled at a later date.

Joseph A. Dear
Director

WSR 92-21-017
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 13, 1992, 8:36 a.m.]

The Department of Labor and Industries is hereby withdrawing proposed amendments to WAC 296-62-07721 Communication of hazards to employees— Warning labels, filed on September 2, 1992, with a public hearing scheduled for October 9, 1992.

This section was refiled on September 23, 1992, and is scheduled for public hearing on November 2, 1992, (Washington State Register No. 92-19).

WSR 92-21-018
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed October 13, 1992, 11:38 a.m.]

Original Notice.

Title of Rule: WAC 460-16A-210 Prohibited practices with regard to preferred stock.

Purpose: For registered offerings by coordination or qualification, to implement conditions under which an issuer may offer or sell preferred stock.

Statutory Authority for Adoption: RCW 21.20.450.

Statute Being Implemented: RCW 21.20.180 and 21.20.210.

Summary: Implements standards concerning the issuance of preferred stock.

Reasons Supporting Proposal: Clarifies standards to be met by preferred stock issuers.

Name of Agency Personnel Responsible for Drafting: Bill Beatty, 405 Black Lake Boulevard, 2nd Floor, 753-6928; Implementation: John Swannack, 405 Black Lake Boulevard, 2nd Floor, 753-1749; and Enforcement: Jack L. Beyers, 405 Black Lake Boulevard, 2nd Floor, 753-6928.

Name of Proponent: Department of Licensing, Securities Division, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 460-16A-210 precludes the issuance of preferred stock unless the issuer has commenced operations and will have a positive net worth at the completion of the offering and is able to meet debt service requirements; precludes use of the term preferred stock unless that stock has preference as to both liquidation and dividend rights or as having a stated dividend payment unless dividends are cumulative; or offer or sell preferred stock which provides for mandatory repurchase unless the issuer has a sinking fund or otherwise demonstrates an ability to repay.

Proposal Changes the Following Existing Rules: Implements conditions under which preferred stock may be issued.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether this rule change requires the preparation of a small business economic impact statement under the Regulatory Fairness Act and has determined that it does not because the change involves only minor or negligible economic impact.

Hearing Location: 2nd Floor Conference Room, 405 Black Lake Boulevard, Olympia, WA 98502, on November 24, 1992, at 10:00 a.m.

Submit Written Comments to: Jack L. Beyers, Administrator, P.O. Box 9033, Olympia, WA 98507-9033, by November 23, 1992.

Date of Intended Adoption: December 11, 1992.

October 12, 1992
John Swannack
Deputy Director

Name of Proponent: Department of Licensing,
Securities Division, governmental.

Rule is not necessitated by federal law, federal or state court decision.

NEW SECTION

WAC 460-16A-210 Prohibited practices with regard to preferred stock. An issuer may not, without the prior written approval of the administrator:

(1) Offer or sell preferred stock unless:

(a) The issuer has commenced operations and will have a positive net worth at the completion of the offering. For purposes of this section, a company still in the developmental stage has not "commenced operations"; and

(b) The issuer meets the debt service requirements of WAC 460-16A-200 when any stated dividends or redemptions on the preferred stock being issued are treated as fixed charges for the purpose of the pro forma debt service calculation; or

(2) Refer (in its disclosure document or otherwise) to stock that is the subject of the offering as preferred stock unless the stock has preference as to both liquidation and dividends over all common stock of the issuer; nor may the issuer refer to the stock as having a stated dividend payment, e.g., as being "(stated) percentage preferred stock," unless the dividends on the stock are cumulative; or

(3) Offer or sell preferred stock which provides for mandatory repurchase at the option of the holder or in accordance with a fixed schedule unless the issuer has a sinking fund or otherwise demonstrates an ability to repay capital to the satisfaction of the administrator.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 460-16A-205 adopts NASAA statements of policy to further uniformity with other jurisdictions. Many states follow NASAA guidelines contained in the statements of policy. Changes are being proposed to implement amendments to statements of policy applicable to commodity pools, equipment programs, oil and gas programs, real estate investment trusts and real estate programs. Adopts additional statements applicable to church bonds, health care facility offerings, preferred stock offerings, governing loans and transactions with affiliates, and voting rights. Regulations applicable to real estate programs not exceeding \$5 million are repealed in favor of application of uniform NASAA real estate guidelines.

Proposal Changes the Following Existing Rules: Implement amendments and adopt additional NASAA statements of policy and repeal conflicting real estate guidelines.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether these rule changes require the preparation of a small business economic impact statement under the Regulatory Fairness Act and has determined that they do not. These changes involve either no economic impact, impose minor or negligible impact, do not impact small business, reduce costs for businesses, or affect less than ten percent of any one industry or less than twenty percent of all industries

Hearing Location: 2nd Floor Conference Room, 405 Black Lake Boulevard, Olympia, WA 98502, on November 24, 1992, at 10:00 a.m.

Submit Written Comments to: Jack L. Beyers, Administrator, P.O. Box 9033, Olympia, WA 98503-9033, by November 23, 1992.

Date of Intended Adoption: December 11, 1992.

October 12, 1992

John Swannack

Deputy Director

WSR 92-21-019
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed October 13, 1992, 11:40 a.m.]

Original Notice.

Title of Rule: WAC 460-16A-205 Adoption of NASAA statements of policy; and WAC 460-32A-010 through 460-32A-255, Real estate programs not exceeding \$5 million.

Purpose: For registered offerings by coordination or qualification, to implement amendments made to the North American Securities Administrators Association (NASAA) statements of policy and to adopt additional statements, and to repeal regulations applicable to small real estate programs and options which conflict with NASAA statements.

Statutory Authority for Adoption: RCW 21.20.450.

Statute Being Implemented: RCW 21.20.180 and 21.20.210.

Summary: Implements NASAA statements of policy.

Reasons Supporting Proposal: WAC 460-16A-205 furthers uniformity with other jurisdictions. Repeal chapter 460-32A WAC real estate provisions and WAC 460-16A-085 governing the issuance of options to underwriters in favor of NASAA guidelines.

Name of Agency Personnel Responsible for Drafting: Brad Ferber, 405 Black Lake Boulevard, 2nd Floor, 753-6928; Implementation: John Swannack, 405 Black Lake Boulevard, 2nd Floor, 753-1749; and Enforcement: Jack Beyers, 405 Black Lake Boulevard, 2nd Floor, 753-6928.

AMENDATORY SECTION (Amending WSR 91-04-008, filed 1/25/91, effective 2/25/91)

WAC 460-16A-205 Adoption of NASAA statements of policy. (1) In order to promote uniform regulation, the administrator adopts the following North American Securities Administrators Association (NASAA) Statements of Policy for offerings registering pursuant to RCW 21.20.180 or 21.20.210:

(a) Registration of Publicly Offered Cattle Feeding Programs, as adopted September 17, 1980;

(b) Registration of Commodity Pool Programs, as adopted ((September 21, 1983)) with amendments through August 30, 1990;

(c) Equipment Programs, as ((amended April 22, 1988)) adopted with amendments through March 29, 1992;

(d) Registration of Oil and Gas Programs, as ((amended September 14, 1989)) adopted with amendments through March 29, 1992;

(e) Real Estate Investment Trusts, as adopted ((October 2, 1985; and)) with amendments through October 24, 1991;
 (f) Real Estate Programs, as ((amended September 14, 1989)) adopted with amendments through March 29, 1992;
 (g) Loans and other Material Affiliated Transactions, as adopted October 24, 1991;
 (h) Options and Warrants, as adopted October 24, 1991;
 (i) Registration of Direct Participation Programs - Omnibus Guidelines, as adopted March 29, 1992;
 (j) Registration of Periodic Payment Plans, as adopted March 29, 1992;
 (k) Church Bonds, as adopted April 29, 1981; and
 (l) Health Care Facility Offerings, pertaining to the offering of Non-Profit Health Care Facility Bonds, as adopted April 5, 1985.

(2) ~~((A program falling within one))~~ An offering registering pursuant to RCW 21.20.180 or 21.20.210 that falls within one or more of the Statements of Policy listed in subsection (1) of this section must ((conform its offering of securities to)) comply with the requirements of said Statement of Policy ((except that real estate programs not exceeding five million dollars may elect to comply with chapter 460-32A-WAC)) or Policies.

(3) The Statements of Policy referred to in subsection (1) of this section are found in *CCH NASAA Reports* published by Commerce Clearing House. Copies are also available at the office of the securities administrator.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 460-16A-085 Options to underwriters.

**Chapter 460-32A WAC
 REAL ESTATE RELATED SECURITIES
 PROGRAMS**

~~((NOT EXCEEDING FIVE MILLION DOLLARS))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 460-32A-010 Application.
- WAC 460-32A-015 Net worth requirement of sponsor.
- WAC 460-32A-020 Fees, compensation and expenses to be reasonable.
- WAC 460-32A-025 Compensation for acquisition services.
- WAC 460-32A-030 Program management fee (defined in WAC 460-10A-145).
- WAC 460-32A-031 Expenses paid to third parties.
- WAC 460-32A-035 Subordinated promotional interests.
- WAC 460-32A-045 Sales, leases and loans.
- WAC 460-32A-050 Exchange of limited partnership interest.

- WAC 460-32A-055 Exclusive agreement.
- WAC 460-32A-057 Commissions on resale of property.
- WAC 460-32A-060 Commissions on reinvestment.
- WAC 460-32A-065 Services rendered to the program by the sponsor.
- WAC 460-32A-070 Rebates, kickbacks and reciprocal arrangements.
- WAC 460-32A-075 Commingling of funds.
- WAC 460-32A-080 Expenses of program.
- WAC 460-32A-085 Investments in other programs.
- WAC 460-32A-090 Lending practices.
- WAC 460-32A-095 Development or construction contracts.
- WAC 460-32A-100 Performance bond requirement.
- WAC 460-32A-105 Requirement for real property appraisal.
- WAC 460-32A-145 Rights and obligations of participants meetings.
- WAC 460-32A-150 Voting rights of limited partners.
- WAC 460-32A-155 Outsider replacement of general partner.
- WAC 460-32A-160 Reports to holders of limited partnership interests.
- WAC 460-32A-165 Access to records.
- WAC 460-32A-170 Redemption of program interests.
- WAC 460-32A-175 Assessability.
- WAC 460-32A-180 Defaults.
- WAC 460-32A-185 Sales promotional efforts.
- WAC 460-32A-195 Contents of prospectus.
- WAC 460-32A-196 Track records.
- WAC 460-32A-200 Projections.
- WAC 460-32A-205 Fiduciary duty.
- WAC 460-32A-210 Deferred payments.
- WAC 460-32A-215 Reserves.
- WAC 460-32A-220 Reinvestment of cash flow and proceeds on disposition of property.
- WAC 460-32A-225 Nonspecified property programs.
- WAC 460-32A-235 Statement of investment objectives.
- WAC 460-32A-240 Period of offering and expenditure of proceeds.
- WAC 460-32A-245 Special reports.
- WAC 460-32A-250 Assessments.
- WAC 460-32A-255 Multiple programs.

**WSR 92-21-031
 PROPOSED RULES
 CRIMINAL JUSTICE
 TRAINING COMMISSION**
 [Filed October 14, 1992, 4:15 p.m.]

Continuance OF WSR 92-16-068.
 Title of Rule: WAC 139-05-242 Readmission to basic law enforcement academy.

Hearing Location: Criminal Justice Training Center, 2450 South 142nd Street, Seattle, WA 98168, on December 10, 1992, at 10:00 a.m.

Submit Written Comments to: Garry E. Wegner, Assistant Director, Criminal Justice Training Commission, P.O. Box 40905, Olympia, WA 98504-0905, by December 9, 1992.

Date of Intended Adoption: December 10, 1992.
 October 14, 1992
 James C. Scott
 Executive Director

WSR 92-21-032
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION
 [Filed October 14, 1992, 4:18 p.m.]

Continuance of WSR 92-16-069.

Title of Rule: WAC 139-10-222 Readmission to corrections academies.

Hearing Location: Criminal Justice Training Center, 2450 South 142nd Street, Seattle, WA 98168, on December 10, 1992, at 10:00 a.m.

Submit Written Comments to: Garry E. Wegner, Assistant Director, Criminal Justice Training Commission, P.O. Box 40905, Olympia, WA 98504-0905, by December 9, 1992.

Date of Intended Adoption: December 10, 1992.
 October 14, 1992
 James C. Scott
 Executive Director

WSR 92-21-036
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed October 15, 1992, 2:50 p.m.]

Original Notice.

Title of Rule: WAC 246-838-990 Practical nurse fees.

Purpose: Amendment to initiate a \$4.00 surcharge on each license renewal to fund the impaired practical nurse program.

Statutory Authority for Adoption: RCW 43.70.250.

Statute Being Implemented: RCW 43.70.250.

Summary: Amendment establishes a per licensee fee to fund the impaired practical nurse program. The program provides substance abuse monitoring as an alternative to license discipline.

Reasons Supporting Proposal: The impaired practical nurse program allows nurses to be treated so that they can return or continue to practice their profession in a way which safeguards the public. The program is an alternative to the traditional administrative proceedings.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Pam L. Mena, 1300 S.E. Quince Street, P.O. Box 47865, Olympia, WA 98504-7865, (206) 753-2807.

Name of Proponent: Washington State Board of Practical Nursing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Amendment establishes a per licensee funding base to administer the impaired practical nurse program.

Proposal Changes the Following Existing Rules: Adds the \$4.00 impaired practical nurse assessment fee to the current \$35.00 annual active license renewal fee.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 (Office Building) Auditorium, 14th and Jefferson, Olympia, Washington 98504, on January 26, 1993, at 1:00 p.m.

Submit Written Comments to: Ann Foster, Rules Coordinator, 1300 S.E. Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, by January 25, 1993.

Date of Intended Adoption: February 2, 1993.
 October 8, 1992
 Kristine M. Gebbie
 Secretary

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-838-990 Practical nurse fees. The following fees shall be charged by the professional licensing division of the department of health:

| Title of fee | FEE |
|---|-------------|
| Application (examination and reexamination) | \$65.00 |
| License renewal | 35.00 |
| <u>Impaired practical nurse assessment</u> | <u>4.00</u> |
| Late renewal penalty | 35.00 |
| Inactive renewal | 20.00 |
| Inactive late renewal penalty | 20.00 |
| Endorsement - reciprocity | 65.00 |
| Duplicate license | 20.00 |
| Certification | 40.00 |
| Interim permits | 15.00 |

WSR 92-21-038
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER
 [Filed October 15, 1992, 3:03 p.m.]

Continuance of WSR 92-15-101.

Title of Rule: Accounting for salvage and subrogation recoveries, annual statement.

Other Identifying Information: Insurance Commissioner Matter No. R 92-11.

Date of Intended Adoption: November 2, 1992.

PROPOSED

October 14, 1992
 Dick Marquardt
 Insurance Commissioner
 by John B. Woodall
 Deputy Insurance Commissioner

October 8, 1992
 Ann Carrasco
 Rules Coordinator

WSR 92-21-042
PROPOSED RULES
EASTERN WASHINGTON UNIVERSITY
 [Filed October 16, 1992, 9:20 a.m.]

Original Notice.

Title of Rule: Discrimination procedures.

Purpose: In response to the Administrative Procedure Act and by recommendation of the state attorney general's office, the university is reviewing the available hearing processes. This proposal repeals the discrimination procedures currently in place. A new draft statement will be proposed as internal policy.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Summary: Proposal repeals existing discrimination procedures.

Reasons Supporting Proposal: There are specific agencies available to address discrimination matters. The university wishes to address them informally and leave any formal proceedings to those agencies who exist for that purpose.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Gayle Ogden, Affirmative Action Officer, SHW 300, (509) 359-2371.

Name of Proponent: Eastern Washington University, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal repeals existing procedures to handle discrimination complaints. Through repeal, and implementation of an internal policy, the university plans to direct discrimination concerns to those agencies who have expertise in addressing and satisfactorily resolving them. This effort should allow for better resolution of concerns from those who feel they are victims of discrimination.

Proposal Changes the Following Existing Rules: Formal appeal process is removed from university responsibility. The new draft internal statement has not yet been implemented. It is not known entirely how it will differ once adopted, but intent is to direct formal complaints and proceedings to agencies equipped to address them.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Eastern Washington University, Louise Anderson Hall, Cheney, Washington 99004, on December 4, 1992, at 9:00 a.m.

Submit Written Comments to: Ann Carrasco, Rules Coordinator, Mailstop 111, Cheney, Washington 99004, by December 2, 1992.

Date of Intended Adoption: December 4, 1992.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|-----------------|--|
| WAC 172-149-010 | Purpose. |
| WAC 172-149-020 | Jurisdiction. |
| WAC 172-149-030 | Definitions. |
| WAC 172-149-040 | Statement and testimony confidential. |
| WAC 172-149-050 | Use of informal administrative processes encouraged. |
| WAC 172-149-060 | Informal procedures. |
| WAC 172-149-070 | Appointment of hearing officer and alternate. |
| WAC 172-149-080 | General procedures for grievance review. |
| WAC 172-149-090 | Presidential review. |
| WAC 172-149-100 | Burden of proof in grievances. |
| WAC 127-149-110 | Costs of grievance review procedure. |

WSR 92-21-045
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed October 16, 1992, 12:30 p.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-021 Importation and retention of dead nonresident wildlife; and 232-12-064 Live wildlife.

Purpose: To identify and designate certain wildlife species and restrict their importation, possession, propagation, sale, transfer and/or release.

Statutory Authority for Adoption: RCW 77.12.030.

Statute Being Implemented: RCW 77.12.030.

Summary: Restricts the importation, possession, propagation, sale, transfer and release of specified wildlife species.

Reasons Supporting Proposal: The director and commission have found that the importation, possession, propagation, sale, release and/or transfer within the state of the listed species, pose a serious threat to public welfare and the health of native wildlife. The presence of these animals in the state creates the following threats to native wildlife and public health and welfare; introduction of disease and parasites, such as tuberculosis, brucellosis, and meningeal worm, into resident wildlife populations; hybridization with resident wildlife and resulting genetic pollution; habitat degradation or direct competition with resident wildlife; and the potential for wildlife law enforcement problems due to forensic inability to distinguish imported wildlife from resident wildlife. The magnitude of each of these threats increases with time and any unregulated increase in the number of subject animals.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, AD, Wildlife

Management Division, Olympia, (206) 753-5728; Enforcement: Tony de la Torre, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment makes it unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of Roosevelt or Rocky Mountain elk, mule deer, black-tailed deer, white-tailed deer, and moose, their gametes and/or embryo except as specifically allowed for scientific research or for display by zoos or aquariums who are accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA); or by persons holding live specimens he/she lawfully possessed prior to June 20, 1992, and the lawful progeny of such specimens.

Proposal Changes the Following Existing Rules: See Summary and Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This WAC proposal does not require a small business economic impact statement under RCW 19.85.030 in that any impact to small businesses affects less than 20 percent of all industries and less than 10 percent of any one industry as defined under RCW 19.85.020(3).

Hearing Location: Tacoma Inn, 8726 South Hosmer, Tacoma, WA 98444, on January 15, 1993, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by January 5, 1993.

Date of Intended Adoption: January 15, 1993.

October 16, 1992

Pam Madson

Administrative Rules Officer

AMENDATORY SECTION (Amending Order 177, filed 1/28/82)

WAC 232-12-021 ((Import)) Importation and retention of dead nonresident wildlife. It is unlawful:

(1) To import or possess dead wildlife, taken in another state or country, into Washington unless ~~((the))~~ such wildlife was acquired lawfully. Proof of legal acquisition must be retained during the period of retention of the carcass or edible parts.

(2) For a person who imports a dead mountain sheep, mountain goat, cougar or bear to fail to report such importation to the department in writing within ten days of the importation. The report must contain the name and address of the importer, the location where the dead wildlife is being ~~((held))~~ stored and general information describing where and how the wildlife was obtained.

AMENDATORY SECTION (Amending Order 243, filed 4/5/85)

WAC 232-12-064 Live wildlife. Taking from the wild, importation, possession, transfer, holding in captivity.

(1) It is unlawful to take live wild animals, wild birds, or game fish from the wild without a permit provided for by rule of the commission.

(2) Notwithstanding the provisions of WAC 232-12-027(1) and WAC 232-12-067, it is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of wildlife listed in this subsection, their gametes and/or embryo, except as provided under subsections (9) or (10) below:

In the family Cervidae, all of the following species:

| | |
|---|-------------------------------|
| <u>Roosevelt and Rocky Mountain elk</u> | <u>Cervus elaphus</u> |
| <u>Mule deer and Black-tailed deer</u> | <u>Odocoileus hemionus</u> |
| <u>White-tailed deer</u> | <u>Odocoileus virginianus</u> |
| <u>Moose</u> | <u>Alces alces</u> |

~~((2))~~ (3) It is unlawful to import into the state or to hold live wildlife which were taken, held, possessed or transported contrary to federal or state law, local ordinance or commission rule. Live wild animals, wild birds or game fish shall not be brought into the state without first presenting veterinarian or fish pathologist certification to the department that the wildlife is disease free and that the area from which acquired has no history of wildlife disease which may pose a risk to wildlife in this state. Proof of lawful importation must be produced for inspection on request of a department employee.

~~((3))~~ (4) It is unlawful to possess or hold in captivity live wild animals, wild birds, or game fish unless lawfully acquired and possessed. Proof of lawful acquisition and possession must be produced for inspection on request of a department employee. Such proof shall contain: (1) Species; (2) age and sex of animal; (3) origin of animal; (4) name of receiving party; (5) source-name and address; (6) invoice/statement date; and (7) documentation of prior transfers.

~~((4))~~ (5) Wildlife held in captivity which becomes diseased must immediately be placed under the professional care of a licensed veterinarian or certified fish pathologist, and such incident reported immediately to the department by the owner. If diseased wildlife present a threat to the wildlife of the state, the director may order such actions as necessary, including quarantine or destruction of stock, sterilization of enclosures and facilities, cessation of activities and disposal of the wildlife in a manner satisfactory to the department.

~~((5))~~ (6) Live wild animals, wild birds or game fish held in captivity or their progeny or parts thereof may not be sold or otherwise commercialized on except as provided by rule of the commission.

~~((6))~~ (7) No wildlife shall be released from captivity except as provided in WAC 232-12-271, except that it is lawful to return to the waters from which caught, game fish caught and subsequently kept alive on stringers, in live wells or other containers while fishing. The release of fish into any waters of the state, including private, natural or man-made ponds requires a fish planting permit.

~~((7))~~ (8) All live wildlife possessed or held in captivity, and the area where held, must be open to inspection by department personnel at reasonable times.

(9) Scientific Research or Display: The director may authorize a person to import into the state, hold, possess and propagate live specimens of wild animals listed in subsection (2) for scientific research or for display by zoos or

aquariums who are accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA) provided:

(a) The specimens are confined to a secure facility,
(b) The specimens will not be transferred to any other location, except to and by other AAZPA accredited facilities with written approval of the director,

(c) The specimens will not be sold or otherwise disposed of without written approval of the director, and

(d) The person will keep such records on the specimens and make such reports as the director may require.

(10) Retention or Disposal of Existing Specimens in Captivity: A person holding live specimens of those wild animals listed in section (2) may retain such specimens he/she lawfully possessed prior to June 20, 1992 and the lawful progeny thereof provided:

(a) The person reported to the director in writing by July 31, 1992, and thereafter reports annually or as otherwise required by the director, the species, number and location of the specimens.

(b) The specimens are confined to a secure facility at the location reported.

(c) Live specimens are not propagated except by accredited institutional members of AAZPA, sold, transferred, or released, except:

(i) Live specimens in lawful possession prior to June 20, 1992 may be permanently removed from the state of Washington pursuant to sale or gratuitous transfer or transported directly to slaughter where in accordance with other applicable law,

(ii) Federally listed endangered or threatened species may be transferred to AAZPA facilities with written approval of the director,

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided all other requirements are satisfied and the total number of locations where animals are held is not increased, and

(d) Live specimens shall be permanently marked for identification in a manner determined by the director;

(e) Live specimens shall be neutered, physically separated by sex and/or rendered infertile by means of contraception.

(11) Persons legally possessing wildlife must notify the director within ten days of any change of address or location of the holding facility, and any transfer or sale of live specimens in possession allowed hereunder.

(12) Escaped Animals: Escaped wildlife will be considered a public nuisance. The department or any peace officer may seize, capture, or destroy wildlife that have escaped the possessor's control. The former possessor shall be responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(13) Secure Facility: For the purposes of this rule a "secure facility" is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of the animals contained therein or ingress of or contact with resident wildlife. The adequacy of the facility shall be determined by the director or agents of the director, in their sole discretion.

WSR 92-21-046

PREPROPOSAL COMMENTS

DEPARTMENT OF

GENERAL ADMINISTRATION

(Division of Savings and Loan Associations)

[Filed October 16, 1992, 12:34 p.m.]

Subject of Possible Rule Making: Rules pertaining to the manner in which credit union supervisory committees perform their duties as prescribed by RCW 31.12.335.

Persons may comment on this subject in writing, Division of Savings and Loan Associations, P.O. Box 41028, 1400 South Evergreen Park Drive S.W., Suite 100, Olympia, WA 98504-1028, no later than November 30, 1992.

October 16, 1992

John S. Stanislay

Supervisor

WSR 92-21-049

PROPOSED RULES

LAKE WASHINGTON

TECHNICAL COLLEGE

[Filed October 16, 1992, 1:45 p.m.]

Original Notice.

Title of Rule: Title 495D WAC, Community Colleges—Lake Washington.

Purpose: To set forth policies governing College District 26 and Lake Washington Technical College.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: See Explanation of Rules below.

Reasons Supporting Proposal: See individual chapters.

Name of Agency Personnel Responsible for Drafting and Implementation: Gary Cohn, Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA 98034-8506, (206) 828-5608; and Enforcement: Donald Fowler, Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA 98034-8506, (206) 828-5601.

Name of Proponent: Lake Washington Technical College, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of these rules is to provide a set of board policies for the effective and efficient governance of Lake Washington Technical College, as recommended by the Office of the Attorney General of the state of Washington. The short title of each chapter of this title is set forth below with its corresponding number: Chapter 495D-148 WAC, Affirmative action policy; chapter 495D-136 WAC, College calendar; chapter 495D-123 WAC, Withholding of services and other remedies for outstanding debts; chapter 495D-113 WAC, Nepotism policy; chapter 495D-180 WAC, Copyright and patent policies; chapter 495D-144 WAC, Bookstore operating policy; and chapter 495D-135 WAC, Refund of tuition and special course/program connected fees.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Lake Washington Technical College, 11605 132nd Avenue N.E., Room W-305, Kirkland, WA 98034-8506, on December 9, 1992, at 10:30 a.m.

Submit Written Comments to: Gary Cohn, Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA 98034-8506, by December 2, 1992.

Date of Intended Adoption: December 9, 1992.

October 6, 1992
Donald W. Fowler
President

Chapter 495D-148 WAC Affirmative action policy

NEW SECTION

WAC 495D-148-010 Equal employment opportunity/affirmative action policy. (1) Lake Washington Technical College is an equal opportunity employer committed to providing equal opportunity and nondiscrimination to employment applicants and employees without regard to race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of any sensory, mental, or physical disability, or whether a disabled veteran or Vietnam era veteran (hereinafter, protected group status). The college is equally committed to take affirmative action to increase the numbers of protected group members such as Asians, Blacks, Hispanics, Native Americans, women, persons between the ages of forty and seventy, persons of disability, disabled veterans and Vietnam era veterans in positions where it is determined they are under-represented. The college will make every effort to eliminate barriers to equal employment opportunity encountered by these protected group members and to improve employment opportunities available to under-represented groups.

(2) The college will recruit, hire, train, and promote individuals in all job classifications solely upon their qualifications and ability or potential ability to do the job, and shall consider protected group status only when such is a bona fide occupational qualification.

(3) All other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to protected group status.

(4) Numerical goals will be set in areas where protected classes are determined to be under-represented based upon the district's demographics. The college will make every effort to meet such goals within the timetables established for such goals.

(5) The president is charged with the overall responsibility for assuring that the equal employment opportunity/affirmative action policy is administered effectively, and is granted the authority to exercise that responsibility. It is incumbent upon each member of the Lake Washington Technical College faculty, administration, and staff to make a good faith effort in the execution of this policy. Failure to do so may be grounds for disciplinary action.

Chapter 495D-136 WAC College calendar

NEW SECTION

WAC 495D-136-010 College calendar. At its regular December meeting, or such subsequent regular meeting as is practical, the board of trustees, upon recommendation from the president and after such conference with faculty and other staff as provided for in the college's bargained agreements, will adopt the college calendar(s) for the ensuing academic year(s). The president will solicit comments from all college staff regarding revisions to the calendar(s) prior to completing such recommendations to the board. Such calendar(s) will specify for each term the days available for instruction, the days which will constitute the final examination period (if any is scheduled), the days which will be designated as the college holidays, and other such dates as the board determines shall be of general use. The calendar for each academic year will begin with the summer term. The calendar(s) adopted as outlined above will be published in the college catalog and will be available in the offices of admissions and registration during regular college business hours.

NEW SECTION

WAC 495D-136-020 College closure. In the event of severe weather conditions, power curtailment, a major disaster, or other emergency, the college president or his or her designee may close the college by a general announcement to that effect, which shall be conveyed to appropriate news media.

NEW SECTION

WAC 495D-136-030 Cancellation of classes. Classes publicized in the printed quarterly schedule of classes may be cancelled by the registrar. Advance notice will be provided to students whenever possible and practical. The college shall not incur any liability for personal expenses incurred by students beyond:

(1) The refund of tuition and fees for such classes, as specified in chapter 495D-135 WAC and published in publications of the college; and

(2) The refund of payment for texts and supplies required for the cancelled class(es) which were purchased in the college bookstore, as provided by chapter 495D-144 WAC and in publications of the college and college bookstore.

Chapter 495D-123 WAC Withholding of services and other remedies for outstanding debts

NEW SECTION

WAC 495D-123-010 Policy. If any person is indebted to the institution for an outstanding overdue debt, the college need not provide any further services of any kind to such individual, including but not limited to the transmitting of files, records, transcripts, or other services which have been requested by such person.

NEW SECTION

WAC 495D-123-020 Notification. (1) Upon receiving a request for services when there is an outstanding debt due to the college from the requesting person, the college shall notify the person by first class mail addressed to his or her last known mailing address that there is an outstanding debt and that the requested services will not be provided until that debt is paid.

(2) The letter of notification shall also state that the individual has a right to a brief adjudicative hearing before the administrator of financial services or another person designated by the president, for the purpose of determining whether the individual is in fact indebted to the institution as alleged in the notice. The letter shall indicate that any request for a hearing must be received by the person who will conduct the hearing within twenty calendar days from the date of posting of said letter.

NEW SECTION

WAC 495D-123-030 Procedure for informal hearings. Upon receipt of a timely request for a hearing, the administrator of financial services or the person designated by the president shall have the records and files of the college available for review and shall promptly hold an informal hearing to determine whether the individual in fact owes any outstanding debts to the institution. After the informal hearing, a decision shall be rendered by the hearing officer indicating whether in fact the institution is correct in withholding services. Notification of this decision shall be sent to the individual within five regular college business days after the hearing. Such hearing shall constitute a brief adjudication proceeding as established by the Administrative Procedure Act at RCW 34.05.482 through 34.05.494.

NEW SECTION

WAC 495D-123-040 Other remedies. Withholding of services or other action(s) under this chapter shall not bar or restrict the college from pursuing any or all other available remedies, including but not limited to those in RCW 19.16.500 and 43.88.175 and/or appropriate court action.

**Chapter 495D-113 WAC
Nepotism policy**

NEW SECTION

WAC 495D-113-010 Definitions. (1) Employee: Any individual who receives payment for services rendered to the college district, other than an outside vendor or contractor.

(2) Family member or relative: An employee's or employee's spouse's mother, father, child (including foster and adopted children), sibling, grandparent, cousin, uncle, aunt, nephew, niece, in-law, or the employee's spouse.

(3) Nepotism: The practice of showing favoritism to relatives in hiring and employment practices.

NEW SECTION

WAC 495D-113-020 Inclusive limits of the policy. This policy is intended to provide guidelines for the employment of all individuals by the district, except as modified by applicable policies of the state board for community and technical colleges, policies of the higher education personnel board, collective bargaining agreements, or state statute.

NEW SECTION

WAC 495D-113-030 Basic nepotism policy. In the appointment of its faculty and staff members, the college district seeks those persons best qualified to fulfill the institution's teaching and service obligations. Accordingly, members of the same family may be appointed to faculty and staff positions when it has been determined that they are the most qualified candidates for the positions. However, a person may not be hired into a position that would result in a relationship where an employee is involved in the recruitment, screening, appointment, termination of appointment, promotion, demotion, approval of salary increase or decrease, supervision, or evaluation of a member of the employee's family or of a person with whom the employee shares a substantial economic interest. Otherwise, family relationships shall not be used as a basis for granting or denying employment rights, privileges, or benefits.

**Chapter 495D-180 WAC
Copyright and patent policies**

NEW SECTION

WAC 495D-180-005 General statement. (1) The board of trustees of College District No. 26 recognizes that, as part of the institutional educational mission, the publication of certain materials may enhance educational processes. The board also recognizes and encourages the right of faculty, staff, and students to exercise individual initiative in creating materials which meet copyright specifications and which may generate royalty income when marketed.

(2) The generation of materials which may be copyrighted often extends beyond the initiative of individuals and may include the use of equipment, facilities, and financial support either from the institution or from outside sources. Accordingly, the college will maintain a policy which clarifies and protects the respective rights of faculty, staff, student employees, and the college by defining the types of materials which should be designated as "college-supported" or "college-sponsored," by establishing procedures for administering policy concerning these materials and by stating policy governing their ownership and use and the rights to income produced therefrom.

(3) It should be emphasized that this policy does not affect the personal ownership rights of faculty, staff, or student employees to books or other materials not specifically commissioned by the college or the preparation of which were not assisted in any significant way by a third party sponsor or the college. The creator is free to use his or her own name, and receive royalties resulting from sales, providing the initiative for the work came solely from the

creator and the college, including grants or contracts administered by the college, did not provide a significant portion of the resources utilized in production of materials.

NEW SECTION

WAC 495D-180-010 Scope and definitions. (1) This statement of policy shall apply to all faculty, staff, and student employees of the college and any group or groups of faculty or staff or student employees of the college or any combination thereof.

(2) As used in this chapter:

(a) "Copyright administrator" means the college president or his or her designee;

(b) "Creator" means the author or producer of a creative work;

(c) "Individual" means any faculty, staff, or student employee or employees of the college or any group or groups of faculty, staff, or student employees of the college.

NEW SECTION

WAC 495D-180-015 Materials subject to copyright.

(1) The following original creations, among others, ordinarily are classed as copyright-eligible:

(a) Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and proposals.

(b) Lectures, musical or dramatic compositions, and unpublished scripts.

(c) Films, film strips, charts, transparencies, and other visual aids.

(d) Video and audio tapes and cassettes.

(e) Live video or audio broadcasts.

(f) Programmed instruction materials.

(g) Computer programs.

(2) This policy does not apply to the following types of materials:

(a) Articles submitted to or published by scholarly and professional journals.

(b) Class notes produced in connection with a regularly-scheduled course of instruction.

NEW SECTION

WAC 495D-180-020 Rights to copyrightable materials. (1) Individual effort: Any individual who produces copyright-eligible material as the result of individual initiative and effort and without the significant assistance, support, or sponsorship of the college or a college-administered grant or contract shall retain full right of ownership, control, use, and disposition over the material. The individual shall be solely responsible under such circumstances for determining whether to copyright the material.

(2)(a) College-supported individual effort: If the college provides significant support or assistance for an individual in producing materials eligible for copyright such as, but not limited to, the creator's use of college funds, equipment, facilities, materials, staff services, or other resources without full and prompt reimbursement by the individual, ownership of rights in the material shall be vested in the college subject to the conditions set forth in this policy. The college may

copyright such materials when it appears that copyrighting will be in the best interest of the college and individual.

(b) Any individual who is preparing, or is planning to prepare copyright-eligible material under circumstances which may be considered college-supported, college-assisted, or college-sponsored, shall initiate an inquiry as to their status. A descriptive statement of the relevant facts shall be forwarded to the college copyright administrator. Thereafter, the college copyright administrator shall advise the individual as promptly as possible as to whether the materials should be regarded as college-supported or college-sponsored within the meaning of this policy. The college copyright administrator's decision in such cases will be considered as a preliminary draft opinion subject to clarification and final action when the work is completed. The final decision will be rendered in accordance with WAC 495D-180-025.

(3) College-sponsored effort: Ownership rights in college-sponsored materials shall be vested in the college subject to the conditions set forth in this statement of policy. Materials are college-sponsored if the individual has been commissioned in writing by the college or otherwise assigned to develop the materials or, in their production, has been authorized released time for which the individual will receive compensation from college funds, including grant and contract funds administered by the college. The college copyright administrator may, at his or her sole discretion, elect to share with the individual royalties resulting from sales of such materials: Provided, that the individual shall have no right to the sharing of such royalties in the absence of an express written agreement with the college copyright administrator.

(4)(a) Efforts supported by outside agencies: Copyright-eligible materials produced under the sponsorship of agencies outside the college must contain specific provisions regarding the disposition of any royalties or materials generated through grants or contracts furnished by such agencies. Any individual accepting support from outside agencies must verify the content of these provisions. No college employee may enter into a contract with an outside agency which requires a college employee's participation unless royalty rights and the disposition of copyright-eligible materials are specified clearly, and such provisions are acceptable to the college copyright administrator and consistent with college policies covering such activities.

(b) Where the college is a party to sponsored projects resulting in production of copyrightable materials, the following conditions will apply:

(i) Title to all materials will remain with the college.

(ii) The sponsor of the project may retain rights to royalty-exempt use of materials.

(iii) With the college copyright administrator's written concurrence, parties to a sponsored grant or contract may agree to assignment of rights which may vary from (b)(i) and (ii) of this subsection.

(iv) Any sharing of, or individual participation in any royalty income, must be specified under the terms of the contract with the sponsoring agency and approved in writing by the college copyright administrator.

(v) As copyright administrator, the president of the college or his or her designee will retain final responsibility

and authority for all decisions on royalty sharing and other copyright matters involving the college.

NEW SECTION

WAC 495D-180-025 Procedures. (1) In any instance where copyrightable materials are generated other than by individual efforts, i.e., partially or fully supported or sponsored by the college or by an outside agency but involving college participation, the college copyright administrator will confer with the individual creator and other concerned parties to reach a copyright agreement which is acceptable to all parties and consistent with the college copyright policy.

(2) The college copyright administrator may appoint a copyright committee of up to three persons to advise on matters related to ownership, disposition, and royalty distribution from copyrightable materials.

(3) All programs expected to generate copyrightable materials by other than individual effort must undergo prior review by the copyright administrator in order that a preliminary determination can be made regarding rights, disposition of materials, and distribution of income.

(4) Records of advance arrangements and copies of all agreements must be part of all project files; the creator must provide copies of all agreements to the copyright administrator.

(5) Any agreement made with individual creators may be reviewed and revised subsequently at the option of the college copyright administrator.

(6) All contracts or agreements made with individuals or sponsoring agencies must contain reference to the college copyright policy as a basis for the agreement.

(7) In all instances, copyright agreements and decisions affecting those agreements will be formulated on the assumption that protection of the rights of individuals is important and that agreements should be designated to stimulate individual initiative.

(8) All agreements made under the college copyright policy and these procedures should be designed to assure adequate controls and to fulfill college accountability for allocated public resources and the reimbursement of those resources where appropriate.

NEW SECTION

WAC 495D-180-030 Use of materials. (1) Two categories of use are differentiated for purposes of this policy:

(a) Internal use: Use by any unit of the college for instruction or other educational purposes.

(b) External use: Use by educational institutions other than the college, use by government agencies and other nonprofit institutions, and use resulting from lease or other contractual arrangements for commercial distribution of the materials.

(2) Use of college-supported or college-sponsored materials under this policy shall be subject to the following conditions:

(a) Internal use:

(i) Use within the college does not require the approval of either the individual creator or the college unless advance approval is required by a prior written agreement.

(ii) As long as the individual creator of college-supported or college-sponsored materials remains employed by the college, he or she may request reasonable revision of the materials prior to any instance of internal use and may ask that the materials be withdrawn from internal use if necessary revisions are not feasible. The final decision regarding appropriate revision or withdrawal of materials will be made by the copyright administrator.

(iii) If the individual creator terminates employment with the college, then the college retains the right to continue internal use of the college-supported or college-sponsored materials except as the individual and the college agree in writing on special conditions for subsequent internal use of the materials and the procedures for their revision.

(b) External use: Licensing or sale of college-supported or college-sponsored materials for external use shall be preceded by written agreement between the college and the individual creator specifying the conditions of use, including provisions concerning the right of the individual creator to revise materials periodically or to withdraw them from use, subject to existing agreement, in the event revisions are not feasible.

NEW SECTION

WAC 495D-180-035 Payments to the individual creator. (1) Compensation for production activity: In general the regular assignments of the individual should be adjusted to take into account the extra time required to develop or produce college-supported or college-sponsored materials. In these circumstances, additive compensation will not be paid to the individual creator. If recorded material is reused, it may be appropriate to adjust the regular assignments of the individual where he or she makes some continuing input or contribution to the repeated program.

(2) Income from sales or rentals:

(a) Both the college and the individual are entitled to a share of income from the licensing or sale of college-supported or college-sponsored materials; the college on the basis of salary, facilities, administrative support, or other resources devoted to the project, and the individual for creative activity which contributes to an enriched educational program. Where sponsored grant or contract funds are involved, the division of income will be subject to approval by the sponsoring agency. In some cases, the sponsor may require that all income be credited to the project account.

(b) Where college-supported or college-sponsored materials are to be sold or rented, and subject to any limitations specified by granting agencies, the following guidelines pertaining to financial arrangements shall be observed:

(i) All incremental expenses related to the production and distribution of additional copies will be recovered from each sale or rental.

(ii) An appropriate fraction of the college's original production costs, as agreed upon between the individual and the college copyright administrator, also will be recovered from each sale or rental.

(iii) Subject to any limitations specified by outside granting agencies, a royalty of not more than ten percent of (b)(i) and (ii) of this subsection may be included in the sale or rental price. After production costs are fully recovered

and after required distribution to a sponsoring agency, if any, the resultant royalty income will be divided equally between the individual and the college.

NEW SECTION

WAC 495D-180-040 Protection and liability. (1) The college copyright administrator shall investigate allegations of unauthorized use or copyright infringement of college-supported or college-sponsored materials and shall recommend appropriate action. If legal remedies are pursued by the college, all costs of such remedies shall be borne by the college. All proceeds in excess of such costs shall be shared equally by the college and the individual creator, subject to sponsoring agency limitations, if any, when a grant or contract is involved.

(2) Before any use is made of college-supported or college-sponsored materials, the individual creator shall certify in writing to the copyright administrator that, to the best of the individual creator's knowledge, the materials do not infringe on any existing copyright or other legal right. When there are allegations of violations of personal or property rights by the college or by the individual creator in college-supported or college-sponsored materials copyrighted by the college, the college shall assume responsibility for the defense on any action. However, the individual creator may indemnify the college against any damages, charges, costs, expenses (including counsel fees), judgments, penalties, liabilities, or losses of any other kind or nature whatsoever, which are sustained or suffered by or imposed on the college as a result of the finding of any court or other decision-making tribunal that such a violation, caused by the creator, has occurred.

Chapter 495D-144 WAC Bookstore operating policy

NEW SECTION

WAC 495D-144-010 Lake Washington Technical College bookstore operating policy. (1) Lake Washington Technical College bookstore is operated for the special convenience, support, and use by students and staff of Lake Washington Technical College. The bookstore's goods, services, and facilities are directly and substantially related to the educational mission of the college. Prices and fees will take into account all direct and indirect college costs, including overhead. Specific operating policies and procedures will be established by the president or his or her designee to promote the effective and efficient operation of the bookstore and to implement the provisions of this chapter.

(2) The bookstore will sell goods on the same basis to other persons as well. There is no similarly situated private bookstore available to meet all the demands of college visitors.

NEW SECTION

WAC 495D-144-020 Return and refund policy. (1) Defective merchandise may be returned within a reasonable time for replacement or refund at the discretion of the administration.

(2) New books may be returned for refund on specified dates or within such specified time periods as are established and posted by the bookstore manager. The proper sales slip must be presented.

(3) Exceptions to the above are subject to the discretion of the bookstore manager.

NEW SECTION

WAC 495D-144-030 Lake Washington Technical College bookstore credit policies. The Lake Washington Technical College bookstore will not establish personal charge accounts or extend personal credit.

NEW SECTION

WAC 495D-144-040 Lake Washington Technical College bookstore pricing policies. (1) The bookstore will supply books and supplies at an established retail rate.

(2) Complimentary copies of books will not be furnished to faculty.

(3) No discounts will be given to specific individuals.

(4) Discounts applied at the discretion of the administration to categories or groupings of merchandise, and available to all customers, may be offered in order to clear aging or promotional merchandise. Detailed records will be kept of such discount activities.

Chapter 495D-135 WAC Refund of tuition and special course/program connected fees

NEW SECTION

WAC 495D-135-010 Purpose. The board of trustees of College District No. 26 establishes policies for administering the refund of tuition and special course/program connected fees when a student withdraws from college or reduces class load.

NEW SECTION

WAC 495D-135-020 Definitions. As used in this chapter:

(1) "Misconduct" means student action or inaction which violates a college rule or policy and results in suspension or dismissal from the college.

(2) "Registration cost" means a service fee charged to defray the clerical expense of processing a registration transaction.

(3) "Special course/program connected fees" means fees other than tuition required for enrollment (e.g., equipment fees, supply fees, laboratory material fees, excess cost fees, etc.).

(4) "Termination" means the dismissal from a course, program, or the college due to student misconduct or lack of academic progress.

(5) "Transfer" means moving from one course to another within the same registration transaction.

(6) "Tuition" means fees collected by College District No. 26 which include the general tuition fees, operating fees, and the services and activities fees.

(7) "Withdraw" and "withdrawal" means when a student formally leaves college by completing the forms and

procedures specified in the published class schedule or otherwise established by the college.

NEW SECTION

WAC 495D-135-030 Tuition and fee refund policies generally. Tuition and special course/program connected fee refunds will be made for a student's reduction in class load or complete withdrawal from college, in accordance with these rules. Students will forfeit all claims to refund of tuition and special course/program connected fees when they fail to withdraw from the college, when they are suspended or terminated for misconduct, and when the tuition and special course/program connected fees are designated in the quarterly course schedule and/or course announcement as nonrefundable.

NEW SECTION

WAC 495D-135-040 Tuition and special course/program connected fees refund policy. Upon withdrawal from college or reduction in class load and the completion of all applicable fee refund forms, the student may receive a tuition and/or fee refund under the following conditions:

- (1) A full refund of general tuition fees, operating fees, special course/program connected fees, and services and activities fees will be made if the student has properly withdrawn prior to the first class session, except that a registration cost shall be retained from such fees.
- (2) A full refund will be made when courses or programs are cancelled by the college.
- (3) One-half refund will be made on or after the first class session and on or prior to the twentieth class session of the term, or student's registration period of less than a term, upon withdrawal or termination from a full-time or part-time preparatory occupational course.
- (4) Refunds will be made up to the twentieth class session of the term, or student's registration period if less than a term, upon withdrawal or termination from a full-time or part-time preparatory occupational course.
- (5) Refunds will be made through the second scheduled class meeting for part-time supplemental occupational courses.
- (6) Refund requests must be made in person or in writing. Refund requests may not be made by telephone.
- (7) Refund processing procedures shall be established by the president.
- (8) Exceptions may be made at the president's discretion for students who withdraw for bona fide medical reasons or when called into the military service.
- (9) The college shall charge a registration cost set by the president for refund and transfer processing.
- (10) Refunds of less than five dollars will not be made.
- (11) Students who have paid fees for equipment or material which have a return/refund value must obtain written verification and approval on an appropriate form from the instructor or staff person who is responsible for the return/refund.
- (12) Fees which are nonrefundable and not subject to this policy will be set by the president and identified as such in the quarterly course schedule and/or course announcement.

NEW SECTION

WAC 495D-135-050 Appeal. A student may appeal denial of a refund request within one quarter of payment. All such appeals shall be made in writing, and filed with and decided by the registrar.

**WSR 92-21-050
PROPOSED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Banking)
[Filed October 16, 1992, 2:55 p.m.]**

Original Notice.

Title of Rule: A rule relating to the operation of licensees under the Check Cashers and Sellers Act.

Purpose: To amend WAC 50-30-030 changing the required bond from fidelity to surety.

Statutory Authority for Adoption: RCW 31.45.200.

Statute Being Implemented: Chapter 31.45 RCW.

Summary: The proposed amendment changes the type of bond required for check sellers.

Reasons Supporting Proposal: Applicants for a check sellers license are unable to obtain a fidelity bond for the protection of the public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ed Burgert, 1400 South Evergreen Park Drive S.W., Olympia, WA, 753-6520.

Name of Proponent: Division of Banking, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Applicants for a check sellers license are required to obtain a fidelity bond for the protection of the public as required by RCW 31.45.030. The amendment changes the type of bond from fidelity to surety which is obtainable by applicants.

Proposal Changes the Following Existing Rules: The type of bond required by WAC 50-30-030 is changed from fidelity to surety.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

No fiscal impact will result from the proposed amendment. It will have a positive effect in facilitating applicants' ability to get a license to do business as a check seller.

Hearing Location: Division of Banking, 1400 South Evergreen Park Drive S.W., #120, Olympia, WA 98504, on November 24, 1992, at 9:00 a.m.

Submit Written Comments to: John L. Bley, Supervisor of Banking, P.O. Box 41026, Olympia, WA 98504-1026, by November 24, 1992.

Date of Intended Adoption: November 24, 1992.

October 16, 1992

John L. Bley

Supervisor of Banking

AMENDATORY SECTION (Amending WSR 92-02-105, filed 1/2/92, effective 2/2/92)

WAC 50-30-030 ((Fidelity)) Bond for applicants engaging in the business of selling checks, drafts, money orders, or other commercial paper serving the same purpose. (1)(a) RCW 31.45.030 (5)(a) requires a licensee engaged in the business of selling checks, drafts, money orders, or other commercial paper serving the same purpose ((shall)) to obtain at the beginning of each calendar year and file with the supervisor a ((fidelity)) bond ((issued by a bonding company or insurance company authorized to do business in this state. The fidelity coverage or blanket fidelity coverage on each officer, employee, or agent having access to funds collected by or for the)) running to the state of Washington, which bond shall be "for the protection of the public against loss suffered through embezzlement by any person having access to funds collected by or for the licensee or having authority to draw against such funds or from mysterious disappearance, theft, holdup, or burglary." Such bond shall be issued by a surety insurer which meets the requirements of chapter 48.28 RCW, and be in a format acceptable to the supervisor. This surety bond shall be conditioned upon the licensee paying all persons who purchase checks, drafts, or money orders from the licensee the face value of any check, draft, or money order which is dishonored by the drawee bank, savings bank, or savings and loan association due to insufficient funds or by reason of the account having been closed.

The bond shall be continuous and may be canceled by the surety upon the surety giving written notice to the supervisor and licensee of its intent to cancel the bond. The cancellation is effective thirty days after the notice is received by the supervisor. Whether or not the bond is renewed, continued, reinstated, reissued, or otherwise extended, replaced, or modified, including increases or decreases in the penal sum, it shall be considered one continuous obligation, and the surety upon the bond shall not be liable in an aggregate or cumulative amount exceeding the penal sum, or any portion thereof, at two or more points in time be added together in determining the surety's liability. The bond shall not be a substitute or supplement to any liability or other insurance required by law or by the contract. If the surety desires to make payment without awaiting court action against it, the penal sum of the bond shall be reduced to the extent of any payment made by the surety in good faith under the bond.

Any person who is a purchaser of a check, draft, or money order from the licensee having a claim against the licensee for the dishonor of any check, draft, or money order by the drawee bank, savings bank, or savings and loan association due to insufficient funds or by reason of the account having been closed, may bring suit upon such bond or deposit in the superior court of the county in which the check, draft, or money order was purchased, or in the superior court of a county in which the licensee maintains a place of business. Jurisdiction shall be exclusively in the superior court. Any such action must be brought not later than one year after the dishonor of the check, draft, or money order on which the claim is based. In the event said claims against a bond or deposit exceed the amount of the bond or deposit, each claimant shall only be entitled to a pro

rata amount, based on the amount of the claim as it is valid against the bond, or deposit, without regard to the date of filing of any claim or action.

(b) The penal sum of the surety bond that shall be filed by each licensee shall not be less than the amount established in the following table:

| Highest Monthly Liability* | Required Bond | Plus Percentage of Excess Over |
|----------------------------|---------------------------|--------------------------------|
| Up to \$50,000 | Highest Monthly Liability | Highest Monthly Liability |
| \$50,001 to \$100,000 | \$50,000 | .5 above \$50,000 |
| \$100,000 plus | \$75,000 | .25 above \$100,000 |

The maximum fidelity coverage required shall be three million dollars.

* The monthly liability is the total sum of checks for a given month. The "Highest Monthly Liability" shall be determined by the highest monthly liability of checks from the preceding calendar year multiplied by seventy-five percent.

(2) In lieu of such ((fidelity)) surety bond, the applicant may deposit with such banks, savings banks, savings and loan associations, or trust companies in this state as such applicant may designate and the supervisor may approve, bonds, notes, debentures, or other obligations of the United States or any agency or instrumentality thereof or guaranteed by the United States or of the state of Washington or of a municipality, county, school district, or instrumentality of the state of Washington or guaranteed by the state to an aggregate amount, based on principal amount or market value, whichever is lower, of not less than the amount of the required fidelity bond or portion thereof. The securities shall be deposited as aforesaid and held to secure the same obligations as would the fidelity bond, but the depositor shall be entitled to receive all interest and dividends thereon, shall have the right, with the approval of the supervisor, to substitute other qualified securities for those deposited, and shall be required so to do on written order of the supervisor made for good cause shown.

(3) In lieu of such ((fidelity)) surety bond, the applicant may deposit with the supervisor an irrevocable letter of credit drawn in favor of the supervisor for an amount equal to or greater than the required bond. The irrevocable letter of credit must be issued by a bank, savings bank, or savings and loan association in this state as such applicant may designate and the supervisor may approve.

WSR 92-21-055
PROPOSED RULES
GAMBLING COMMISSION
 [Filed October 19, 1992, 1:12 p.m.]

Original Notice.

Title of Rule: WAC 230-30-075 Minimum percentage of prizes for certain gambling activities.

Purpose: To increase prize amounts on cash prizes and merchandise prizes.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Sharon M. Tolton, Rules Coordinator, Lacey, 438-7685; Implementation: Frank L. Miller, Director, Lacey, 438-7640;

and Enforcement: Neal S. Nunamaker, Deputy Director, Lacey, 438-7690.

Name of Proponent: Washington State Licensed Beverage Association, by petition, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The agency has considered whether this rule change would create an economic impact on small businesses as defined in chapter 19.85 RCW. It has determined that there is no economic impact to small business as a result of these proposals for the following reasons: No cost or expenditure of resources; no affect on industry; and no substantive change in existing regulatory scheme.

Hearing Location: Red Lion Hotel/SeaTac, 18740 Pacific Highway South, SeaTac, WA 98188, on January 15, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon M. Tolton, Rules Coordinator, Washington State Gambling Commission, P.O. Box 42400, Olympia, WA 98504-2400, by January 13, 1993.

Date of Intended Adoption: January 15, 1993.

October 19, 1992

Frank L. Miller

Director

AMENDATORY SECTION (Amending Order 154, filed 10/14/85)

WAC 230-30-075 Minimum percentage of prizes for certain gambling activities. No operator shall put out for play and no distributor or manufacturer of punchboards and pull tabs shall sell or otherwise provide to any person in this state or for use in this state any punchboard or pull tab series that does not contain the following minimum percentage in prizes:

(1) Punchboards - a minimum of ~~((60))~~ sixty percent respecting each punchboard placed out for public play.

(2) Pull tabs - a minimum of ~~((60))~~ sixty percent respecting each series of pull tabs placed out for public play.

(3) For the purposes of determining the percentage of prizes offered on any punchboard, or in any pull tab series under this section, total merchandise prizes shall be computed at the amount actually paid therefor by the licensed operator plus ~~((50))~~ fifty percent of that actual cost.

(4) Single cash prizes on punchboards/pull tabs shall not exceed:

(a) ~~((Two))~~ Five hundred in cash; or

(b) A merchandise prize, or combination merchandise prize, for which the operator has not expended more than ~~((three))~~ five hundred dollars.

(5) Multiple winners on an individual pull tab or punch shall not exceed the single cash or merchandise prize limit in subsection (4) ~~((above))~~ of this section.

WSR 92-21-062

**WITHDRAWAL OF PROPOSED RULES
LIQUOR CONTROL BOARD**

[Filed October 19, 1992, 2:32 p.m.]

The Liquor Control Board hereby withdraws proposed repeal of WAC 314-12-130 filed with your office on September 1, 1992, as part of WSR 92-18-074.

Paula O'Connor
Chairman

WSR 92-21-063

**WITHDRAWAL OF PROPOSED RULES
LIQUOR CONTROL BOARD**

[Filed October 19, 1992, 2:34 p.m.]

The Liquor Control Board hereby withdraws proposed new section [material] WAC 314-24-160 filed with your office on September 2, 1992, as part of WSR 92-18-089.

Paula O'Connor
Chairman

WSR 92-21-064

**WITHDRAWAL OF PROPOSED RULES
LIQUOR CONTROL BOARD**

[Filed October 19, 1992, 2:36 p.m.]

The Liquor Control Board hereby withdraws proposed new section [material] WAC 314-20-015 filed with your office on September 2, 1992, as part of WSR 92-18-090.

Paula O'Connor
Chairman

WSR 92-21-065

**PROPOSED RULES
DEPARTMENT OF HEALTH**

(Board of Medical Examiners)

[Filed October 19, 1992, 2:44 p.m.]

Original Notice.

Title of Rule: WAC 246-917-135 License renewal form; 246-918-085 License renewal form; and 246-917-300 Retired active physician license.

Purpose: Establishes the criteria for granting a retired active physician license as authorized by RCW 18.130.250. Notifies licensed physicians and physician assistants a license will not be issued until all required renewal documents and renewal fees and/or late fees are submitted.

Statutory Authority for Adoption: RCW 18.71.017.

Statute Being Implemented: RCW 18.130.250.

Summary: Establishes the criteria for granting a retired active physician license as authorized by RCW 18.130.250. Notifies licensed physicians and physician assistants a license will not be issued until all required renewal documents and renewal fees and/or late fees are submitted.

Name of Agency Personnel Responsible for: Drafting, Implementation and Enforcement: Patti Rathbun, Board of Medical Examiners, Olympia, (206) 586-8934.

Name of Proponent: Board of Medical Examiners, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 246-917-300 establishes the criteria for granting a retired active physician license as authorized by RCW 18.130.250. We anticipate an increase of retired physicians to help at low income clinics.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Seattle Airport Hilton, Columbia East Room, 17620 Pacific Highway South, Seattle, WA 98188, on December 4, 1992, at 9:30 a.m.

Submit Written Comments to: Ann Foster, Rules Coordinator, 1300 S.E. Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, by November 20, 1992.

Date of Intended Adoption: December 4, 1992.

October 8, 1992

Patti Rathbun

Deputy Executive Director

NEW SECTION

WAC 246-917-135 License renewal form. A license shall not be renewed until the applicant has submitted completed renewal forms and the full amount of the renewal fee, including any penalty fee for late renewal of the license.

NEW SECTION

WAC 246-917-300 Retired active physician license.

(1) RCW 18.130.250 provides for a retired active license status for individuals already licensed who wish to practice only in emergent or intermittent circumstances. For the purpose of implementing RCW 18.130.250, the licensee must hold a current active license and meet the following criteria:

(a) The licensee's practice is limited to providing health care services without compensation.

(b) Services are provided in community clinics located in the state of Washington that are operated by public or private tax-exempt corporations.

(c) Services must be limited to primary care.

(2) Individuals requesting a retired active license status must submit a letter to the department with their renewal declaring their intent to practice only on an intermittent or emergency basis as defined in subsection (1). Physician retired active licenses will not be retroactively issued for prior years.

(3) A licensee wishing to return to a full active license must meet the current requirements for relicensure.

(4) Individuals on a retired active license are subject to chapter 18.130 RCW to the same extent as individuals holding an active license.

(5) Retired active licensees must meet the continuing education requirements established in WAC 246-917-150 through 200.

NEW SECTION

WAC 246-918-085 License renewal form. A license shall not be renewed until the applicant has submitted completed renewal forms and the full amount of the renewal fee, including any penalty fee for late renewal of the license.

**WSR 92-21-066
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed October 19, 1992, 4:04 p.m.]

Original Notice.

Title of Rule: Fort Worden fees.

Purpose: Adjusts some user fees at Fort Worden.

Statutory Authority for Adoption: RCW 43.51.040.

Statute Being Implemented: Chapter 43.51 RCW.

Summary: Fee changes will keep Fort Worden comparable with the market and help pay for increased operating costs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Wayne McLaughlin, 7150 Cleanwater Lane, Olympia, WA 98504, 753-2029.

Name of Proponent: Washington State Parks and Recreation Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Fee changes keep Fort Worden comparable with conference center and recreational housing market.

Proposal Changes the Following Existing Rules: Shows new prices on housing at Fort Worden.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: The Mountaineers, Prusik Room, 300 Third Avenue West, Seattle, WA, on December 4, 1992, at 9:00 a.m.

Submit Written Comments to: Wayne McLaughlin, 7150 Cleanwater Lane, Olympia, WA 98504, by November 30, 1992.

Date of Intended Adoption: December 4, 1992.

October 19, 1992

Nina Carter

Executive Assistant

AMENDATORY SECTION (Amending WSR 91-22-063, filed 11/1/91, effective 12/2/91)

WAC 352-32-25001 Recreational and conference center housing fees and meeting room fees charged. (1) The following fees shall be charged per day for recreational and conference center housing at Fort Worden State Park:

(a) Renovated housing

Noncommissioned officers' row buildings—#331 and #332

(4 units, each with 2 bedrooms) \$ ~~((68.60))~~
72.10/unit

Officers' row buildings—#5, #6, and #7

(6 units, each with 3.5 bedrooms) \$ ~~((110.79))~~
116.30/unit

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on November 24, 1992, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0118 or SCAN 366-0118, by November 24, 1992.

Date of Intended Adoption: November 25, 1992.
October 19, 1992
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2986, filed 5/31/90, effective 7/1/90)

WAC 388-85-105 Certification of eligibility. (1) The department shall continue eligibility for medical assistance until the client is determined ineligible for cash assistance.

(2) Before termination of a client's medical assistance, ~~((whenever terminating cash assistance or medical assistance,))~~ the department shall redetermine the ~~((recipient's))~~ client's eligibility for other medical assistance programs or the medically indigent program.

(a) When additional information is necessary to redetermine eligibility, the department shall give the client ten days' notice and an opportunity to provide such information.

(b) The department shall give the client advance and adequate notice of the redetermination decision before termination of medical assistance as described under WAC 388-33-376.

(c) Until the department redetermines a client's eligibility in conformity with the requirements of this section, the client shall remain eligible for categorically needy medical benefits.

(3) When eligibility for AFDC or FIP cash assistance is terminated:

(a) Due to increased income from or increased hours of employment, medical assistance shall continue for the extension periods as described under WAC 388-82-029;

(b) Due to reaching state legal age of majority, the department shall redetermine eligibility for medical assistance under another program;

(c) For lack of cooperation in ~~((WIN or))~~ JOBS, work registration, or for lack of school attendance, ~~((which are not eligibility factors for medical assistance,))~~ eligibility for medical assistance shall continue;

(d) Due solely to the loss of the thirty dollars plus one-third or the thirty dollar income exemption, medical assistance shall continue for the appropriate extension periods as described under WAC 388-82-029; and

(e) Due to the termination of pregnancy, medical assistance shall continue to the end of the month containing the sixtieth day from the day pregnancy ends.

~~(4) ((When eligibility for FIP cash assistance is terminated due to:~~

~~(a) Increased earnings, medical assistance shall continue for up to twelve calendar months beginning with the month of ineligibility;~~

~~(b) An increase in hours of employment, medical assistance shall continue for the appropriate extension periods as described under WAC 388-82-029;~~

~~(c) Reaching state legal age of majority, the department shall redetermine eligibility for medical assistance under another program; and~~

~~(d) Termination of pregnancy, medical assistance shall continue to the end of the month containing the sixtieth day from the day pregnancy ends.~~

~~(5))~~ The department shall redetermine eligibility for medical assistance the same as for the related cash assistance program~~((;))~~ for clients:

(a) Under eighteen years of age and not related to SSI, eligibility shall be redetermined every six months using AFDC or FIP financial criteria;

(b) In medical institutions, eligibility shall be redetermined every twelve months.

~~((6))~~ (5) The client shall report to the CSO, within twenty calendar days, any change in circumstances relating to eligibility.

~~((7))~~ (6) For any change of eligibility, the department shall use the same notification procedures as for cash assistance.

WSR 92-21-070
WITHDRAWAL OF PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD
[Filed October 20, 1992, 10:32 a.m.]

The Higher Education Personnel Board hereby withdraws proposed WAC 251-12-290 rule amendment filed with your office on April 21, 1992, as WSR 92-09-125, and continued on June 12, 1992, as WSR 92-13-062 and July 1, 1992, as WSR 92-14-114.

John A. Spitz
Director

WSR 92-21-071
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed October 20, 1992, 1:16 p.m.]

Original Notice.

Title of Rule: Degree Authorization Act, amendments to WAC 250-61-010, 250-61-070, 250-61-120, and 250-61-140.

Purpose: Amendments modifying regulations for the administration of the Degree Authorization Act to establish

new review cycle and fee structure, clarify authorization requirement for veterans administration program approval, delete interagency agreement for degree-granting private vocational schools, and increase surety bond coverage.

Statutory Authority for Adoption: RCW 28B.80.370.

Statute Being Implemented: Chapter 28B.85 RCW.

Summary: Amendments make the following changes—specify authorization prior to veterans administration program approval, change renewal cycle from one year to two years and modify authorization fees in light of that change, transfer regulation of degree-granting private vocational schools from WAC to an interagency agreement, and increase surety bond coverage.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Elaine Jones, 917 Lakeridge Way, Olympia, WA 98504-3430, (206) 586-4595.

Name of Proponent: Higher Education Coordinating Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The Degree Authorization Act requires out-of-state and nonaccredited degree-granting institutions to be licensed by HECB prior to operating in Washington. Amendments to the act's regulations will result in greater administrative efficiency for the HECB and authorized institutions (biennial authorization and fees), greater understanding of authorization as a prerequisite for veterans administration program approval, greater responsiveness in regulating private degree-granting institutions (interagency agreement between HECB and WTECB), and greater surety bond coverage for students enrolled in authorized institutions.

Proposal Changes the Following Existing Rules: WAC 250-61-010 expands DAA as a prerequisite to VA program approval; WAC 250-61-070 transfers interagency agreement for regulating private degree-granting institutions from WAC to an interagency agreement between HECB and WTECB; WAC 250-61-120 increases surety bond coverage from minimum of \$5,000 to \$25,000 and maximum of \$100,000 to \$250,000; and WAC 250-61-140 changes authorization from an annual to a biennial cycle and authorization application fees to reflect this—initial fee from \$800 to \$2,000 and renewal from \$400 to \$1,000.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Higher Education Coordinating Board, 917 Lakeridge Way, Olympia, WA 98504-3430, on November 25, 1992, at 9:00 a.m.

Submit Written Comments to: Elaine Jones, Higher Education Coordinating Board, 917 Lakeridge Way, P.O. Box 43430, Olympia, WA 98504-3430, by November 20, 1992.

Date of Intended Adoption: December 16, 1992.

October 20, 1992

Ann Daley

Executive Director

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-010 Scope and purpose. The Degree Authorization Act, chapter 28B.85 RCW established a requirement that degree-granting institutions operating in Washington obtain authorization from the higher education coordinating board, unless specifically exempted from the authorization requirement by the act. This chapter is promulgated by the board as a supplement to the act in order to establish necessary regulations for the authorization of degree-granting institutions.

The purpose of the act is to insure fair business practices and adequate quality among degree-granting institutions operating in the state of Washington and to protect citizens against substandard, fraudulent, and deceptive practices.

Institutions seeking approval to offer academic degrees to persons eligible to receive benefits from the United States Department of Veterans' Affairs first must be authorized by the board and/or accredited by a recognized institutional accrediting association.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-070 Interagency agreement for degree-granting private vocational schools. ~~((1) Institutional accredited degree-granting private vocational schools.~~

~~(a) Pursuant to rules adopted by the higher education coordinating board, that agency will exempt from compliance in accordance with chapter 28B.85 RCW, those degree programs that are covered by the institution's accreditation. For purposes of this exemption, the board recognizes those national and regional institutional accrediting agencies recognized by the council on postsecondary accreditation.~~

~~(b) The commission for vocational education or its successor agency will process the application of an institutionally accredited degree-granting private vocational school which offers nondegree programs in accordance with chapter 28C.10 RCW. The agency will collect the licensing fee, require the posting of a surety bond or other security, and handle student complaints.~~

~~(2) Nonaccredited degree-granting private vocational schools.~~

~~(a) The higher education coordinating board will process the application of nonaccredited degree-granting private vocational institutions when the majority of programs offered are degree programs. Nondegree programs will be reviewed by the commission for vocational education or its successor agency, as will student complaints regarding nondegree programs. The higher education coordinating board will collect the application fee. A single surety bond or other security based on total tuition will be required and will name both agencies as obligees.~~

~~(b) The commission for vocational education or its successor agency will process the application of nonaccredited degree-granting private vocational institutions when the majority of programs offered are nondegree programs and collect fees based on annual income from nondegree programs; *Provided*, That the minimum initial fee shall be \$800 and the minimum renewal fee shall be \$400. Degree programs will be reviewed by the higher education~~

coordinating board, as will student complaints. The agency will collect the license fee which shall be based on the income derived from nondegree programs. A single surety bond or other security based on total tuition will be required and will name both agencies as obligees.

~~(3) If either the commission for vocational education or its successor agency or the higher education coordinating board revokes, suspends or fails to renew the license or authorization of an institution, it immediately will notify the other of such action.)~~

Degree-granting private vocational schools' nondegree programs shall be regulated pursuant to the terms of an interagency agreement between the higher education coordinating board and the workforce training and education coordinating board. Copies of the agreement are available from either agency upon request.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-120 Surety bond requirement. (1) The amount of the surety bond or other security acceptable to the executive director shall be ten percent of the preceding year's total tuition and fee charges received for educational services in Washington, but not less than ~~(((\$5,000))~~ twenty-five thousand dollars nor more than ~~(((\$100,000))~~ two hundred fifty thousand dollars.

(2) In the case of new institutions, the bond or security amount for the first year shall be ~~(((\$5,000))~~ twenty-five thousand dollars.

(3) Release of surety bonds and other securities shall be made in compliance with chapter 28B.85 RCW.

AMENDATORY SECTION (Amending Order 7/86, Resolution No. 87-34, filed 11/20/86)

WAC 250-61-140 Application requirements. (1) Initial application requirements:

(a) No institution is eligible to apply for authorization if the institution is based outside of Washington and is not authorized to do business in the state in which it is primarily located.

(b) At least six months prior to operation, an institution shall apply to the board for authorization by completing application forms provided by the executive director. As a minimum, the application must include:

(i) Name and address of institution.

(ii) Purpose of institution.

(iii) Names and addresses of the owner(s) of the institution and shareholders holding more than a ten percent interest, and, if applicable, members of the institution's board.

(iv) Name and address of the chief administrative officer and representatives of the institution in Washington.

(v) Bylaws and regulations established for the governance and operation of the institution.

(vi) Bank or other financial institution that may be consulted as a financial reference.

(vii) Qualifications of administrators and faculty.

(viii) A description of the degrees and programs of study offered.

(ix) A description of the facilities and equipment utilized.

(x) A signed written statement from the chief administrative officer attesting to the truth and accuracy of the information provided and pledging that the institution will comply with the requirements of the act and this chapter.

(c) Each application shall be accompanied by the following:

(i) An initial application fee payable to the Washington state treasurer for ~~(((\$800.00))~~ two thousand dollars.

(ii) A surety bond or other form of security as specified in chapter 28B.85 RCW and this chapter.

(iii) An audited financial statement consistent with the general accounting principles established by the *College and University Business Administration*, third edition, or such later editions as published.

(iv) A copy of enrollment agreements or student contracts utilized by the institution.

(v) A copy of the institution's articles of incorporation on record with the Washington state office of the secretary of state.

(vi) A copy of the institution's catalog.

(vii) Documentation verifying the institution's accreditation status and authorization status in primary location.

(viii) Documentation that fire, safety, and health codes are met by the institutional facility.

(d) If additional program(s) of study are proposed during the current authorization year, the institution must submit to the board a supplemental application at least ~~((60))~~ sixty days before the program is to be offered. The program(s) of study shall be authorized prior to operation, which includes advertising and recruitment.

(2) ~~((Annual))~~ Biennial renewal application for authorization.

(a) At least three months prior to the expiration date of the institution's current authorization, the institution shall:

(i) Submit a renewal application fee payable to the Washington state treasurer for ~~(((\$400.00))~~ one thousand dollars.

(ii) Provide evidence of continued compliance with the surety bond or security requirement.

(iii) Submit an audited financial statement consistent with the general accounting principles established by the *College and University Business Administration*, third edition, or such later editions as published.

(iv) File a renewal application on a form developed by the executive director, together with a signed, written statement from the chief administrative officer, attesting to the truth and accuracy of the information provided in the renewal application and pledging continued compliance with all the requirements of the act and this chapter.

(b) A change of ownership or control of an institution shall nullify any previous authorization, and the chief administrator, representing the new owner(s) shall comply with all the application requirements applicable to the initial application for authorization outlined in this section. If the chief administrator furnishes a written statement asserting that all conditions set forth in the act and these rules are being met or will be met before offering instruction, the executive director may issue a temporary certificate of authorization for a maximum of sixty days.

October 20, 1992
Bonnie Jindra
Assistant Director

WSR 92-21-072
PROPOSED RULES
DEPARTMENT OF
COMMUNITY DEVELOPMENT
[Filed October 20, 1992, 1:38 p.m.]

Continuance of WSR 92-18-097.

Title of Rule: Chapter 365-195 WAC, Procedural criteria for adopting comprehensive plans and development regulations.

Purpose: To adopt by rule procedural criteria to assist counties and cities in adopting comprehensive plans and development regulations that meet the goal and requirements of the Growth Management Act.

Date of Intended Adoption: October 29, 1992.

October 20, 1992
Barbara Gooding
Director

WSR 92-21-073
PROPOSED RULES
DEPARTMENT OF
SERVICES FOR THE BLIND
[Filed October 20, 1992, 3:52 p.m.]

Original Notice.

Title of Rule: WAC 67-35-065 Operation of a vending facility in the absence of an assigned vendor; 67-35-078 Nonprimary vending facility—How awarded or assigned; and 67-35-082 Administrative review.

Purpose: To establish procedures.

Statutory Authority for Adoption: Chapter 74.18 RCW.

Summary: New sections are being added to clarify procedures. WAC 67-35-082, this is a title change only.

Name of Agency Personnel Responsible for Drafting: Jim Fischer, Olympia, 586-0277; Implementation and Enforcement: Bonnie Jindra, Olympia, 586-0275.

Name of Proponent: Department of Services for the Blind, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 67-35-065, to address the problem of operation of a vending facility during an emergency situation; WAC 67-35-078, outlines the process that the department will use when the BEP has a location that is not bid as a primary location by a vendor or licensee; and WAC 67-35-082, this is a title change only. There is currently two WACs with the same title.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Services for the Blind, 521 East Legion, Olympia, WA 98504, on December 1, 1992, at 9:00 a.m.

Submit Written Comments to: Bonnie Jindra, P.O. Box 40933, Olympia, WA 98504-0933, by December 2, 1992.

Date of Intended Adoption: December 7, 1992.

NEW SECTION

WAC 67-35-065 Operation of a vending facility in the absence of an assigned vendor. When a vendor resigns, leaves, or is removed from a facility, the department may appoint an operator for that facility on an emergency basis until the department is able to select a permanent vendor for that facility as outlined in WAC 67-35-060.

NEW SECTION

WAC 67-35-078 Nonprimary vending facility—How awarded or assigned. When a notice of availability of a primary vending facility is bid per WAC 67-35-060 and 67-35-070, and there are no primary bids received, the department will accept bids for the same facility as a nonprimary vending facility. If there are no primary or nonprimary bids the department, in consultation with the blind vendors committee, will decide if the facility should remain in the business enterprise program.

AMENDATORY SECTION (Amending Order 84-06, filed 4/16/84)

WAC 67-35-082 ((Administrative)) Vendor selection review. A licensee or vendor who has applied for a vending facility under WAC 67-35-060 may upon request receive a review of the correctness of the selection process from the director of the department or his/her designee. The review must be requested within ten calendar days of the completion of the selection process for which the licensee or vendor has applied.

WSR 92-21-074
PROPOSED RULES
BELLINGHAM TECHNICAL COLLEGE
[Filed October 20, 1992, 3:56 p.m.]

Original Notice.

Title of Rule: Adopt all WAC rules for Bellingham Technical College, Title 495B WAC, entitled: Board of trustees, Practice and procedure, Parking and traffic, Student conduct code, Withholding services for outstanding debts, Tuition and fee schedules, Scholarships, Financial aid, Organization, Designation of rules coordinator, Use of college facilities, Use of library—Fines, Access to public records, Family Educational Rights and Privacy Act, Grievance rules—Title IX, Grievance procedures—Handicapped, and State Environmental Policy Act rules.

Statutory Authority for Adoption: RCW 28B.10.140, 42.30.075, and chapter 34.05 RCW.

Statute Being Implemented: Chapter 238, Laws of 1991.

Summary: Adoption of basic set of rules as required for a technical college.

Reasons Supporting Proposal: The technical college currently has no rules in effect.

Name of Agency Personnel Responsible for Drafting: Dennis Kole, AAG, 320 BNB, 103 East Holly, Bellingham, WA 98225, (206) 676-2037; Implementation and Enforcement: Des McArdle, President, BTC, 3028 Lindbergh, Bellingham, WA 98225, (206) 676-7748.

Name of Proponent: Bellingham Technical College, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: To adopt a basic set of rules for a newly-created technical college: Regular meeting, board agenda items, delegation of authority, practice and procedure, student conduct code, withholding services, tuition and fees, scholarships, financial aid, organization, rules coordinator, use of facilities, access to public records, Family Educational Rights and Privacy Act, grievance rules for Title IX and handicapped, SEPA.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Building "G" Conference Room A, Bellingham Technical College, 3028 Lindbergh, Bellingham, WA 98225, on November 30, 1992, at 9:00 a.m.

Submit Written Comments to: Dennis Kole, Assistant Attorney General, 320 BNB, 103 East Holly, Bellingham, WA 98225, by November 30, 1992.

Date of Intended Adoption: December 17, 1992.

October 19, 1992

Dennis A. Kole

Assistant Attorney General

Chapter 495B-104 WAC BOARD OF TRUSTEES

NEW SECTION

WAC 495B-104-010 Time and place of board meetings. The board of trustees shall hold one regular meeting on the third Thursday of each month at 9:00 a.m. and such special meetings as may be requested by the chairman of the board or by a majority of the members of the board and announced in accordance with law.

All regular and special meetings of the board of trustees shall be held at Bellingham Technical College, Building G, 3028 Lindbergh Avenue, Bellingham, WA 98225, unless scheduled elsewhere, and are open to the general public, except for lawful executive sessions.

No official business may be conducted by the board of trustees except during a regular or special meeting.

NEW SECTION

WAC 495B-104-020 Request for items to be placed on board agenda. Anyone, other than a board member or a representative of the president's office wishing an item placed on the agenda of a board meeting, must have a written request in the office of the president no later than twelve o'clock noon five business days before the next scheduled meeting of the board. The president will relate the request to the chairman of the board as soon as feasible. The chairman will determine whether the item is to be placed on the agenda. The chairman or a designee will

notify the individual initiating the request as to whether or not the item will be placed on the agenda.

NEW SECTION

WAC 495B-104-030 Delegation to college president. The board of trustees delegates to the college president its authority and responsibility to administer Bellingham Technical College in accordance with laws, policies, and rules approved or sanctioned by the board of trustees. At the operational level, the president has final administrative authority over all matters affecting the college district.

Chapter 495B-108 WAC PRACTICE AND PROCEDURE

NEW SECTION

WAC 495B-108-010 Adoption of model rules of procedure. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250 are adopted for use at this college. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules previously adopted by this college, the model rules prevail.

NEW SECTION

WAC 495B-108-020 Appointment of presiding officers. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, the president or president's designee shall designate one person to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 495B-108-030 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, among those available under the model rules of procedure.

NEW SECTION

WAC 495B-108-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: 3028 Lindbergh Avenue, Bellingham, WA 98225.

Written application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION

WAC 495B-108-050 Brief adjudicative procedures.

This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are adopted by reference. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings;
- (4) Parking violations;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in college-sponsored events.

NEW SECTION

WAC 495B-108-060 Discovery.

Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer may control the frequency and nature of discovery permitted, and order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 495B-108-070 Procedure for closing parts of the hearings.

Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons in writing within twenty days of receiving the request.

NEW SECTION

WAC 495B-108-080 Recording devices.

No cameras or recording devices are allowed in those parts of proceedings that the presiding officer has determined shall be closed under WAC 495B-108-070, except for the method of official recording selected by the college.

**Chapter 495B-116 WAC
PARKING AND TRAFFIC**

NEW SECTION

WAC 495B-116-010 Purpose for adopting parking and traffic rules.

Under the authority granted RCW 28B.50.140(10), the board of trustees of Bellingham Technical College is granted authority to adopt rules for pedestrian and vehicular traffic upon public lands devoted to, operated by, or maintained by the college. The objectives of these rules are to:

- (1) Protect and control pedestrian and vehicular traffic;
- (2) Assure access at all times for emergency traffic;
- (3) Minimize traffic disturbances during class hours;
- (4) Facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all;

- (5) Regulate the use of parking spaces;
- (6) Protect state-owned property.

NEW SECTION

WAC 495B-116-020 Applicable parking and traffic rules.

(1) All rules in this chapter and all motor vehicle and other traffic laws of the state of Washington apply on the campus.

(2) The traffic code of the city of Bellingham applies upon all lands located within the city of Bellingham.

NEW SECTION

WAC 495B-116-030 Definitions. The definitions set forth in this section apply throughout this chapter.

(1) "Board" means the board of trustees of Bellingham Technical College.

(2) "Campus" means all lands and buildings devoted to, operated by, or maintained by Bellingham Technical College.

(3) "Campus security officer" means an employee of the college who is responsible to the chief business officer.

(4) "College" means Bellingham Technical College.

(5) "Safety and security supervisor" means the college's safety and security supervisor.

(6) "Employee" means an individual appointed to the faculty, staff, or administration of the college.

(7) "Guests or visitors" mean persons who come upon the campus as guests or persons who lawfully visit the campus.

(8) "Continuing permits" mean permits issued to full-time employees for an indefinite period of time.

(9) "Annual permits" mean permits that are valid from the date of issue until the first day of the following fall quarter.

(10) "Temporary permits" mean permits that are valid for a specific period designated on the permit.

(11) "Vehicle" means an automobile, truck, motor-driven cycle, scooter, or any vehicle otherwise powered.

(12) "Full-time student" means a person who is enrolled on campus for six hours per day or more at the college.

(13) "Part-time student" means a person who is enrolled on campus for less than six hours per day at the college.

NEW SECTION

WAC 495B-116-040 Authorization for issuance of permits.

(1) The safety and security supervisor or a designee may issue parking permits to students, employees, and guests upon the following conditions:

(a) When the vehicle is properly registered with the college;

(b) When a permanent or special parking permit is necessary to enhance the business or operation of the college.

(2) Additional permits are available at the current fee schedule to individuals who may be registered to drive any one of several vehicles. Only one vehicle registered to an individual under one permit fee is permitted to park on campus at any one time.

NEW SECTION

WAC 495B-116-050 Vehicle parking permits. (1) All part-time and full-time employees and students of the college shall obtain and display a currently valid parking permit on all vehicles parked or left standing unattended upon the college campus for either day or night classes, in accordance with WAC 495B-116-040.

(2) All persons parking on the campus shall secure and display a currently valid parking permit within five days from their date of registration or from their first day of employment.

NEW SECTION

WAC 495B-116-060 Visitor permits. All guests or visitors (including salespersons and maintenance or service personnel) will park in appropriate parking areas after obtaining a temporary permit from the college information desk.

NEW SECTION

WAC 495B-116-070 Responsibility of person to whom permit is issued. The person to whom a parking permit is issued is responsible for all violations of rules involving the vehicle; however, that responsibility does not relieve the driver of the responsibility for violations of the rules established by this chapter. If a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violations of the campus rules.

NEW SECTION

WAC 495B-116-080 Display of permits. The parking permit issued by the college must be visibly affixed on the rear window of the vehicle for which the permit is issued, on the lower left-hand corner of the window as viewed from the rear of the vehicle. If the vehicle is a convertible or has no rear window the permit must be affixed to the driver side rear bumper or driver side windshield lower corner. Motorcycle permits must be affixed in a conspicuous place.

NEW SECTION

WAC 495B-116-090 Transfer of permits. Parking permits are not transferable. If a vehicle is sold or traded, the new vehicle must be registered with the parking supervisor and the permit will be reissued.

NEW SECTION

WAC 495B-116-100 Permit revocation. Permits are licenses and are the property of the college, and may be revoked for any of the following reasons:

- (1) When the purpose for which the permit was issued changes or no longer exists;
- (2) When a permit is used on an unregistered vehicle or by an unauthorized person;
- (3) Falsification on a vehicle registration application;
- (4) Continued violations of parking and traffic rules;
- (5) Counterfeiting or altering of permits.

NEW SECTION

WAC 495B-116-110 Right to refuse permit. The college chief business officer or a designee reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking record indicates a disregard for the rights or safety of others.

NEW SECTION

WAC 495B-116-120 Appeal of permit revocation or refusal. When a parking permit has been revoked under WAC 495B-116-100 or has been refused in accordance with WAC 495B-116-110 or when a fine or penalty has been levied against a violator of this chapter, that action by the dean of administration or a designee may be appealed in accordance with WAC 495B-116-180.

NEW SECTION

WAC 495B-116-130 Delegation of authority. The authority and powers conferred upon the chief business officer by this chapter are subject to delegation to that individual's subordinates.

NEW SECTION

WAC 495B-116-140 Enforcement. (1) Parking and traffic rules will be enforced at all times.

(2) The chief business officer or a designee is responsible for the enforcement of this chapter.

NEW SECTION

WAC 495B-116-150 Violation of parking and traffic rules. (1) Operators of illegally operated or parked vehicles shall be warned or cited through an appropriate means that they are in violation of this chapter. All fines are payable at the cashier's office.

(2) In instances where violations are repeated, and in the judgment of the safety and security supervisor, with appropriate documented evidence, the vehicle may be impounded.

NEW SECTION

WAC 495B-116-160 Issuance of traffic tickets or summons. (1) The safety and security supervisor or a designee may issue a warning or citation for a violation of these regulations. The warning or citation must set forth the date, the approximate time, permit number, license information, and the nature of violation.

(2) The warning or citation may be served by attaching or affixing a copy in some prominent place outside the vehicle or by personally serving the operator.

NEW SECTION

WAC 495B-116-170 Fines and penalties. The safety and security supervisor or a designee may impose the following fines and penalties for violation of this chapter:

(1) The college shall establish a schedule of fines. The college shall publish the schedule in the college motor vehicle code and on the traffic parking citation form.

(2) Fines will be assessed in accordance with the schedule for the following violations:

- (a) No valid permit displayed;
 - (b) Visitor parking violations;
 - (c) Occupying more than one parking space;
 - (d) Occupying a space or area not designated for parking;
 - (e) Handicapped parking violation;
 - (f) Parking in an area not authorized by a permit;
 - (g) Parking in reserved staff space without authorization;
 - (h) Blocking or obstructing traffic (may be towed if creating a safety hazard);
 - (i) Parking adjacent to a fire hydrant (may be towed if creating a safety hazard);
 - (j) Parking in a fire lane (may be towed if creating a safety hazard);
 - (k) Parking in a zone or area marked no parking;
 - (l) Other violations of college parking traffic rules.
- (3) At the discretion of the chief business officer or a designee, an accumulation of citations by a staff, administrator, or faculty member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

(4) If a student fails or refuses to pay an uncontested fine that has been outstanding in excess of five days, the chief business officer or a designee may initiate the following actions:

- (a) The student may not be able to obtain a transcript of credits until all fines are paid;
 - (b) The student may not receive a degree or certificate until all fines are paid;
 - (c) The student will not be able to register for subsequent quarters until all fines are paid;
 - (d) The student may be denied any further parking permits until all fines are paid.
- (5) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas, may be subject to a fine and may be impounded and taken to a place for storage selected by the safety and security supervisor or a designee. The expenses of the impounding and storage are the responsibility of the registered owner or driver of the vehicle.
- (6) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.
- (7) The college is not liable for loss or damage of any kind resulting from impounding and storage of vehicles.
- (8) Persons may appeal the issuance of a citation according to WAC 495B-116-180.

NEW SECTION

WAC 495B-116-180 Appeal of citations and penalties. (1) Appeals must be made in writing, giving full particulars, including a list of witnesses and evidence expected to be presented, etc.

(2) Appeals must be submitted to the chief business officer within five days from the date of citation (or the right to appeal is waived).

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he or she has five additional days from the

receipt of the decision of the chief business officer to appeal to the parking advisory committee.

NEW SECTION

WAC 495B-116-190 Parking advisory committee. (1) The parking advisory committee shall consist of two student representatives, one faculty representative, one classified representative, one administrator, and the chief business officer or designee as a nonvoting member.

- (2) The committee is responsible for the following:
 - (a) Annually reviewing and recommending necessary changes to the college parking and traffic rules;
 - (b) Receiving and hearing appeals related to parking and traffic violations. All decisions made by the parking advisory committee relative to parking or traffic appeals are final.

NEW SECTION

WAC 495B-116-200 Disclaimer of liability by college. The college assumes no liability under any circumstances for theft or damage occurring to vehicles, bicycles, or their contents. No bailment of any sort is created by the purchase of a parking permit.

NEW SECTION

WAC 495B-116-210 Designation of parking. The parking spaces available on campus may be allocated and designated by the chief business officer or a designee in such a manner as will best achieve the objectives of this chapter.

(1) Special provisions shall be made for physically disabled employees, visitors, students, or their designees. Physically disabled individuals using handicapped parking spaces must display in that vehicle a valid state-issued disabled parking permit or license plate. The safety and security supervisor shall issue permits for temporarily handicapped persons. In addition to the disabled permit, valid college parking permits must be purchased and displayed on the vehicle.

(2) Spaces specifically designated as "visitor" are to be used only by visitors driving vehicles without continuing or annual permits, for a maximum time period of thirty minutes. A temporary permit is not required. Visitors requiring parking for longer than thirty minutes may obtain a temporary permit at the college information desk, and will park in normal undesignated spaces.

(3) The chief business officer or a designee may designate parking spaces for special purposes as deemed necessary.

NEW SECTION

WAC 495B-116-220 Parking within designated spaces. (1) No vehicle may be parked on the campus except in those areas set aside and designated for parking.

(2) No vehicle may be parked so as to occupy any portion of more than one parking space or stall.

NEW SECTION

WAC 495B-116-230 Regulatory signs, markings, barricades, etc. The chief business officer or a designee may make and erect signs, barricades, and other structures and paint marks and other directions upon the streets, entrances, exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained by the college. Drivers or vehicles shall observe and obey all the signs, barricades, structures, markings, and directions for the control and regulation of traffic and parking.

NEW SECTION

WAC 495B-116-240 Speed limit. No vehicle may be operated on the campus at a speed in excess of ten miles per hour, or such slower speed as is reasonable and prudent under the circumstances.

NEW SECTION

WAC 495B-116-250 Pedestrian right of way. (1) The operator of a vehicle shall yield the right of way to any pedestrian. A pedestrian shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall proceed upon the sidewalk or crosswalk.

NEW SECTION

WAC 495B-116-260 Two-wheeled motorcycles or bicycles. (1) All two-wheeled vehicles powered by an engine shall park in areas designated for motorcycles only and will not use spaces assigned to automobiles or bicycles.

(2) Bicycles and other nonengine powered cycles must be parked in bicycle racks where provided. No person may park a bicycle inside a building, by a doorway, on a path, sidewalk, or walkway, or in such a manner as to block or obstruct the normal flow of pedestrian traffic. Bicycles and other nonengine powered cycles parked in violation of this section may be impounded at the owner's risk and expense.

NEW SECTION

WAC 495B-116-270 Report of accidents. (1) The operator of a vehicle involved in an accident on campus resulting in injury or death of a person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report the accident to the college information desk. Accidents occurring after the close of business must be reported the next working day. Within twenty-four hours after the accident, the operator shall file a state of Washington motor vehicle report.

(2) Other minor accidents may be reported to the college information desk for insurance record purposes.

NEW SECTION

WAC 495B-116-280 Disabled or inoperative vehicles—Impounding. (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding

seventy-two hours, without authorization from the chief business officer or a designee.

(2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator of the vehicle.

(3) Notice of intent to impound will be posted on the vehicle and sent by registered mail to the legal owner at least forty-eight hours before it will be impounded.

Chapter 495B-120 WAC STUDENT CONDUCT CODE

NEW SECTION

WAC 495B-120-010 Definitions. The definitions set forth in this section apply throughout this chapter.

(1) "Board" means the board of trustees of Bellingham Technical College.

(2) "College" means Bellingham Technical College.

(3) "Liquor" means the definition of liquor as contained within RCW 66.04.010.

(4) "Drugs" means a narcotic drug as defined in RCW 69.50.101, a controlled substance as defined in RCW 69.50.201 through 69.50.212, or a legend drug as defined in RCW 69.41.010.

(5) "College facilities" means the real property controlled or operated by the college and includes all buildings and appurtenances affixed thereon or attached thereto.

(6) "President" means the chief executive officer of the college appointed by the board of trustees.

(7) "Disciplinary officials" means the hearing committee as denominated in WAC 495B-120-170, the dean of student services, the vice-president for instruction, and the president.

(8) "Student" means a person who is enrolled at the college.

(9) "Disciplinary action" means the warning, probation, expulsion, suspension, or reprimand of a student under WAC 495B-120-120 for the violation of a rule adopted in this chapter.

NEW SECTION

WAC 495B-120-020 Statement of purpose. (1) Bellingham Technical College is maintained by the state of Washington for the provision of programs of instruction in higher education and related community services. Like any other institution having its own special purposes, the college must maintain conditions conducive to the effective performance of its functions. Consequently, it has special expectations regarding the conduct of the various participants in the college community.

(2) Admission to the college carries with it the prescription that the student will conduct himself or herself as a responsible member of the college community. This includes an expectation that the student will obey appropriate laws, will comply with the rules of the college and its departments, and will maintain a high standard of integrity and honesty.

(3) Sanctions for violations of college rules or conduct that interferes with the operation of college affairs will be dealt with by the college, and the college may impose

sanctions independently of any action taken by civil or criminal authorities. In the case of minors, misconduct may be referred to parents or legal guardians.

NEW SECTION

WAC 495B-120-030 Jurisdiction. All rules in this chapter concerning student conduct and discipline apply to every student enrolled at the college whenever the student is engaged in or present at a college-related activity whether occurring on or off college facilities.

NEW SECTION

WAC 495B-120-040 Student misconduct. Disciplinary action may be taken for a violation of any provision of this student code, for a violation of other college rules which may from time to time be properly adopted, or for any of the following types of misconduct:

(1) Smoking is prohibited in all buildings and other areas so posted by college officials;

(2) The possession, use, sale, or distribution of any alcoholic beverage or illegal drug on the college campus is prohibited. The use of illegal drugs by any student attending a college-sponsored event is also prohibited, even though the event does not take place at the college. The use of alcohol by any student attending such events on noncollege property shall conform to state law;

(3) Engaging in lewd, indecent, or obscene behavior;

(4) Where the student presents an imminent danger to college property or to himself or herself or other students or persons in college facilities on or off campus, or to the education process of the college;

(5) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college;

(6) Willful failure or demonstrated inability to comply with school standards regarding academic progress and attendance as set forth in the application for enrollment;

(7) The intentional making of false statements or filing of false charges against the college and members of the college community;

(8) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification with the intent to defraud;

(9) Theft from or damage to college premises or property, or theft of or damage to property of a member of the college community or college premises;

(10) Failure to comply with the direction of college officials acting in the legitimate performance of their duties;

(11) Weapons, explosives, and dangerous chemicals. Illegal or unauthorized use or possession of any device or substance which can be used to inflict bodily harm or to damage real or personal property;

(12) Sexual harassment. Engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where such behavior offends the recipient, causes discomfort or humiliation, or interferes with job or school performance.

NEW SECTION

WAC 495B-120-045 Loss of eligibility—College-sponsored activities. Any student found to have violated chapter 69.41 RCW, legend drugs, by virtue of a criminal conviction or by final decision of the college president shall, in lieu of or in addition to any other disciplinary action which may be imposed, be disqualified from participation in any college-sponsored events or activities.

NEW SECTION

WAC 495B-120-050 Civil disturbances. In accordance with provisions contained in RCW 28B.10.571 and 28B.10.572:

(1) It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of the college who is in the peaceful discharge or conduct of his duties or studies.

(2) It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member or student of the college who is in the peaceful discharge of his duties or studies.

(3) The crimes described in RCW 28B.10.571 and 28B.10.572 shall not apply to any administrator or faculty member who is engaged in the reasonable exercise of their disciplinary authority.

(4) Any person or persons who violate the provisions of subparagraphs (1) and (2) above will be subject to disciplinary action and referred to the authorities for prosecution.

NEW SECTION

WAC 495B-120-060 Free movement on campus. The president is authorized in the instance of any event that he or she deems impedes the movement of persons or vehicles or which he or she deems to disrupt the ingress or egress of persons from the college facilities, to prohibit the entry of, or withdraw the license of, or privileges of a person or persons or any group of persons to enter onto or remain upon any portion of the college facility. The president may act through the dean of student services or any other person he may designate.

NEW SECTION

WAC 495B-120-070 Right to demand identification. For the purpose of determining whether probable cause exists for the application of any section of this code to any behavior by any person on a college facility, any college personnel or other authorized personnel may demand that any person on college facilities produce evidence of student enrollment at the college.

NEW SECTION

WAC 495B-120-080 Academic dishonesty/classroom conduct. (1) Academic dishonesty: Honest assessment of student performance is of crucial importance to all members of the academic community. Acts of dishonesty are serious

breaches of honor and shall be dealt with in the following manner:

(a) It is the responsibility of the college administration and teaching faculty to provide reasonable and prudent security measures designed to minimize opportunities for acts of academic dishonesty which occur at the college.

(b) Any student who, for the purpose of fulfilling any assignment or task required by a faculty member as part of the student's program of instruction, shall knowingly tender any work product that the student fraudulently represents to the faculty member as the student's work product, shall be deemed to have committed an act of academic dishonesty. Acts of academic dishonesty shall be cause for disciplinary action.

(c) Any student who aids or abets the accomplishment of an act of academic dishonesty, as described in subparagraph (b) above, shall be subject to disciplinary action.

(d) This section shall not be construed as preventing an instructor from taking immediate disciplinary action when the instructor is required to act upon such breach of academic dishonesty in order to preserve order and prevent disruptive conduct in the classroom. This section shall also not be construed as preventing an instructor from adjusting the student's grade on a particular project, paper, test, or class grade for academic dishonesty.

(2) Classroom conduct: Instructors have the authority to take whatever summary actions may be necessary to maintain order and proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course.

(a) Any student who, by any act of misconduct, substantially disrupts any college class by engaging in conduct that renders it difficult or impossible to maintain the decorum of the faculty member's class shall be subject to disciplinary action.

(b) The instructor of each course offered by the college is authorized to take such steps as may be necessary to preserve order and to maintain the effective cooperation of the class in fulfilling the objectives of the course; provided that; a student shall have the right to appeal such disciplinary action to the dean of student affairs.

NEW SECTION

WAC 495B-120-090 Campus speakers. (1) Student organizations officially recognized by the college may invite speakers to the campus to address their own membership and other interested students and faculty if suitable space is available and there is no interference with the regularly scheduled program of the college. Although properly allowed by the college, the appearance of such speakers on the campus implies neither approval nor disapproval of them or their viewpoints. In case of speakers who are candidates for political office, equal opportunities shall be available to opposing candidates if desired by them. Speakers are subject to the normal considerations for law and order and to the specific limitations imposed by the state constitution which prohibits religious worship, exercise or instruction on state property.

(2) In order to insure an atmosphere of open exchange and to insure that the educational objectives of the college

are not obscured, the president, in a case attended by strong emotional feeling, may prescribe conditions for the conduct of the meeting, such as requiring a designated member of the faculty as chairman, or requiring permission for comments and questions from the floor. Likewise, the president may encourage the appearance of one or more additional speakers at any meeting or at a subsequent meeting so that other points of view may be expressed. The president may designate representatives to recommend conditions such as time, manner, and place for the conduct of particular meetings.

NEW SECTION

WAC 495B-120-100 Distribution of information. (1) Handbills, leaflets, newspapers and similar materials may be distributed free of charge by any student or students, or by members of recognized student organizations at locations specifically designated by the vice-president of instruction; provided such distribution does not interfere with the ingress or egress of persons or interfere with the instructional process or the free flow of vehicular or pedestrian traffic.

(2) Such handbills, leaflets, newspapers and related matter must bear identification as to the publishing agency and distributing organization or individual.

(3) All nonstudents shall register with the vice-president of instruction prior to the distribution of any handbill, leaflet, newspaper or related matter. Such distribution must not interfere with the instructional process or the free flow of vehicular or pedestrian traffic.

(4) Any person or persons who violate provisions of subparagraphs (1) and (2) above will be subject to disciplinary action.

NEW SECTION

WAC 495B-120-110 Commercial activities. (1) College facilities will not be used for a commercial solicitation, advertising or promotional activities except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship or at the request of the college, or the student association if such solicitation does not interfere with or operate to the detriment of the conduct of college affairs or the free flow of vehicular or pedestrian traffic.

(2) For the purpose of this regulation, the term "commercial activities" does not include handbills, leaflets, newspapers and similarly related materials as regulated in WAC 495B-120-100.

NEW SECTION

WAC 495B-120-120 Disciplinary process. (1) Any infractions of college rules may be referred by any college faculty or staff member to the dean of student services or in his or her absence the vice-president for instruction. That official shall then follow the appropriate procedures for any disciplinary action which he or she deems necessary relative to the alleged misconduct. In addition, a student may appeal

disciplinary action taken by an instructor or faculty member pursuant to the provisions in WAC 495B-120-180.

(2) The disciplinary official may take whatever action deemed appropriate within the framework of these rules. If the student concludes that any sanctions imposed are inappropriate, the student may appeal to the student disciplinary committee.

(3) If a referral or an appeal is made to the student disciplinary committee, the committee shall hold a hearing, reach conclusions and may impose sanctions. If the student concludes that the action of the disciplinary committee is inappropriate, the student may appeal the matter to the president of the college.

(4) The president of the college, after reviewing the case, may reverse, sustain or modify any sanctions which may have been imposed by the student disciplinary committee. The decision of the president is final.

NEW SECTION

WAC 495B-120-130 Disciplinary terms. The definitions set forth in this section apply throughout WAC 495B-120-135 through 495B-120-200.

(1) Disciplinary warning means oral notice of violation of college rules.

(2) Reprimand means formal action after censuring a student for violation of college rules for failure to satisfy the college's expectations regarding conduct. Reprimands are made in writing to the student by the disciplinary official. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one or more serious disciplinary actions described below.

(3) Disciplinary probation means formal action placing conditions upon the student's continued attendance because of violation of college rules or failure to satisfy the college's expectations regarding conduct. The disciplinary official placing the student on probation will specify, in writing, the period of probation and the conditions. Disciplinary probation warns the student that any further misconduct will automatically raise the question of dismissal from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(4) Summary suspension means temporary dismissal from the college and temporary termination of a student's status for a period of time not to exceed ten days which occurs prior to invocation of the formal hearing procedures specified in these rules due to a necessity to take immediate disciplinary action, where a student presents an imminent danger to the college property, or to himself or herself or other students or persons in college facilities on or off campus, or to the educational process of the college.

(5) Suspension means temporary dismissal from the college and temporary termination of student status for violation of college rules or for failure to meet college standards of conduct.

(6) Expulsion means dismissal from the college and termination of student status for violation of college rules or for failure to meet the college standards of conduct for an indefinite period of time or permanently.

NEW SECTION

WAC 495B-120-135 Refunds and access. (1) Refund of fees for the quarter in which disciplinary action is taken shall be in accordance with the college's refund policy.

(2) A student suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of the district, may be denied access to all or any part of the campus or other district facility.

NEW SECTION

WAC 495B-120-140 Readmission after suspension or expulsion. Any student suspended from the college for disciplinary reasons will normally be readmitted upon expiration of the time period for which the suspension was issued. If the student has been expelled or feels that circumstances warrant reconsideration of a temporary suspension prior to its expiration, or if the student was suspended with conditions imposed for readmission, the student may be readmitted following approval of a written petition submitted to the dean of student services. Such petition must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petition must be reviewed and approved by the college president or designee.

NEW SECTION

WAC 495B-120-150 Reestablishment of academic standing. Students who have been suspended pursuant to disciplinary procedures set forth in WAC 495B-120-120 and 495B-120-130 and whose suspension upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

NEW SECTION

WAC 495B-120-160 Disciplinary authority of the dean of student services and vice-president for instruction. (1) The dean of student services or, in his or her absence, the vice-president for instruction of the college, is responsible for initiating disciplinary proceedings for infractions of rules. The dean of student services or, in his or her absence, the vice-president for instruction, may delegate this responsibility to members of their staff and they may also establish committees or other hearing bodies to advise or act for them in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the several sanctions that may be involved for the misconduct.

(3) After considering the evidence in a case and interviewing the student or students involved, the dean of student services, or in his or her absence, the vice-president for instruction, may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students;

(b) Dismiss the case after whatever counseling and advice may be appropriate;

(c) Impose disciplinary sanctions directly, subject to the student's right of appeal as described in this chapter. The student shall be notified in writing of the action taken except that disciplinary warnings may be given verbally;

(d) Refer the matter to the student disciplinary committee for appropriate action. The student shall be notified in writing that the matter has been referred to the committee.

(4) This section shall not be construed as preventing the appropriate official, as set forth in subsection (1) of this section, from summarily suspending a student. In the event of summary suspension, the student will be given oral or written notice of the charges, an explanation of the evidence, and an informal opportunity to present his or her side of the matter. The student will also be given an opportunity to invoke the formal hearing process set forth in this chapter.

NEW SECTION

WAC 495B-120-170 Student disciplinary committee.

(1) The student disciplinary committee, convened for that purpose, will hear, de novo, and make recommendations on all disciplinary cases referred to it by the appropriate authority or appealed to it by students. The committee will be composed of the following persons:

(a) An administrator appointed by the president of the college or a designee;

(b) Two members of the faculty, appointed by the college president or a designee;

(c) Two representatives from the student council, appointed by the college president or a designee;

(d) A counselor appointed by the college president or a designee.

(2) None of the above-named persons shall sit on any case in which he or she is a complainant or witness, in which he or she has a direct or personal interest, or in which he or she has acted previously in an advisory or official capacity. Decisions in this regard, including the selection of alternates, shall be made by the college president or a designee. The disciplinary committee chairperson will be elected by the members of the disciplinary committee.

(3) The committee may decide that the student involved:

(a) Be given a disciplinary warning;

(b) Be given a reprimand;

(c) Be placed on disciplinary probation;

(d) Be given a suspension;

(e) Be expelled;

(f) Be exonerated with all proceedings terminated and with no sanctions imposed;

(g) Be disqualified from participation in any school-sponsored activities.

NEW SECTION

WAC 495B-120-180 Procedural guidelines. (1) The student, if he or she wishes to appeal, has a right to a fair and impartial hearing before the committee on any charge of misconduct. The failure of a student to cooperate with the hearing procedures, however, shall not preclude the committee from making its findings of fact, reaching conclusions and imposing sanctions. Failure of the student to cooperate may be taken into consideration by the committee in recommending penalties.

(2) The student shall be given notice of the date, time and place of the hearing, the charges, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time to permit him to prepare a defense. The notice may be amended at any time prior to the hearing, but if such amendment is prejudicial to the student's case, the hearing shall be rescheduled to a later date if so requested in writing by the student.

(3) The student or his or her representative shall be entitled to hear and examine the evidence against him or her and be informed of the identity of its sources; and shall be entitled to present evidence in his or her own behalf and question witnesses as to factual matters. The rules of evidence need not be applied at this hearing. The student shall have all authority which is possessed by the college to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues at the hearing.

(4) Only those matters presented at the hearing, in the presence of the student involved, will be considered in determining whether the student is guilty of the misconduct charged but the student's past record of conduct may be taken into account in formulating the committee's recommendation for disciplinary action.

(5) The student may be represented by counsel and/or accompanied by an advisor of his choice.

(6) Hearings conducted by the committee may be held in closed session at the discretion of the committee, the only exception being when the student involved invites particular persons or requests an open hearing. If at any time during the conduct of the hearing invited persons are disruptive of the proceedings, the chairperson of the committee may exclude such persons from the hearing room.

(7) A majority of the committee shall set the time, place and available seating capacity for a hearing.

(8) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(9) An adequate summary of the proceedings will be kept. As a minimum, such summary would include a tape recording of testimony. Such record will be available for inspection and copying in the office of student services during regular business hours.

(10) The student will be provided with a copy of the findings of fact and the conclusions of the committee. The student will also be advised of his or her right to present, within ten calendar days, a written statement of appeal to the president of the college before action is taken on the decision of the committee. In the case of an unmarried student under eighteen years of age, written notice of any action involving dismissal or disciplinary probation is sent to the parents or guardian of the student.

(11) The committee chairman shall establish general rules of procedures for conducting hearings consistent with these procedural guidelines.

(12) The president of the college or a designated representative, after reviewing the case, including the report of the committee and any statement filed by the student, shall either indicate his approval of the conclusions of the committee by sustaining its decision, shall give directions as

to what other disciplinary action shall be taken by modifying its decision, or shall nullify previous sanctions imposed by reversing its decision. He or she shall then notify the official who initiated the proceedings, the student and the committee chairperson.

NEW SECTION

WAC 495B-120-190 Appeals. Any disciplinary action may be appealed as described below. Notice of an appeal by a student shall be made in writing and addressed to the dean of student services within ten calendar days of the college's giving of the notice of the disciplinary action. Notice to the student of the disciplinary action shall be deemed complete when the final, written decision is either personally served, or is posted by either certified or registered mail to the address of record as maintained in the enrollment office.

(1) Disciplinary action by a faculty member or other college staff member may be appealed to and, if appealed, shall be reviewed by, the dean of student services, or in his or her absence, the vice-president for instruction.

(2) Disciplinary action by the appropriate disciplinary official may be appealed to and, if appealed, shall be reviewed by the student disciplinary committee.

(3) Disciplinary action by the student disciplinary committee may be appealed to and, if appealed, shall be reviewed by the college president or a designee.

(4) Disciplinary action by the president or designee shall either indicate approval of the conclusions by sustaining the decision or shall give directions as to what other disciplinary action shall be taken by modifying the decision, or shall nullify previous sanctions imposed by reversing its decision. The decision of the president or his or her designee shall be final.

NEW SECTION

WAC 495B-120-200 Reporting, recording and maintaining records. Records of all disciplinary cases shall be kept by the disciplinary official taking or initiating the action. Except in proceedings where the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved, insofar as is reasonably possible, for five years. No other records of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation or not more than five years.

**Chapter 495B-122 WAC
WITHHOLDING SERVICES FOR OUTSTANDING
DEBTS**

NEW SECTION

WAC 495B-122-010 Policy. If any person, including any faculty, staff, student, or former student, is indebted to the institution for an outstanding overdue debt, the college need not provide any further services of any kind to such individual, including but not limited to transmitting files,

records, transcripts or other services which have been requested by such person.

NEW SECTION

WAC 495B-122-020 Notification. (1) Upon receiving a request for services where there is an outstanding debt due to the college from the requesting person, the college shall notify the person by first-class mail that the services will not be provided since there is an outstanding debt due. The person shall be told that until the debt is satisfied, requested services will not be provided.

(2) The letter of notification shall also state that the person has a right to a brief adjudicative proceeding before a person designated by the president of the college. The proceeding must be requested within twenty days of the date of mailing notification of refusal to provide services.

NEW SECTION

WAC 495B-122-030 Procedure for brief adjudicative proceeding. Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the college available for review and shall hold an informal hearing concerning whether the individual in fact owes any outstanding debts to the college. The hearing must be conducted within ten days of the request for a hearing. After the informal hearing, a decision shall be rendered by the president's designee indicating whether in fact the college is correct in withholding services for the outstanding debt. If the outstanding debt is owed by the individual involved, no further services shall be provided. Notification of this decision shall be sent to the individual within five days after the hearing. This hearing shall constitute a brief adjudicative proceeding established by the Administrative Procedure Act at RCW 34.05.482 through 34.05.494.

**Chapter 495B-130 WAC
TUITION AND FEE SCHEDULES**

NEW SECTION

WAC 495B-130-010 Location of schedules. Detailed information and specific amounts to be charged for each category of students will be found in the college catalog and in the following locations on the Bellingham Technical College campus:

- (1) The office of admissions;
- (2) The registration and records office;
- (3) The business office;
- (4) Student services office;
- (5) Financial aid office.

**Chapter 495B-131 WAC
SCHOLARSHIPS**

NEW SECTION

WAC 495B-131-010 Scholarships. Detailed information concerning the criteria, eligibility, procedures for application, and other information regarding scholarships at Bellingham Technical College is located in the financial aid office on the Bellingham Technical College campus.

**Chapter 495B-132 WAC
FINANCIAL AID**

NEW SECTION

WAC 495B-132-010 Financial aid. Federal, state, and private financial aid applications and information may be obtained at the following address:

Office of Financial Aid
Bellingham Technical College
3028 Lindbergh Avenue
Bellingham, WA 98225

Award of federal and state aid will be made in accordance with applicable federal and state laws and regulations.

**Chapter 495B-133 WAC
ORGANIZATION**

NEW SECTION

WAC 495B-133-020 Organization—Operation—Information. (1) Organization. Bellingham Technical College is established in Title 28B RCW as a public institution of higher education. The college is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the college. The president establishes the structure of the administration.

(2) Operation. The administrative office is located at the following address:

Bellingham Technical College
3028 Lindbergh Avenue
Bellingham, WA 98225

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Educational operations are also located at the following addresses:

Commercial Fishing
Harbor Mall No. 17
Bellingham, WA 98225

Fisheries Technology
1800 C Street
Bellingham, WA 98225

(3) Information. Additional and detailed information concerning the educational offerings of the college may be obtained from the catalog, copies of which are available at the following address:

Bellingham Technical College
3028 Lindbergh Avenue
Bellingham, WA 98225

**Chapter 495B-134 WAC
DESIGNATION OF RULES COORDINATOR**

NEW SECTION

WAC 495B-134-010 Rules coordinator. The rules coordinator for Bellingham Technical College as designated by the president is the administrative assistant to the president.

**Chapter 495B-140 WAC
USE OF COLLEGE FACILITIES**

NEW SECTION

WAC 495B-140-010 Use of college facilities. Bellingham Technical College serves Whatcom County by providing continued educational opportunity for its citizens. In keeping with this general purpose, the college believes that facilities should be available for a variety of uses which are of benefit to the general public if such general uses do not interfere with the educational mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes.

NEW SECTION

WAC 495B-140-020 Limitation of use to college activities. (1) When allocating use of college facilities, the highest priority is always given to activities specifically related to the college's mission. No arrangements will be made that may interfere with or operate to the detriment of, the college's own teaching, research, or public service programs. In particular, college buildings, properties, and facilities, including those assigned to student programs, are used primarily for:

(a) The regularly established teaching, research, or public service activities of the college and its departments;

(b) Cultural, educational, or recreational activities of the students, faculty, or staff;

(c) Short courses, conferences, seminars, or similar events, conducted either in the public service or for the advancement of specific departmental professional interests, when arranged under the sponsorship of the college or its departments.

(d) Public events of a cultural or professional nature brought to the campus at the request of college departments or committees and presented with their active sponsorship and active participation;

(e) Activities or programs sponsored by educational institutions, by state or federal agencies, by charitable agencies or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college.

(2) College facilities shall be assigned to student organizations for regular business meetings, social functions and for programs open to the public. Any recognized campus student organization may invite speakers from outside the college community. The appearance of an invited speaker on campus does not represent an endorsement by the college, its students, faculty, administration, or the board of trustees, implicitly or explicitly, of the speaker's views.

(3) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness

of space assigned, time of use, and to insure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Arrangements by both organizations and individuals must be made through the designated administrative officer. Allocation of space shall be made in accordance with college rules and on the basis of time, space, priority of request and the demonstrated needs of the applicant.

(4) The college may restrict an individual's or a group's use of college facilities if that person or group has, in the past, physically abused college facilities. Charges may be imposed for damage or for any unusual costs for the use of facilities. The individual, group or organization requesting space will be required to state in advance the general purpose of any meeting.

NEW SECTION

WAC 495B-140-030 Statement of intentions. The college neither intends nor desires to compete with any local agency or private enterprise in making its facilities available to the community. Privately operated facilities exist which are well qualified to best meet many community needs. The college encourages the community to patronize local businesses or agencies. With this approach, the college will work cooperatively with local private enterprise to the mutual benefit of all concerned.

NEW SECTION

WAC 495B-140-040 General policies limiting use.

(1) College facilities may not be used for purposes of political campaigning by or for candidates who have filed for public office except for student-sponsored activities or forums.

(2) Religious groups shall not, under any circumstances, use the college facilities as a permanent meeting place. Use may be intermittent only.

(3) The college reserves the right to prohibit the use of college facilities by groups which restrict membership or participation in a manner inconsistent with the college's commitment to nondiscrimination as set forth in its written policies and rules.

(4) Activities of a political or commercial nature will not be approved if they involve the use of promotional signs or posters on buildings, trees, walls, or bulletin boards, or the distribution of samples outside the rooms or facilities to which access has been granted.

(5) These rules shall apply to recognized student groups using college facilities.

(6) Handbills, leaflets, and similar materials except those which are commercial, obscene, or unlawful may be distributed only in designated areas on the campus where, and at times when, such distribution will not interfere with the orderly administration of the college affairs or the free flow of traffic. Any distribution of materials as authorized by the designated administrative officer shall not be construed as support or approval of the content by the college community or the board of trustees.

(7) Use of audio amplifying equipment is permitted only in locations and at times which will not interfere with the

normal conduct of college affairs as determined by the appropriate administrative officer.

(8) No person or group may use or enter onto college facilities having in their possession firearms or weapons, except as prescribed by law.

(9) The right of peaceful dissent within the college community will be preserved. The college retains the right to take steps to insure the safety of individuals, the continuity of the educational process, and the protection of property. While peaceful dissent is acceptable, violence or disruptive behavior is not a legitimate means of dissent. Should any person, group or organization attempt to resolve differences by means of violence, the college and its officials need not negotiate while such methods are employed.

(10) Orderly picketing and other forms of peaceful dissent are protected activities on and about the college premises. However, interference with free passage through areas where members of the college community have a right to be, interference with ingress and egress to college facilities, interruption of classes, injury to persons, or damage to property exceeds permissible limits.

(11) Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service related activities), groups must obey or comply with directions of the designated administrative officer or individual in charge of the meeting.

(12) If a college facility abuts a public area or street, and if student activity, although on public property, unreasonably interferes with ingress and egress to college buildings, the college may choose to impose its own sanctions although remedies might also be available through local law enforcement agencies.

NEW SECTION

WAC 495B-140-050 Administrative control. The board hereby delegates to the president authority to set up administrative procedures for the use of college facilities; and to establish rental schedules where appropriate.

NEW SECTION

WAC 495B-140-060 Trespass. (1) Individuals who are not students or members of the faculty or staff and who violate these rules will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his or her designee, to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW.

(2) Members of the college community (students, faculty, and staff) who do not comply with these regulations will be reported to the appropriate college office or agency for action in accordance with these rules.

NEW SECTION

WAC 495B-140-070 Prohibited conduct at college facilities. (1) The use or possession of unlawful drugs or narcotics, not medically prescribed, or of intoxicants on college property or at college functions, is prohibited. Students obviously under the influence of intoxicants, unlawful drugs or narcotics while in college facilities are subject to disciplinary action.

(2) The use of tobacco is prohibited in accordance with health regulations.

(3) Destruction of property is also prohibited by state law in reference to public institutions.

NEW SECTION

WAC 495B-140-080 Control of pets in college facilities. Pets are not permitted in campus buildings or on the grounds except guide or service dogs for the visually or hearing impaired.

NEW SECTION

WAC 495B-140-090 Basis of fee assessment. (1) The basis for establishing and charging use fees reflects the college's assessment of the present market, the cost of operations, and an evaluation of the intended purpose and its relationship to the purposes of this college. The board of trustees has determined that groups or organizations affiliated with the college should be permitted access to facilities at the lowest charge on the fee schedule which may include complimentary use. A current fee schedule is available to interested persons from the business office.

(2) The college does not wish to compete with private enterprise. Therefore, the college reserves the right to deny applications for facility use when the administration and/or the board of trustees feels a commercial facility should be patronized. At no time will facility use be granted for a commercial activity at a rental rate, or upon terms, less than the full and fair rental value of premises used.

NEW SECTION

WAC 495B-140-100 Application procedures. (1) At least seven working days prior to date of intended use of any college facility, an authorized representative of the requesting organization must submit proper and complete written application which may be obtained through the college's office of continuing education. A single application may be sufficient for a series of meetings by an organization unless those meetings vary significantly in some substantive way; if so, separate applications will be required.

(2) Upon approval of the application, an authorized representative of the using organization shall sign the rental agreement. By affixing a signature as representing the using organization, the signatory specifies he or she has authority to enter into agreement on behalf of the organization. If the organization fails to pay the amount due, the signatory becomes responsible for all charges, which may include interest payment for overdue accounts, as specified on the rental form but not less than one percent per month.

(3) For large events, events requiring expenditures on the part of the college, or where significant areas are blocked

out for the renter, a minimum of up to fifty percent advance deposit may be required at the time of application.

(4) The college reserves the right to make pricing changes without prior written notice.

(5) Use of a facility is limited to the facilities specified on the agreement.

(6) The priorities for facility use place primary emphasis on regular college events and activities. The president and the board of trustees reserve the right to cancel any permit and refund any payments for use of college facilities and equipment when they deem such action advisable and in the college's best interests.

(7) In the event of a cancellation of a facility use permit by the applicant, that organization is liable for all college costs and expenses in preparing the facility for its use.

(8) Any admission charge is to be specified and approved by the college.

(9) Organizations using Bellingham Technical College's facilities shall conduct all activities in accordance with applicable local, state, and federal laws including all rules adopted by the Bellingham Technical College board of trustees.

NEW SECTION

WAC 495B-140-110 Supervision during activity. (1) Signatories of the rental agreement, as well as adult organization leaders, are responsible for group conduct and are expected to remain with their group during activities. When the use of special facilities makes it necessary that supervision be provided, the trustees reserve the right to require that a staff member represent the college at any activity on college facilities. Such service shall be paid at the current rate by the organization requesting use of the facility, and does not relieve the organization from safeguarding the college's property.

(2) The security staff, or some other authority of the college, will open and lock all rented facilities. Keys to buildings or facilities will not be issued or loaned on any occasion to any using organization with the exception of keys to designated off-campus locations.

Chapter 495B-168 WAC USE OF LIBRARY—FINES

NEW SECTION

WAC 495B-168-010 Title. WAC 495B-168-010 through 495B-168-060 will be known as the library-media center code of Bellingham Technical College.

NEW SECTION

WAC 495B-168-020 Loans. Materials from the college library-media center are checked out only to the following groups.

(1) All currently registered students of the college;
 (2) All current faculty and administrative staff members;
 (3) All persons currently employed in classified staff positions;

(4) All holders of currently valid courtesy cards. This latter group includes members of the board of trustees, community educators whose work might necessitate usage of

library-media materials, and other individuals who show a particular need for specialized items in the library-media collections which are not available elsewhere;

(5) Students from other institutions with which the college library-media center has a reciprocal lending agreement through a "shared use plan." This group may use materials on a loan basis at the discretion of the circulation supervisor who will determine lending priorities based upon the current usage of individual items by Bellingham Technical College students.

NEW SECTION

WAC 495B-168-030 Fines. In cases where damage or loss of library material occurs, the patron will be assessed the replacement cost. In other instances where library-media materials are retained by the borrower beyond the designated due date, fines will be levied as a sanction to effect the prompt return of items which may be in demand by others. When materials are not returned, or fines not paid, holds are placed on the transcript records of those involved. In extreme cases, when expensive or valuable items are involved, the provisions of RCW 27.12.340 may be invoked.

NEW SECTION

WAC 495B-168-040 Student handbook. Detailed information governing the operation of the library-media center and the rules for loaning books, other print materials and nonprint materials is included in the student handbook of Bellingham Technical College.

NEW SECTION

WAC 495B-168-050 Inspection. The library shall have the right to inspect packages, brief cases, containers, articles, and materials leaving the building to prevent the unauthorized removal of library resources. The inspection may be done by persons or devices designed to detect unauthorized removals.

NEW SECTION

WAC 495B-168-060 Prohibited entry. The library shall have the right to prevent entry of foods and beverages, animals or other things detrimental to the library purpose.

Chapter 495B-276 WAC ACCESS TO PUBLIC RECORDS

NEW SECTION

WAC 495B-276-010 Purpose. The purpose of this chapter is to ensure that Bellingham Technical College complies with the provisions of chapter 42.17 RCW and in particular with those sections of that chapter dealing with public records.

NEW SECTION

WAC 495B-276-020 Definitions. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used

or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds or symbols, combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, disks, drums and other documents.

(3) "Bellingham Technical College" is an agency organized by statute pursuant to RCW 28B.50.040. Bellingham Technical College shall hereafter be referred to as the "district." Where appropriate, the term "district" also refers to the staff and employees of the district.

NEW SECTION

WAC 495B-276-030 Description of central and field organization of Technical College District No. 25. (1) Bellingham Technical College is a state agency established and organized under the authority of chapter 28B.50 RCW for the purpose of implementing the educational goals established by the legislature in RCW 28B.50.020. The administrative office of the district is located on the Bellingham Technical College campus within the city of Bellingham, Washington. The Bellingham Technical College campus likewise comprises the central headquarters for all operations of the district.

(2) The district is operated under the supervision and control of a board of trustees. The board of trustees consists of five members appointed by the governor. The board of trustees normally meets at least once each month, as provided in WAC 495B-104-010. The board of trustees employs a president, an administrative staff, members of the faculty and other employees. The board of trustees takes such actions and promulgates such rules, and policies in harmony with the rules established by the state board for community and technical colleges, as are necessary to the administration and operation of the district.

(3) The president of the district is responsible to the board of trustees for the operation and administration of the district. A detailed description of the administrative organization of the district is contained within the Policies and Procedures Manual for Bellingham Technical College, a current copy of which is available for inspection at the administrative office of the district.

NEW SECTION

WAC 495B-276-040 Operations and procedures. (1) Formal decision-making procedures are established by the board of trustees through rules promulgated in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act.

(2) Informal decision-making procedures at the college, as established by the board of trustees, are set forth in the Policies and Procedures Manual of Bellingham Technical College, a current copy of which is available for inspection at the administrative office of the district.

NEW SECTION

WAC 495B-276-050 Public records available. All public records of the district, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 or other statutes.

NEW SECTION

WAC 495B-276-060 Public records officer. The district's public records shall be in the charge of the public records officer designated by the chief administrative officer of the district. The person so designated shall be located in the district administrative office. The public records officer shall be responsible for the following: Implementation of the district's rules regarding release of public records, coordinating district employees in this regard, and generally ensuring compliance by district employees with the public records disclosure requirements in chapter 42.17 RCW.

NEW SECTION

WAC 495B-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the district. For purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays and holidays established by the college calendar.

NEW SECTION

WAC 495B-276-080 Requests for public records. In accordance with the requirements of RCW 42.17.290 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the district which shall be available at the district administrative office. The form shall be presented to the public records officer or, if the public records officer is not available, to any member of the district's staff at the district administrative office during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the public records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested;
- (f) A verification that the records requested shall not be used to compile a commercial sales list.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer, or person to whom the request is made, to

assist the member of the public in succinctly identifying the public record requested.

NEW SECTION

WAC 495B-276-090 Copying. No fee shall be charged for the inspection of public records. The district may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records and such charges shall not exceed the amount necessary to reimburse the district for its actual costs incident to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate district official. All charges must be paid by money order, cashier's check, or cash in advance.

NEW SECTION

WAC 495B-276-100 Determination regarding exempt records. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 495B-276-080 is exempt pursuant to the provisions set forth in RCW 42.17.310 or other statute. Such determination may be made in consultation with the public records officer, president of the college district, or an assistant attorney general assigned to the district.

(2) Pursuant to RCW 42.17.260, the district reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy or impair a vital governmental interest: *Provided, however,* In each case, the justification for the deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly.

(4) All denials of request for public records must be accompanied by a written statement, signed by the public records officer or his/her designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the public record withheld.

NEW SECTION

WAC 495B-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person demanding prompt review of a decision denying a public record shall be submitted to the president of the district, or his or her designee.

(3) Within two business days after receiving the written request by a person petitioning for a prompt review of a decision denying a public record, the president of the district, or his or her designee, shall complete such review.

(4) During the course of the review the president or his or her designee shall consider the obligations of the district to comply with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 or other pertinent statutes, and the provisions of the statute which require the district to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.

NEW SECTION

WAC 495B-276-120 Protection of public records. Requests for public records shall be made at the administrative office of the district in Bellingham, Washington. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated. Copies of such records may be arranged according to the provisions of WAC 495B-276-090.

NEW SECTION

WAC 495B-276-130 Records index. (1) The district has available for the use of all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated by the district after September 1, 1991:

- (a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
- (b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;
- (c) Administrative staff manuals and instructions to staff that affect a member of the public;
- (d) Planning policies and goals, and interim and final planning decisions;
- (e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and
- (f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index maintained by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 495B-276-140 Adoption of form. The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records the following form:

**REQUEST FOR PUBLIC RECORD TO
BELLINGHAM TECHNICAL COLLEGE**

- (a)
Name (please print) Signature
.....
Name or Organization, if applicable
.....
Mailing Address of Applicant Phone Number
- (b)
Date Request Made Time of Day
Request Made
- (c) Nature of Request
.....
.....
- (d) Identification Reference on Current Index (Please describe)
.....
.....
- (e) Description of Record, or Matter, Requested if not Identifiable by Reference to the Bellingham Technical College Index
.....
.....
- (f) I hereby certify under penalty of perjury under the laws of the state of Washington that these requested records shall not be used to compile a commercial sales list.

DATED this day of , 1992 at , Washington.

Request: APPROVED DENIED Date

By
Name Title

Reasons for Denial:
.....
.....

Referred to Date

By
Name Title

**Chapter 495B-280 WAC
FAMILY EDUCATIONAL RIGHTS AND PRIVACY
ACT**

NEW SECTION

WAC 495B-280-010 General policy. Bellingham Technical College implements the policy contained in this chapter in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and its implementing regulation (34 C.F.R. § 99). Briefly, Bellingham Technical

College is required to provide students with access to their own education records, to permit students to challenge their records on the grounds that they are inaccurate, misleading, or otherwise in violation of the student's privacy or other right, to obtain written consent before releasing certain information and to notify students of these rights.

NEW SECTION

WAC 495B-280-015 Definitions. For the purposes of this policy, the following definitions of terms apply:

(1) "Student" means any individual who is or has been in attendance at Bellingham Technical College and for whom the college maintains education records.

(2) "Education records" are defined as those records, files and documents (in handwriting, print, tapes, film, microfiche or other medium) maintained by Bellingham Technical College which contain information directly related to the individual student. Education records include only the following:

(a) Records pertaining to admission, advisement, registration, grading, and progress toward a degree or certificate that are maintained by the registrar.

(b) Testing information used for advisement purposes by the counseling center.

(c) Information concerning payment of fees as maintained by the registrar.

(d) Financial aid information as collected by the financial aid office.

(e) Information regarding students participating in student government that is maintained by the student programs office.

(3) "Directory Information" means the student's name, address, telephone number, date and place of birth, major field of study, eligibility for and participation in officially recognized activities, organizations, dates of attendance, honor roll, degrees, certificates, and awards received, and the most recent previous educational agency or institution attended by the student. Directory information may be disclosed at the discretion of the college and without the consent of the student unless he or she elects to prevent disclosure as provided for in WAC 495B-280-070.

(4) "Written consent" means a written authorization for disclosure of student education records which is:

(a) Signed by the student, or the legal custodian of the student if the student is a minor;

(b) Dated;

(c) Which specifies the records to be disclosed; and

(d) Which specifies to whom disclosure is authorized.

(5) "Personally identifiable" means data or information which includes: the name of the student, the student's parent(s), or other family members; a personal identifier such as the student's social security number or student number; or a list of personal characteristics which would make the student's identity easily traceable.

NEW SECTION

WAC 495B-280-020 Annual notification of rights. Bellingham Technical College will notify students of their rights under the Family Educational Rights and Privacy Act of 1974 by publication in the college catalog and to new students during the registration process. The college shall

make available upon request a copy of the policy governing release of student records. In addition, the college shall post at conspicuous places on the campus information regarding the existence of this policy and of the availability of copies.

NEW SECTION

WAC 495B-280-030 Procedure to inspect education records. (1) Students may inspect and review their education records upon request to the appropriate college official as designated in WAC 495B-280-110.

(2) Students must submit to the appropriate college official a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

(3) The appropriate college official will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

NEW SECTION

WAC 495B-280-040 Disclosure of education records.

(1) Disclosure of education records. In addition to "directory information" the college may, at its discretion, make disclosures from education records of students to the following listed parties:

(a) College officials including college administrative and clerical staff, faculty, and students officially elected or appointed to the associated students of Bellingham Technical College or employed by the college. Access or release of records to the above is permissible only when the information is required for advisement, counseling, recordkeeping, reporting, or other legitimate educational interest consistent with their specific duties and responsibilities;

(b) To officials of another school in which the student seeks or intends to enroll;

(c) To authorized federal, state, or local officials as required by law;

(d) In connection with financial aid for which the student has applied or received;

(e) To appropriate parties in a health or safety emergency;

(f) To accrediting organizations to carry out their functions;

(g) To parents of an eligible student who claim the student as a dependent for income tax purposes; and

(h) To comply with a judicial order or a lawfully issued subpoena.

(2) The college shall not permit access to or the release of education records or personally-identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the above.

(3) Education records released to third parties shall be accompanied by a statement indicating that the information cannot be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student. The college is not precluded from permitting third party disclosure to other parties listed in (a) through (h) of this subsection.

NEW SECTION

WAC 495B-280-050 Limits on rights to review and inspect and obtain copies of education records. (1) When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.

(2) Bellingham Technical College reserves the right to refuse to permit a student to inspect the following records:

(a) The financial statement of the student's parents;

(b) Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in file before January 1, 1975;

(c) Records connected with an application to attend Bellingham Technical College if that application was denied; and

(d) Those records which are excluded from the Federal Rights and Privacy Act definition of education records.

(3) Bellingham Technical College reserves the right to deny transcripts or copies of records not required to be made available by the Federal Educational Rights and Privacy Act in any of the following situations:

(a) The student has an unpaid financial obligation to the college;

(b) There is an unresolved disciplinary action against the student.

NEW SECTION

WAC 495B-280-060 Record of request and disclosures. (1) The college shall maintain a record of requests for and disclosures of personally identifiable information in the education records of each student. The record maintained under this section shall be available for inspection and review as provided in WAC 495B-280-050.

(2) The college shall maintain the record with the education records of the student as long as the records are maintained.

(3) The record must include:

(a) The names of parties who have received personally-identifiable information;

(b) The interest the parties had in requesting or obtaining the information; and

(c) The names and interests of additional parties to which the reviewing educational agency or institution may disclose or redisclose the information.

(4) The following parties may inspect the record of requests and disclosures relating to a student:

(a) The student;

(b) The college officials who are responsible for the custody of the records; and

(c) Persons authorized to audit the record keeping procedures of the college.

(5) The college is not required to maintain a record if the request was from, or the disclosure was to:

(a) The student;

(b) A school official;

(c) A party with written consent from the student; or

(d) A party seeking directory information.

NEW SECTION

WAC 495B-280-070 Disclosure of directory information. Directory information may be disclosed at the discretion of the college and without the consent of the student unless the student elects to prevent disclosure by filing a written request with the registrar to prevent disclosure. The request continues in effect according to its terms unless revoked in writing by the student.

NEW SECTION

WAC 495B-280-080 Requests for corrections, hearings, adding statements to education records. Students have the right to request to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

(1) A student must submit a written request to amend his or her education record to the appropriate college official responsible for the custody of the record as designated in WAC 495B-280-110. The request must identify the part of the record he/she wants changed and specify why the record is believed to be inaccurate, misleading or in violation of his or her privacy or other rights.

(2) A student whose request for amendment of his or her education record has been denied may request a hearing by submitting a written request to the dean of student services within ten days following the denial. The written request must be signed by the student and shall indicate the reasons why the records should be amended. The dean of student services shall notify the student of the hearing within thirty days after receipt of a properly filed request. In no case will the notification be less than ten days in advance of the date, time and place of the hearing.

(3) The hearing shall be a brief adjudicative proceeding as provided in RCW 34.05.482 and 34.05.485 through 34.05.494 and shall be conducted by the student services or other appropriate committee (the chair of the committee shall be an official of the college who does not have a direct interest in the outcome of the hearing). At the hearing, the student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.

(4) The student services or other appropriate committee will prepare a written decision, within thirty days after the conclusion of the hearing, based solely on the evidence presented at the hearing. The rules of evidence need not be applied at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision. A copy of the decision shall be made available to the student.

(5) If the student services or other appropriate committee decides the information is inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will amend the record and notify the student, in writing, that the record has been amended.

(6) If the student services or other appropriate committee decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the committee will notify the student in writing

that the student has a right to place in the record a rebuttal statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The student's rebuttal statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the contested portion of the education record is disclosed, the statement will also be disclosed.

NEW SECTION

WAC 495B-280-090 Fees for copies. Copies of student records shall be made at the expense of the requesting party at actual cost for copying as posted at the admissions/records office.

NEW SECTION

WAC 495B-280-100 Waiver. A student may waive any of his or her rights under this chapter by submitting a written, signed, and dated waiver to the office of the registrar. Such a waiver shall be specific as to the records and persons or institutions covered. A waiver continues in effect according to its terms unless revoked in writing which is signed and dated.

NEW SECTION

WAC 495B-280-110 Type and location of education records.

| Types | Location | Custodian |
|--|----------------------|-----------------------|
| Admission Records, Cumulative Academic Records, Testing Records, Registration and Payment of Tuition Records | Admission Office | Registrar |
| Student Government Participation Records | Dean of Students | Faculty Advisor |
| Financial Aid Records, Student Employment Records | Financial Aid Office | Financial Aid Manager |

NEW SECTION

WAC 495B-280-120 Remedy for students protected by this act. A student may file a written complaint with the U.S. Department of Education regarding an alleged violation of the Federal Education Rights and Privacy Act. The address is:

Family Policy and Regulations Office
 U.S. Department of Education
 Washington, D.C. 20202

**Chapter 495B-300 WAC
 GRIEVANCE RULES—TITLE IX**

NEW SECTION

WAC 495B-300-010 Preamble. Bellingham Technical College is covered by Title IX of the Civil Rights Act of 1964 prohibiting sex discrimination in education. Any applicant for admission, enrolled student, applicant for employment or employee of Bellingham Technical College

who believes she/he has been discriminated against on the basis of sex may lodge an institutional grievance by following the procedures below.

NEW SECTION

WAC 495B-300-020 Informal procedure. All employees and students should feel free to discuss perceived discrimination with the individual immediately in charge, such as the first-line supervisor or instructor, to see if the situation can be resolved informally. Employees and students may also consult directly with the college affirmative action officer without making a formal written complaint, and this consultation will be considered confidential. Employees and students are not required to use the informal process and may go directly to the formal procedure.

Any college official receiving a discrimination complaint shall contact the affirmative action officer or designee as soon as reasonably convenient. The college official shall arrange for the complainant to receive a copy of the complaint procedure.

NEW SECTION

WAC 495B-300-030 Formal procedure. Step one: Employees and students must make a written complaint concerning discriminatory behavior to the affirmative action officer or designee.

(1) Complaints will be held in confidence. No action against the person accused will be taken on behalf of the complainant unless the complainant consents to be identified to the one accused in connection with the investigation.

(2) The complainant may bring a person of his or her choice to the initial or subsequent complaint meetings.

(3) The affirmative action officer or designee shall give a copy of these regulations and any applicable board policy to the person making the formal complaint and to the accused.

(4) The result of that consultation and any investigation made will be communicated to the complainant before any further action is taken.

(5) An informal hearing may be substituted for investigation if the complainant and the accused agree. The affirmative action officer or designee will be responsible for investigating the complaint and discussing the complaint with the accused. The affirmative action officer will make a written recommendation to the president within a reasonable time following the close of the investigation or hearing.

(6) Appropriate corrective measures will be decided by the president of the college upon consultation with the affirmative action officer and the appropriate administrators or supervisors involved. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through the formal faculty or classified grievance procedures, if they are covered by an agreement, or the student disciplinary code.

(7) Information will be entered in the personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is taken, the affirmative action officer will keep a record of the investigation accessible to the president, the

complainant and the accused for a period of three years and then that record will be destroyed. If a formal complaint is filed with an outside state or federal agency, files will be maintained until the complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

NEW SECTION

WAC 495B-300-040 Other remedies. These procedures outlined in WAC 495B-300-010 through 495B-300-030, are internal college procedures and, as such, serve to resolve complaints within the college's administrative framework. These procedures do not replace an individual's timely complaint with an external agency such as the Office of Civil Rights, Equal Employment Opportunity Commission, or the Washington state human rights commission.

Chapter 495B-310 WAC GRIEVANCE PROCEDURES—HANDICAPPED

NEW SECTION

WAC 495B-310-010 Preamble. Bellingham Technical College is covered by section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of handicap in education. Any applicant for admission, enrolled student, applicant for employment or employee of Bellingham Technical College who believes she/he has been discriminated against on the basis of handicap may lodge an institutional grievance by following the procedures below.

NEW SECTION

WAC 495B-310-020 Informal procedure. All employees and students should feel free to discuss perceived discrimination with the individual immediately in charge, such as the first-line supervisor or instructor, to see if the situation can be resolved informally. Employees and students may also consult directly with the college affirmative action officer or coordinator for disabled student services without making a formal written complaint, and this consultation will be considered confidential. Employees and students are not required to use the informal process and may go directly to the formal procedure.

Any college official receiving a discrimination complaint shall contact the affirmative action officer or designee as soon as reasonably convenient. The college official shall arrange for the complainant to receive a copy of the grievance procedure.

NEW SECTION

WAC 495B-310-030 Formal procedure. Step one: Employees and students must make a written complaint concerning discriminatory behavior to the affirmative action officer or designee.

(1) Complaints will be held in confidence. No action against the person accused will be taken on behalf of the complainant unless the complainant consents to be identified to the one accused in connection with the investigation.

(2) The complainant may bring a person of his or her choice to the initial or subsequent complaint meetings.

(3) The affirmative action officer or designee shall give a copy of these regulations and any applicable board policy to the person making the formal complaint and to the accused.

(4) The result of that consultation and any investigation made will be communicated to the complainant before any further action is taken.

(5) An informal hearing may be substituted for investigation if the complainant and the accused agree. The affirmative action officer or designee will be responsible for investigating the complaint and discussing the complaint with the accused. The affirmative action officer will make a written recommendation to the president within a reasonable time following the close of the investigation or hearing.

(6) Appropriate corrective measures will be decided by the president of the college upon consultation with the affirmative action officer and the appropriate administrators or supervisors involved. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through the formal faculty or classified grievance procedures, if they are covered by an agreement, or the student disciplinary code.

(7) Information will be entered in the personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is taken, the affirmative action officer will keep a record of the investigation accessible to the president, the complainant and the accused for a period of three years and then that record will be destroyed. If a formal complaint is filed with an outside state or federal agency, files will be maintained until the complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

NEW SECTION

WAC 495B-310-040 Other remedies. These procedures, outlined in WAC 495B-310-010 through 495B-310-030, are internal college procedures and, as such, serve to resolve complaints within the college's administrative framework. These procedures do not replace an individual's timely complaint with an external agency such as the Office of Civil Rights, Equal Employment Opportunity Commission, or the Washington state human rights commission.

Chapter 495B-325 WAC STATE ENVIRONMENTAL POLICY ACT RULES

NEW SECTION

WAC 495B-325-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of Bellingham Technical College that all actions taken by the district shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act), chapters 197-11 and 132-24 WAC.

(2) The president of the district or his or her designee shall be responsible for administering and implementing this policy.

**Chapter 419-80 WAC
REAL ESTATE APPRAISALS**

**WSR 92-21-075
PROPOSED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION**

(Division of Savings and Loan Associations)

[Filed October 20, 1992, 4:29 p.m.]

Original Notice.

Title of Rule: Real estate appraisals.

Purpose: To require appraisals by qualified appraisers for certain real estate secured transactions as a measure to help insure that credit unions maintain high quality mortgage loan portfolios.

Statutory Authority for Adoption: RCW 31.12.535.

Statute Being Implemented: RCW 31.12.535.

Summary: The rule provides for state-licensed or state-certified appraisals on all real property loans greater than \$50,000.

Reasons Supporting Proposal: To bring state chartered nonfederally insured credit unions into conformity with other depository-lending institutions.

Name of Agency Personnel Responsible for Drafting and Enforcement: John S. Stanislav, 1400 South Evergreen Park Drive S.W., Suite 100, (206) 753-5597; and Implementation: David Marchetti, 1400 South Evergreen Park Drive S.W., Suite 100, (206) 753-5597.

Name of Proponent: Division of Savings and Loan Associations, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule would require all credit unions to obtain an appraisal from a state licensed or certified appraiser for all real property loans greater than \$50,000. The purpose is to help insure that the collateral securing real property loans has adequate value to limit the credit union's loss in the event of default. The anticipated effect is to provide for safer loans. Another effect is to impose similar reasonable safety and soundness standards on state chartered nonfederally insured credit unions as are being imposed on all federally insured depository institutions.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Room G-150, General Administration Building, 11th and Columbia, Olympia, Washington 98504, on November 24, 1992, at 10:00.

Submit Written Comments to: Division of Savings and Loan Association, P.O. Box 41028, Olympia, WA 98504-1028, by November 24, 1992.

Date of Intended Adoption: November 30, 1992.

October 20, 1992

John S. Stanislav

Supervisor

NEW SECTION

WAC 419-80-010 Definitions. (1) "Appraisal" means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion as to the market value of an adequately-described property as of a specific date(s), supported by the presentation and analysis of relevant market information.

(2) "Appraisal Foundation" means the Appraisal Foundation established on November 30, 1987, as a not-for-profit corporation under the laws of Illinois.

(3) "Appraisal subcommittee" means the appraisal subcommittee of the federal Financial Institutions Examination Council.

(4) "Complex one-to-four family residential property appraisal" means one in which the property to be appraised, the form of ownership, or market conditions are atypical.

(5) "Market value" means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

(a) Buyer and seller are typically motivated;

(b) Both parties are well informed or well advised, and acting in what they consider their own best interests;

(c) A reasonable time is allowed for exposure in the open market;

(d) Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and

(e) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(6) "Real estate" or "real property" means an identified parcel or tract of land, with any improvements, and includes easements, rights of way, undivided or future interests, or similar rights in a tract of land, but does not include mineral rights, growing crops, water rights, or similar interests severable from the land when the transaction does not involve the associated parcel or tract of land.

(7) "Real estate-related financial transaction" means any transaction involving:

(a) The sale, lease, purchase, investment in or exchange of real property, including interests in property, or the financing thereof; or

(b) The refinancing of real property or interests in real property; or

(c) The use of real property or interests in property as security for a loan or investment, including mortgage-backed securities.

(8) "State-certified appraiser" means any individual who has satisfied the requirements for certification in a state or territory whose criteria for certification as a real estate appraiser currently meet the minimum criteria for certification issued by the appraiser qualifications board of the Appraisal Foundation. No individual shall be a state-

certified appraiser unless such individual has achieved a passing grade upon a suitable examination administered by a state or territory that is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraisal qualification board. In addition, the appraisal subcommittee must not have issued a finding that the policies, practices, or procedures of the state or territory are inconsistent with Title XI of FIRREA. This is equivalent to the state-certified general real estate appraiser classification in the state of Washington.

(9) "State-licensed appraiser" means any individual who has satisfied the requirements for licensing in a state or territory where the licensing procedures comply with Title XI of FIRREA and where the appraisal subcommittee has not issued a finding that the policies, practices, or procedures of the state or territory are inconsistent with Title XI. This is equivalent to the state-certified residential real estate appraiser classification in the state of Washington.

(10) "Tract development" means a project of five units or more that is constructed or is to be constructed as a single development.

(11) "Transaction" means any real estate-related financial transaction entered into on or after January 1, 1993, that:

(a) Any Washington state chartered credit union engages in or contracts for;

(b) Requires the services of an appraiser.

(12) "Transaction value" means:

(a) For loans or other extensions of credit, the amount of the loan or extension of credit; and

(b) For sales, leases, purchases, and investments in or exchanges of real property, the market value of the real property interest involved; and

(c) For the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.

NEW SECTION

WAC 419-80-020 Appraisals required. (1) While general financial institution operating practices or other prudent standards may also require an appropriate evaluation of real property collateral, an appraisal performed by a state-certified or state-licensed appraiser in accordance with this chapter is required for all real estate-related financial transactions except those in which:

(a) The transaction value is fifty thousand dollars or less; or

(b) A lien on real property has been taken as collateral solely through an abundance of caution and where the terms of the transaction as a consequence have not been made more favorable than they would have been in the absence of the lien; or

(c) A lease of real estate is entered into, unless the lease is the economic equivalent of a purchase or sale of the leased real estate; or

(d) There is a subsequent transaction resulting from a maturing extension of credit, provided that (i) the borrower has performed satisfactorily according to the original terms; (ii) no new moneys have been advanced; (iii) the credit standing of the borrower has not deteriorated; and (iv) there

has been no obvious and material deterioration in market conditions or physical aspects of the property which would threaten the institution's collateral protection; or

(e) A regulated institution purchases a loan or interest in a loan, pooled loans or interests in real property, including mortgage-backed securities, provided that the appraisal prepared for each pooled loan or real property interest met the requirements of this chapter, if applicable, at the time of origination.

(2) Any transaction for which a state-certified or state-licensed appraiser is not required must have an appropriate evaluation of real property collateral that is consistent with the principles of safety and soundness.

NEW SECTION

WAC 419-80-030 Transactions for which a state-certified appraiser is required. The following transactions require a state-certified appraiser:

(1) All transactions having a transaction value of one million dollars or more.

(2) All transactions having a transaction value of more than fifty thousand dollars, other than those involving appraisals of one-to-four family residential properties, shall require an appraisal prepared by a state-certified appraiser.

(3) All complex one-to-four family residential property appraisals rendered in conjunction with transactions shall require a state-certified appraiser if the transaction value is two hundred fifty thousand dollars or more. A regulated institution may presume that appraisals of one-to-four family residential properties are not complex, unless the institution has readily available information that a given appraisal will be complex. The regulated institution shall be responsible for making the final determination of whether the appraisal is complex. If, during the course of the appraisal, a licensed appraiser identifies factors that would result in the property, form of ownership, or market conditions being considered atypical, then either:

(a) The regulated institution may ask the licensed appraiser to complete the appraisal and have a certified appraiser approve and co-sign the appraisal; or

(b) The institution may engage a certified appraiser to complete the appraisal.

(4) Valuation requirement. Secured transactions exempted from appraisal requirements pursuant to WAC 419-80-020(1) and not otherwise exempted from this chapter shall be supported by a written estimate of market value, as defined in this chapter, performed by an individual having no direct or indirect interest in the property, and qualified and experienced to perform such estimates of value for the type and amount of credit being considered.

NEW SECTION

WAC 419-80-040 Transactions for which either a state-certified or state-licensed appraiser is required. All transactions for which an appraisal is required but which does not require a state-certified appraiser shall be performed by either a state-certified appraiser or state-licensed appraiser.

NEW SECTION

WAC 419-80-050 Appraisal standards. (1) Minimum standards. Where appraisals are required pursuant to this chapter, all such appraisals shall, at a minimum:

(a) Conform to the uniform standards of professional appraisal practice ("USPAP") adopted by the appraisal standards board of the Appraisal Foundation, except that the departure provision of the USPAP shall not apply;

(b) Be based upon the definition of market value as set forth in WAC 419-80-010;

(c)(i) Be written and presented in a narrative format, or on forms, that satisfy all the requirements of this section; (ii) be sufficiently descriptive to enable the reader to ascertain the estimated market value and the rationale for the estimate; and (iii) provide detail and depth of analysis that shall reflect the complexity of the real estate appraised;

(d) Analyze and report in reasonable detail any prior sales of the property being appraised that occurred within the following time periods:

(i) For one-to-four family residential property, one year preceding the date when the appraisal was prepared; and

(ii) For all other property, three years preceding the date when the appraisal was prepared;

(e) Analyze and report data on current revenues, expenses, and vacancies for the property if it is and will continue to be incoming-producing;

(f) Analyze and report a reasonable marketing period for the subject property;

(g) Analyze and report on current market conditions and trends that will affect projected income or the absorption period, to the extent they affect the value of the subject property;

(h) Analyze and report appropriate deductions and discounts for any proposed construction, or any completed properties that are partially leased, any properties that are partially leased or leased at other than market rents, as of the date of the appraisal, or any tract developments with unsold units;

(i) Include in the certification required by the USPAP an additional statement that the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan;

(j) Contain sufficient supporting documentation with all pertinent information reported so that the appraiser's logic, reasoning, judgment, and analysis in arriving at a conclusion indicates to the reader the reasonableness of the market value reported;

(k) Include a legal description of the real estate being appraised, in addition to the description required by the USPAP;

(l) Identify and separately value any personal property, fixtures, or intangible items that are not real property but are included in the appraisal, and discuss the impact of their inclusion, or exclusion, on the estimate of market value; and

(m) Follow a reasonable valuation method that addresses the direct sales comparison, income, and cost approaches to market value, reconciles those approaches, and explains the elimination of each approach not used.

(2) Unavailability of information. If information required or deemed pertinent to the completion of an

appraisal is unavailable, that fact shall be disclosed and explained in the appraisal.

(3) Additional standards. Nothing contained herein shall prevent a regulated institution from requiring additional appraisal standards if deemed appropriate.

NEW SECTION

WAC 419-80-060 Appraiser independence. (1) Staff appraisers. If an appraisal is prepared by a staff appraiser, that appraiser must be independent of the lending, investment, and collection functions and not involved, except as an appraiser, in the transaction, and have no direct or indirect interest, financial or otherwise, in the property. If the only qualified persons available to perform an appraisal are involved in the lending, investment, or collection functions of the credit union, the credit union shall take appropriate steps to ensure that the appraisers exercise independent judgment and that appraisal is adequate. Such steps include, but are not limited to, prohibiting an individual from performing an appraisal in connection with transactions in which the appraiser is otherwise involved and prohibiting directors and officers from participating in any vote or approval involving assets on which they performed an appraisal.

(2) Fee appraisers. If an appraisal is prepared by a fee appraiser, the appraiser shall be engaged directly by the credit union or its agent, and have no direct or indirect interest, financial or otherwise, in the property or transaction. A credit union may accept an appraisal that was prepared by an appraiser engaged by another institution subject either to this chapter or to Title XI of FIRREA, if the credit union that accepts the appraisal has:

(a) Established procedures for review of real estate appraisals;

(b) Reviewed the appraisal under the established review procedures, finding the appraisal acceptable; and

(c) Documented the review in writing.

NEW SECTION

WAC 419-80-070 Professional association membership—Competency. (1) A state-certified appraiser or a state-licensed appraiser may not be excluded from consideration for an assignment for a transaction solely by virtue of membership or lack of membership in any particular appraisal organization.

(2) All staff and fee appraisers performing appraisals in connection with transactions must be state-certified or state-licensed as appropriate. However, a state-certified or state-licensed appraiser may not be considered competent for any particular assignment solely by virtue of being certified or licensed. Any determination of competency shall be based upon the individual's experience and educational background as they relate to the particular appraisal assignment for which he or she is being considered.

WSR 92-21-076
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD
 [Filed October 20, 1992, 4:42 p.m.]

Original Notice.

Title of Rule: WAC 251-10-030 Layoff.

Purpose: Rule specifies options available to employees scheduled for layoff.

Statutory Authority for Adoption: RCW 28B.16.100.

Statute Being Implemented: Chapter 28B.16 RCW.

Summary: Rule specifies layoff options to employees scheduled for layoff.

Reasons Supporting Proposal: Modifications to rule clarify that layoff options must be ones for which the employee meets any specific position requirements.

Name of Agency Personnel Responsible for Drafting: Kris Brophy, 1202 Black Lake Boulevard, Olympia, WA, 753-3819; Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, Olympia, WA, 753-3730.

Name of Proponent: Higher Education Personnel Board staff, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Modifications to rule clearly specify that the layoff options made available to an employee must be ones for which he/she meets any specific position requirements.

Proposal Changes the Following Existing Rules: Proposal clarifies the layoff options available to employees scheduled for layoff.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: University of Washington, Terry-Lander Hall, Seattle, Washington, on December 3, 1992, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, P.O. Box 40918, Olympia, WA 98504-0918, by December 2, 1992.

Date of Intended Adoption: December 3, 1992.

October 20, 1992

John A. Spitz
Director

AMENDATORY SECTION (Amending Order 174, filed 11/1/88)

WAC 251-10-030 Layoff. (1) An appointing authority may layoff or reduce the number of working hours or the work year of an employee without prejudice because of lack of funds or lack of work.

(2) Each institution shall develop for approval by the director a layoff procedure based upon layoff seniority as defined in WAC 251-01-245, to include as a minimum:

(a) Clearly defined layoff unit(s), in order to minimize the disruption of an institution's total operation, and

(b) Provision for veterans preference for eligible veterans and their unmarried widows/widowers as defined in WAC 251-10-045.

(3) A permanent status employee scheduled for layoff shall receive written notice of any available options in lieu

of layoff as provided in subsections (5) and (6) of this section. The employee shall be given no less than three working days to select an option, if available, or to elect to be laid off and/or be placed on the appropriate institution-wide layoff list(s).

(4) Written notice of at least fifteen calendar days must be given to the employee after he/she has selected one of the options or upon completion of the option period.

(5) Within the layoff unit, a permanent status employee scheduled for layoff shall be offered employment options to ~~((comparable))~~ position(s) ~~(, as determined by the personnel officer, in):~~

(a) For which he/she meets any specific position requirements;

(b) Which are comparable, as determined by the personnel officer; and

(c) Which are in:

(i) Class(es) in which the employee has held permanent status which have the same or lower salary range maximum as the current class;

~~((b))~~ (ii) Lower class(es) in those same class series for which the employee is qualified.

The employee may exercise either option subsection (5)~~((a))~~(c)(i) or ~~((b))~~ (ii) of this section provided that the employee being replaced is the least senior in a comparable position in the class and has less layoff seniority than the employee replacing him/her. A vacant position, if available, should be considered to be the position in the class held by the least senior person. The employee may elect to have access to less-than-comparable positions by so notifying the personnel officer in writing.

(6) Except as provided in WAC 251-10-035, a permanent employee scheduled for layoff who has no options available under subsection (5) of this section shall be offered position(s) as follows:

(a) The personnel officer will offer in writing not less than three positions from among the highest available classes (unless the total available is less than three); provided that any position(s) offered must be:

(i) At the same level or lower than the class from which the employee is being laid off; and

(ii) Vacant or held by a provisional, temporary, or probationary employee; and

(iii) In a class for which the employee being laid off meets the minimum qualifications and can pass the appropriate qualifying examination.

(b) The employee will be required to indicate within three working days his/her interest in a specific class(es) so that the personnel officer may schedule the appropriate examination(s).

(c) Upon satisfactory completion of the examination(s) the employee will be offered option(s) to specific position(s), including salary information.

(d) Employees appointed to positions through provisions of this subsection will be required to serve a trial service period.

(7) In order to be offered a layoff option or return from layoff to a position for which specific position requirements have been documented in accordance with WAC 251-18-255(1), the employee must demonstrate a satisfactory level of knowledge, skill, or ability on the specific position requirements.

(8) In a layoff action involving a position for which a particular sex is a bona fide occupational requirement, as approved by the Washington state human rights commission, the most senior employee meeting the occupational requirements may be retained in the position over more senior employees in such class who do not meet the occupational requirement.

(9) When it is determined that layoffs will occur within a unit, the personnel officer will:

(a) Provide a copy of the institution's reduction in force procedure to all employees subject to layoff;

(b) Advise each employee in writing of available options in lieu of layoff;

(c) Advise each employee in writing of the specific layoff list(s) upon which he/she may be placed as required per WAC 251-10-055 and 251-10-035;

(d) Provide information about the process by which the employee may make application for state-wide layoff lists, as required per WAC 251-10-060(7);

(e) Advise each employee in writing of the right to appeal his/her layoff to the board per WAC 251-12-080.

(10) Layoff actions for employees of special employment programs as identified in WAC 251-19-150 shall be administered as provided in WAC 251-10-035.

WSR 92-21-077
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD
 [Filed October 20, 1992, 4:44 p.m.]

Original Notice.

Title of Rule: WAC 251-01-075 Competitive service; 251-01-120 Eligible; 251-01-147 Examination process; and 251-01-350 Rating guide.

Purpose: Rules define terms related to recruitment and examination rules in chapter 251-17 WAC.

Statutory Authority for Adoption: RCW 28B.16.100.

Statute Being Implemented: Chapter 28B.16 RCW.

Summary: Modifications clarify terms used in examination rules and add a definition of the examination process.

Reasons Supporting Proposal: Modifications distinguish between the examination process which can be appealed and the final decision of the hiring official which is not appealable.

Name of Agency Personnel Responsible for Drafting: Kris Brophy, 1202 Black Lake Boulevard, Olympia, WA, 753-3819; Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, Olympia, WA, 753-3730.

Name of Proponent: Higher Education Personnel Board staff, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Modifications distinguish between the examination process which can be appealed, and the final decision of the

hiring official which is not appealable. Modifications will help reduce inappropriate appeals.

Proposal Changes the Following Existing Rules: Modifications clarify the definitions related to recruitment and examination rules in chapter 251-17 WAC, and formally define the examination process.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: University of Washington, Terry-Lander Hall, Seattle, Washington, on December 3, 1992, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, P.O. Box 40918, Olympia, WA 98504-0918, by December 2, 1992.

Date of Intended Adoption: December 3, 1992.

October 20, 1992

John A. Spitz

Director

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-075 Competitive service. All positions in the classified service for which a competitive examination is required ~~((as a condition precedent to))~~ before appointment.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-120 Eligible. An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has ~~((been admitted to and))~~ passed the examination ~~((and))~~, and has met all requirements for eligibility as stated ~~((and))~~ in the ~~((bulletin board posting))~~ recruitment notice; or an applicant for a position in the noncompetitive service who has met all requirements for eligibility as stated ~~((and))~~ in the ~~((bulletin board posting))~~ recruitment notice.

NEW SECTION

WAC 251-01-147 Examination process. The process used to administer and score examinations. It ends when applicants are notified of their examination results and does not include certification for positions or the actions of employing officials regarding certified eligibles.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-350 Rating guide. A ~~((written))~~ document which ~~((outlines the way in which))~~ states how ratings are assigned to applicants' experience, training, or other qualifications on each ~~((job element in an))~~ examination element. ~~((It specifies the range of ratings to be given for each job element and gives examples of the experience, training, or other qualifications that will be used to assign ratings.))~~

**WSR 92-21-078
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD**
[Filed October 20, 1992, 4:46 p.m.]

Original Notice.

Title of Rule: WAC 251-12-072 Appeal from eligibility determinations.

Purpose: Rule outlines appeal rights available to applicants.

Statutory Authority for Adoption: RCW 28B.16.100.

Statute Being Implemented: Chapter 28B.16 RCW.

Summary: Rule specifies appeal rights of applicants.

Reasons Supporting Proposal: Modification to rule creates consistency with proposed modifications to chapter 251-17 WAC, specifically the appeal process.

Name of Agency Personnel Responsible for Drafting: Kris Brophy, 1202 Black Lake Boulevard, Olympia, WA, 753-3819; Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, Olympia, WA, 753-3730.

Name of Proponent: Higher Education Personnel Board staff, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Rule proposal states the appeal rights of applicants that are detailed in WAC 251-17-170. Proposal clarifies that applicants have initial appeal rights to the Higher Education Personnel Board director. Proposal will reduce recordkeeping related to examination appeals.

Proposal Changes the Following Existing Rules: Eliminates the requirement for the Higher Education Personnel Board to assign examination appeals to the director.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: University of Washington, Terry-Lander Hall, Seattle, Washington, on December 3, 1992, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, P.O. Box 40918, Olympia, WA 98504-0918, by December 2, 1992.

Date of Intended Adoption: December 3, 1992.

October 20, 1992

John A. Spitz

Director

AMENDATORY SECTION (Amending Order 164, filed 12/30/87, effective 2/1/88)

WAC 251-12-072 Appeals from eligibility determinations. An applicant may appeal the following ~~((actions))~~ to the director in ((accord)) accordance with the provisions of WAC 251-17-170:

- (1) Rejection of his/her application; or
- (2) The results of the institutional examination review ~~((process))~~; or
- (3) The conduct of the ~~((selection))~~ examination process and/or his/her examination results; or
- (4) Failure to restore his/her name to an eligible list following the institutional review ~~((process))~~; or

(5) Removal of his/her name from an eligible list for reasons other than those specified in WAC 251-18-200(2).

**WSR 92-21-079
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD**
[Filed October 20, 1992, 4:48 p.m.]

Original Notice.

Title of Rule: Chapter 251-17 WAC, Recruitment—Examination.

Purpose: Establishes the basis and procedures to be followed for recruitment and examination at institutions under the jurisdiction of the Higher Education Personnel Board.

Statutory Authority for Adoption: RCW 28B.16.100.

Statute Being Implemented: Chapter 28B.16 RCW.

Summary: Modifications clarify and simplify the examination appeal process.

Reasons Supporting Proposal: Proposal clarifies and simplifies the examination appeal process.

Name of Agency Personnel Responsible for Drafting: Kris Brophy, 1202 Black Lake Boulevard, Olympia, WA, 753-3819; Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, Olympia, WA, 753-3730.

Name of Proponent: Higher Education Personnel Board staff, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Rule proposal simplifies the examination appeal process. The modifications will also clarify the appeals process and result in less appeals relating to the final decision which is not appealable.

Proposal Changes the Following Existing Rules: Proposal changes the examination appeal process.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: University of Washington, Terry-Lander Hall, Seattle, Washington, on December 3, 1992, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, P.O. Box 40918, Olympia, WA 98504-0918, by December 2, 1992.

Date of Intended Adoption: December 3, 1992.

October 20, 1992

John A. Spitz

Director

AMENDATORY SECTION (Amending Order 165, filed 12/30/87, effective 2/1/88)

WAC 251-17-040 Noncompetitive service. ~~((t))~~ All classes at an institution shall be considered to be in the competitive service unless a class has been specifically approved by the director to be in the noncompetitive service at that institution.

~~((2) For a class to be considered for approval for the noncompetitive service, the personnel officer must comply with the procedures established by the director and approved by the board for granting such approval.)~~

AMENDATORY SECTION (Amending Order 165, filed 12/30/87, effective 2/1/88)

WAC 251-17-060 Recruitment notices—Required content. Official institutional recruitment notices (not to include ~~((media))~~ advertisements or other supplemental publicity) shall contain the following information:

(1) For promotional examinations, a statement that the examination is open only to organizational unit and/or institution-wide promotional applicants.

(2) The title of the HEPB classification for which the list is open.

(3) The salary range for the class.

(4) Any conditions of employment for the class or position(s).

(5) The closing date of the recruitment notice, i.e., the specific date and time by which applications must be received by the personnel officer.

~~((When the recruitment notice is to be widely distributed,))~~ A statement of the specific locations at which correct or extended recruitment notices will be displayed.

(7) A brief description of the duties of the class and, if applicable, the duties of the specific position(s).

(8) The minimum qualifications of the classification, if any; and a statement that applicants must meet the minimum qualifications to apply for the position, and that meeting the minimum qualifications does not guarantee a passing or competitive score on the examination.

(9) When applicable, a statement regarding the use of a combined list per WAC 251-18-180(10).

(10) When applicable, a statement that supplemental certification may be utilized in accordance with an approved affirmative action program, as provided in WAC 251-23-060.

(11) When applicable, a statement that certification for specific position requirements per WAC 251-18-255 may be utilized.

(12) When applicable per WAC 251-17-090(3), the minimum number of most ~~((highly))~~ qualified applicants who will be admitted to each phase of the examination ~~((other than))~~ after the initial screening ~~((or other initial))~~ phase, provided that at least this number of applicants pass the initial phase~~((s))~~ of the examination.

~~((13) For classes in the approved noncompetitive service of the institution:~~

~~(a) That applicants will be placed on the list(s) in the order in which they complete making proper application for the class.~~

~~(b) The number of applicants who will be placed on the eligible list(s).)~~

AMENDATORY SECTION (Amending Order 165, filed 12/30/87, effective 2/1/88)

WAC 251-17-070 Application materials—Distribution to applicants. The following materials shall be provided to ~~((job))~~ applicants when they apply for a ~~((specific))~~ recruitment:

(1) The institution's application form as prescribed in WAC 251-17-100(1).

(2) ~~((The institution's examination information for job applicants))~~ A document which explains ~~((the HEPB job element examination system and))~~ the examination process used at ~~((that))~~ the institution.

~~((3))((a) The supplemental application for the class or position when it is the screening phase of the examination or (b) a brief statement of the examination elements for the class or position if the screening phase of the examination is not a supplemental application.))~~ Identification of the examination elements used in the initial screening phase.

AMENDATORY SECTION (Amending Order 165, filed 12/30/87, effective 2/1/88)

WAC 251-17-160 Examination results—Notification~~((—Institutional review))~~. ~~((1))~~ The personnel officer shall:

~~((a) Provide))~~ (1) Give each applicant ~~((with))~~ written notice of his/her ~~((final status in the))~~ examination ~~((process))~~ results, normally within fifteen calendar days after the eligible list is established; and

~~((b))~~ (2) Inform each applicant that within fifteen calendar days of service of his/her notice, he/she may submit a request, in writing, of a review of the action by the personnel officer(;) and of his/her subsequent appeal rights.

~~((c) Inform each applicant of his/her appeal rights per WAC 251-17-170 (1)(c).))~~

(2) Applicants' final status in the examination process shall consist of one of the following:

(a) Application was rejected for good and sufficient reason in accordance with WAC 251-17-130.

(b) Applicant failed the screening or intermediate phase(s) of the examination.

(c) Applicant was not among the most highly qualified applicants to be admitted to subsequent phase(s) of the examination.

~~((d) Applicant failed the final phase of the examination.~~

~~((e) Applicant was placed on the appropriate eligible list in accordance with WAC 251-18-180.~~

(3) Within thirty calendar days after receiving a request for review as provided in subsection (1)(b) of this section, the personnel officer will provide the applicant with written notice of the results of the review and of appeal rights as provided in WAC 251-17-170 (1)(b).))

NEW SECTION

WAC 251-17-165 Institutional review—Notification.

Within thirty calendar days after receiving a written request for review as provided in WAC 251-17-160(2), the personnel officer will give the applicant written notice of the results of the institutional review and of appeal rights as provided in WAC 251-17-170.

AMENDATORY SECTION (Amending Order 165, filed 12/30/87, effective 2/1/88)

WAC 251-17-170 Examination—Eligibility—Right of appeal. (1) A person shall have the right to appeal the following to the ~~((higher education personnel board as provided in subsection (2) of this section))~~ director:

- (a) Rejection of his/her application; or
- (b) The results of the institutional ~~((examination))~~ review ~~((process per WAC 251-17-160 (1)(b)))~~; or
- (c) The conduct of the ~~((selection))~~ examination process and/or his/her examination results; or
- (d) Failure to restore his/her name to an eligible list following the institutional review process per WAC 251-18-200(4); or
- (e) Removal of his/her name from an eligible list for reasons other than those specified in WAC 251-18-200(2).

~~(2) ((Any employee or employee representative may appeal an alleged failure to follow the provisions of WAC 251-17-010 (1) through (8) in accordance with WAC 251-12-075.))~~ A person shall not have the right to appeal the decisions of employing officials regarding consideration and/or hiring of correctly certified candidates.

(3) Such appeal must be in writing and filed in the office of the director within thirty calendar days after either service of the results of the institutional review or the effective date of the action appealed. ~~((The director shall forward the written notice of appeal to the board which shall determine that one of the following actions be taken:~~

~~(a) The case may be handled in the same manner as appeals from demotion, suspension, layoff, reduction, or dismissal, as provided in WAC 251-12-080 through 251-12-260, except for WAC 251-12-110; or~~

~~(b))~~ The director ~~((may))~~ shall investigate the case and issue a determination.

~~((i))~~ (4) When the appellant is a classified employee, within thirty calendar days of the date of service of the determination to the appellant and the institution, either party may file written exceptions with the board detailing the specific items of the determination to which exception is taken. A hearing on the exceptions will be scheduled before the board which may limit argument to the exceptions or may rehear the case in its entirety~~((;))~~.

~~((ii))~~ (5) When the appellant is not a classified employee, the director's determination shall be final and binding~~((; or))~~.

~~((c) Both parties to the appeal may be requested to submit evidence upon which the board may take action without a hearing.))~~ (6) Any employee or employee representative may appeal an alleged failure to follow the provisions of WAC 251-17-010 (1) through (8) in accordance with WAC 251-12-075.

AMENDATORY SECTION (Amending Order 165, filed 12/30/87, effective 2/1/88)

WAC 251-17-200 Modification of minimum qualifications. ~~((i))~~ When a vacancy exists and active and reasonable recruiting efforts fail to establish an eligible list for the class, the personnel officer may request that the director modify the minimum qualifications. If satisfied that reasonable effort has been made to recruit at the established minimum qualifications, the director may modify the minimum qualifications for that recruiting cycle on a one-time basis. On approval, the personnel officer shall initiate recruiting at the reduced minimum qualifications.

~~((2) In order to make a reasonable accommodation for a person of disability as defined in WAC 251-01-285, the personnel officer may request that the director waive the~~

~~minimum qualifications for the purpose of admitting the employee or applicant to the examination.~~
~~(3) Action of the director pursuant to this section will be reported to the board at the next regular meeting.))~~

WSR 92-21-081

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 92-44—Filed October 21, 1992, 8:59 a.m.]

Continuance of WSR 92-15-109.

Title of Rule: WAC 173-19-3514 City of Tacoma shoreline master program.

Purpose: Continue adoption date from October 20, 1992, to November 10, 1992.

Date of Intended Adoption: November 10, 1992.

October 15, 1992

Carol Jolly

Special Assistant

to the Director

WSR 92-21-082

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 92-39—Filed October 21, 1992, 9:03 a.m.]

Continuance of WSR 92-20-068.

Title of Rule: WAC 173-19-450 Whatcom County shoreline master program.

Purpose: To continue adoption date from October 20, 1992, to December 2, 1992.

Date of Intended Adoption: December 2, 1992.

October 20, 1992

Carol Jolly

Special Assistant

WSR 92-21-083

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-55—Filed October 21, 1992, 9:08 a.m.]

Original Notice.

Title of Rule: Amending WAC 173-433-100, 173-433-110 and 173-433-170, solid fuel burning devices.

Purpose: To consider a substantive change to the amendments filed under WSR 92-09-035. The amendments increase the retail sales fee to \$30, remove exemption of masonry fireplace and implement the new Clean air Washington standard for emissions.

Statutory Authority for Adoption: Chapter 70.94 RCW, 501-506 ESHB 1028 (1991).

Statute Being Implemented: Chapter 70.94 RCW, ESHB 1028 (1991).

Summary: The substantive change would authorize enforcement of the 20% opacity standard in nonresidential buildings that are using solid fuel burning devices.

Reasons Supporting Proposal: To reduce air pollution and provide additional revenue for education and enforcement.

Name of Agency Personnel Responsible for Drafting: Paul Carr, 4550 3rd Avenue, Lacey, WA, (206) 438-7777; **Implementation and Enforcement:** Joe Williams, 4550 3rd Avenue, Lacey, WA, (206) 459-6255.

Name of Proponent: Washington State Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The supplemental change authorizes enforcement of opacity standards in all buildings using solid fuel burning devices. Amendments to reduce air pollution by requiring sale, installation and use of solid fuel burning devices that meet state requirements, increase public awareness, raise additional revenue, remove the exemption of masonry fireplaces from collection of the retail sales fee, and specify new standards for stoves and fireplaces. Anticipated effects include cleaner air and additional revenue.

Proposal Changes the Following Existing Rules: Increases fee from \$15 to \$30 of retail sale of solid fuel burning devices. Removes exemption from retail fee of masonry fireplaces. Adds a 10% opacity level for educational purpose. Implements new emission performance standards for solid fuel burning devices.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The woodstove rule amendment modifies the performance standards for woodstoves, changes the opacity standards, and increases the retail sales fee for solid fuel wood burning devices. These changes apply to WAC 173-433-100, 173-433-110, and 173-433-170 respectively.

The State Economic Policy Act, chapter 43.21H RCW, requires that economic values be given appropriate consideration in the promulgation of rules. The Regulatory Fairness Act (RFA), chapter 19.85 RCW, requires that rules promulgated under the Administrative Procedure Act be reviewed in light of their economic impact on small businesses in the state. One goal of such a review is to ensure that a proposed rule does not place a proportionally higher burden on small businesses in an affected industry. To meet this goal, the RFA requires that a small business economic impact statement (SBEIS) be performed if a rule affects more than 20 percent of all businesses in the state or more than 10 percent of the businesses in any one industry, as identified by a three-digit standard industrial classification (SIC) code. The SBEIS analyzes compliance costs and evaluates impacts of proposed rules on small businesses in the state. If disproportionate impacts exist, the SBEIS must propose mitigation measures.

The woodstove rule amendments have been reviewed and evaluated in terms of their economic impact. No SBEIS is required because the rule amendments will have a negligible impact on retailers and producers of solid fuel burning devices and because very few businesses in the state utilize such devices.

For retailers or producers of solid fuel burning devices, the rule amendments will have a negligible economic impact for the following reasons. First, almost one-third of the new stoves and fireplaces currently sold meet federal standards.

These federal standards have been known since 1988 and product lines have generally already been adjusted. The rule merely requires meeting the federal deadline six months early. Second, retailers of solid fuel burning devices using such devices as a heat source for their business meet emission performance and opacity standards because they generally utilize demonstration models. Third, the amendatory section on retail sales fee will increase the fee from \$15 to \$30. For the lowest priced products on the market, this represents a maximum increase of 3.3 percent of the product price. Given the substantially inelastic demand for heat, it is unlikely that such a price increase will have a measurable effect on the number of woodstoves purchased. Indeed, the inability to burn uncertified devices during periods of impaired air quality may increase the purchases of stoves meeting the standards. As a result, it is determined that no SBEIS is required for retailers or producers of solid wood burning devices.

Only a very small number of businesses in the state utilize such devices. Based on a survey of fire inspectors in fire districts across the state, in both rural and urban areas, it is estimated that less than 1 percent of businesses in the state rely on woodstoves or other solid fuel burning devices. The few commercial users of such devices are spread across several three-digit SIC classification code industries. Therefore, it is estimated that far less than 20 percent of all businesses in the state and no more than 10 percent of the businesses in any one industry will be affected by this rule in the capacity of commercial purchasers. As a result, for commercial purchasers of such devices, the rule amendments do not meet the criteria requiring an SBEIS.

If you have questions or desire additional information, please contact Paul Carr, Department of Ecology, Air Program, P.O. Box 47600, Olympia, WA 98504-7600, phone number (206) 438-7777.

Hearing Location: Attorney General Conference Room, 4244 6th Avenue, Building 1, Lacey, WA, on November 24, 1992, at 7:00 p.m.

Submit Written Comments to: Paul Carr, Air Quality Program, Department of Ecology, by November 30, 1992.

Date of Intended Adoption: January 19, 1993.

October 20, 1992

Carol Jolly

Special Assistant

AMENDATORY SECTION (Amending Order 90-58, filed 3/20/91, effective 4/20/91)

WAC 173-433-100 Emission performance standards. (1) Woodstoves ((sales)). On or before January 1, 1995, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give away a new woodstove in Washington unless it has been tested to determine its emission performance and heating efficiency and certified and labeled in accordance with procedures and criteria specified in "40 CFR 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990. After January 1, 1995, woodstove sales shall comply with the requirements of subsection (3) of this section, Solid fuel burning devices.

(2) Fireplaces. After January 1, 1997, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give

away a factory built fireplace unless it meets the 1990 United States Environmental Protection Agency standards for woodstoves or equivalent standard that may be established by the state building code council by rule. Subsection (3) of this section shall not apply to fireplaces, including factory built fireplaces, and masonry fireplaces.

(3) Solid fuel burning devices. After January 1, 1995, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give away a solid fuel burning device in Washington unless it has been certified and labeled in accordance with procedures and criteria specified in "40 CFR 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990, and meets the following particulate air contaminant emission standards and the test methodology of the United States Environmental Protection Agency in effect on January 1, 1991, or an equivalent standard under any test methodology adopted by the United States Environmental Protection Agency subsequent to such date:

(a) Two and one-half grams per hour for catalytic woodstoves; and

(b) Four and one-half grams per hour for all other solid fuel burning devices.

(c) For purposes of this subsection, "equivalent" shall mean the emissions limits specified in this subsection multiplied by a statistically reliable conversion factor determined by ecology that relates the emission test results from the methodology established by the United States Environmental Protection Agency prior to May 15, 1991, to the test results from the methodology subsequently adopted by that agency.

AMENDATORY SECTION (Amending Order 90-58, filed 3/20/91, effective 4/20/91)

WAC 173-433-110 Opacity standards. (1) A person shall not cause or allow emission of a smoke plume from any solid fuel burning device to exceed an average of twenty percent opacity for six consecutive minutes in any one-hour period.

(2) State-wide opacity standard. An authority shall not adopt or enforce an opacity level for solid fuel burning devices that is more stringent than the state-wide standard.

(3) Test method and procedures. Methods and procedures specified by the EPA in "40 CFR 60 Appendix A reference method 9 - VISUAL DETERMINATION OF THE OPACITY OF EMISSIONS FROM STATIONARY SOURCES" as amended through July 1, 1990, shall be used to determine compliance with subsection (1) of this section.

(4) Enforcement. Smoke visible from a chimney, flue or exhaust duct in excess of the opacity standard shall constitute prima facie evidence of unlawful operation of an applicable solid fuel burning device. This presumption may be refuted by demonstration that the smoke was not caused by an applicable solid fuel burning device. The provisions of this requirement shall:

(a) Be enforceable on a complaint basis.

(b) Not apply during the starting of a new fire for a period not to exceed twenty minutes in any four-hour period.

(5) Education. Any person or retailer providing information on the operation of solid fuel burning devices, such as brochures, demonstrations, and public education

programs, should include information that opacity levels of ten percent or less are attainable through proper operation.

AMENDATORY SECTION (Amending Order 90-58, filed 3/20/91, effective 4/20/91)

WAC 173-433-170 Retail sales fee. (1) A person selling a solid fuel burning device at retail shall collect a fee from the buyer, pursuant to RCW 70.94.483.

(2) The fee shall be:

(a) Set at a minimum of ~~((fifteen dollars, until January 1, 1991))~~ thirty dollars on January 1, 1992. Thereafter, ecology may annually ~~((increase))~~ adjust the fee ~~((according to changes in the consumer price index;))~~ to account for inflation as determined by the office of the state economic and revenue forecast council. Adjustments in the fee should be rounded down to the nearest dollar.

(b) Applicable to all new and used solid fuel burning devices ~~((, with the exception of built-in masonry fireplaces;)).~~

(c) Procedures for masonry fireplaces. Generally, contractors will collect, pay, and report the fee to the department of revenue on the Combined Excise Tax return for the tax reporting period during which the retail sales tax is billed to the customer for the construction of the masonry fireplace. (See WAC 458-20-170 for a detailed explanation.) Collection and payment of the fee by contractors shall be in accordance with the following:

(i) A masonry contractor or other subcontractor who builds a masonry fireplace. The retail sale occurs at the time the general or prime contractor or customer is billed for the work. The masonry contractor or other subcontractor must collect the fee and pay it to the department of revenue, unless the masonry contractor or other subcontractor has received a resale certificate from the general or prime contractor. The fee shall be reported on the Combined Excise Tax return.

(ii) A general or prime contractor building a custom building. The retail sale occurs at the time the customer is billed for the construction. The fee is charged and reported with the first progress payment after the masonry fireplace has been substantially completed. If a general or prime contractor subcontracts the work on a custom building to a masonry or other contractor, the general or prime contractor may give the masonry or other subcontractor a resale certificate. The general or prime contractor is responsible to collect the fee and pay it to the department of revenue. The fee is reported on the Combined Excise Tax return.

(iii) A general or prime contractor building a speculation building. The fee is required to be paid at the time the fireplace is complete. The fee must be reported to the department of revenue on a Combined Excise Tax return and paid to the department of revenue. If the prime or general contractor subcontracts the building of the masonry fireplace to a masonry contractor or other subcontractor, the general or prime contractor may not give a resale certificate to the masonry or other subcontractor. The masonry or other subcontractor must collect and pay the fee to the department of revenue as provided in (c)(i) of this subsection.

(d) Procedures for all other solid fuel burning devices. Collected by the retailer at the time of sale and remitted to

the department of revenue in conjunction with the retail sales tax under chapter 82.08 RCW.

(3) If the retailer or contractor fails to collect and remit the fee to the department of revenue as prescribed in chapter 82.08 RCW, the retailer or contractor shall be personally liable to the state for the amount of the fee, with subsequent actions taken in accordance with the collection provisions of chapter 82.32 RCW.

(4) Beginning July 1, 1990, and each calendar quarter thereafter, the funds collected under RCW 70.94.483 shall be used solely for the purposes of public education and enforcement of the solid fuel burning device program. The department shall distribute the funds from the woodstove education and enforcement account as follows:

(a) Sixty-six percent of the funds shall be distributed to those local air authorities with enforcement programs, based upon the fraction of the total state population residing in the counties within their respective jurisdictions. Population figures used to establish this fraction shall be determined by the office of financial management. Where an activated local air authority does not exist or does not implement an enforcement program, or elects not to receive the funds, ecology shall retain the funds that would otherwise be distributed under this subsection; and

(b) Thirty-four percent of the funds shall be distributed to ecology for the purposes of enforcement and educating the public about:

(i) The effects of solid fuel burning device emissions upon health and air quality; and

(ii) Methods of achieving better efficiency and emission performance from solid fuel burning devices.

WSR 92-21-085

PROPOSED RULES

SECRETARY OF STATE

(Division of Archives and Records Management)

[Filed October 21, 1992, 9:32 a.m.]

Original Notice.

Title of Rule: Chapter 434-600 WAC, Management of public records.

Purpose: Prescribes rules for implementation of chapter 40.14 RCW, informs state agencies of their responsibilities for the management of public records, prescribes the duties of the state records committee, the state archivist and agency records officers.

Statutory Authority for Adoption: Chapter 40.14 RCW.
Statute Being Implemented: Chapter 40.14 RCW.

Reasons Supporting Proposal: Prescribes rules for implementing chapter 40.14 RCW and informs state government agencies of their responsibilities for the management of public records.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sidney McAlpin, State Archivist, 1120 Washington Street S.E., 753-5485.

Name of Proponent: Secretary of State, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Prescribes the operational procedures of the state records committee and the duties of the individual members and dates and places of committee meetings. Prescribes the responsibilities and duties of agency records officers and the state archivist and methods of scheduling records for disposition or archiving. Informs state agencies regulated by chapter 40.14 RCW of their responsibilities for the management of public records.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Archives and Records Center Building, 1120 Washington Street S.E., Olympia, WA 98504-0238, on December 11, 1992, at 8:30 a.m.

Submit Written Comments to: Sid McAlpin, Division of Archives, 1120 Washington Street S.E., Olympia, WA 98504-0238, by December 1, 1992.

Date of Intended Adoption: January 15, 1993.

October 21, 1992

Sidney F. McAlpin

State Archivist

Chapter 434-600 WAC PROMULGATION

NEW SECTION

WAC 434-600-010 General purpose. These regulations are adopted under the provisions of chapter 40.14 RCW as amended by section 1, chapter 10, Laws of 1971 ex. sess. and chapter 54, Laws of 1973, in order to furnish procedures for the management, disposition, and preservation of public records of state and local agencies.

Chapter 434-610 WAC DEFINITIONS

NEW SECTION

WAC 434-610-010 "Agency" defined. "Agency" means any department, office, commission, board, or division of state government; and any county, city, district, or other political subdivision or municipal corporation or any department, office, commission, court, or board or any other state or local government unit, however designated.

NEW SECTION

WAC 434-610-020 "Public record" defined. "Public records" means any paper, correspondence, form, book, photograph, map, drawing, magnetic, electronic, or optical media, regardless of physical form or characteristics, and including all copies thereof, that have been made by any agency or received by it in connection with the transaction of public business. And includes any writing containing information relating to the conduct of government or the performance of government or proprietary function prepared, owned, used, or retained by the state or local agency regardless of physical form or characteristics.

NEW SECTION

WAC 434-610-025 "Writing" defined. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof, and all papers, maps, magnetic tape, punched cards, discs, drums, and other documents.

NEW SECTION

WAC 434-610-030 "Records classification" defined. "Records classification" means the designation of a record as either an official public record or as an office file and memorandum, as those terms are defined by RCW 40.14.010 and by these regulations.

NEW SECTION

WAC 434-610-040 "Official public records" defined. "Official public records" means all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use, and disposition of all public property and public income from all sources whatever; all agreements and contracts to which the state of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the state of Washington or any agency thereof; all records and documents required by law to be filed with or kept by the state of Washington or any agency thereof; all legislative records as defined in section 2, chapter 1, Laws of 1971, ex. sess., and chapter 2, Laws of 1971 ex. sess.; and all other documents or records determined by the state or local records committees to be official public records.

NEW SECTION

WAC 434-610-050 "Office files and memoranda" defined. "Office files and memoranda" means all records, correspondence, exhibits, books, booklets, drawings, maps, blank forms, or documents not defined and classified as official public records; all documents and reports made for the internal administration of the office to which they pertain, but not required by law to be filed or kept with such agency; and all other documents or records determined by the state or local records committees to be office files and memoranda.

NEW SECTION

WAC 434-610-060 "Record series" defined. "Record series" means any group of related records which is filed and used as a unit and which permits evaluation as a unit for disposition purposes.

NEW SECTION

WAC 434-610-070 "Retention period" defined. "Retention period" means the period of time that must elapse before a specific record is destroyed or is eligible for disposal in accord with approved retention schedules.

NEW SECTION

WAC 434-610-080 "Long term records" defined. "Long term records" means records which have an enduring administrative, legal, or financial value and in consequence thereof, must be retained and preserved more than six year.

NEW SECTION

WAC 434-610-090 "Archival records" defined. "Archival records" means those public records of state and local government agencies which are determined by the state archivist as having continued historical value, must be permanently preserved and have been or may be transferred to the jurisdiction of the division of archives after their administrative values have ceased.

NEW SECTION

WAC 434-610-100 "Retention schedule" defined. "Retention schedule" means a compilation of records of an office by name and description which indicates the length of time each record must be retained and authorizing its disposition.

NEW SECTION

WAC 434-610-110 "Scheduled records" defined. "Scheduled records" are those public records which have been inventoried in accord with these regulations and approved for disposition and/or transfer to a records center but remain under the jurisdiction of the agency of origin.

NEW SECTION

WAC 434-610-120 "Division records" defined. "Division records" are those records pertaining to the operations of the division of archives and records management.

**Chapter 434-615 WAC
CUSTODY OF PUBLIC RECORDS**

NEW SECTION

WAC 434-615-010 Public records as public property. All public records shall be and remain the property of the state or local agency. They shall be delivered by outgoing officials and employees to their successors and shall be preserved, stored, transferred, destroyed, and otherwise managed, only in accordance with the provisions of chapter 40.14 RCW or as otherwise provided for by law and by these regulations.

NEW SECTION

WAC 434-615-020 Custody. Unless otherwise provided by law, public records must remain in the custody of the office in which they were originally filed, which shall be considered the office of record, or shall be destroyed or transferred pursuant to instructions from the state or local records committee as required by chapter 40.14 RCW. They shall not be placed in the custody of any other person or agency, public or private, or released to individuals, except

for disposition pursuant to law or unless otherwise expressly provided by law or by these regulations.

NEW SECTION

WAC 434-615-030 Authority to transfer records. In lieu of retention in the office of record, all state agency records not required in the current operation of the office where they are made or kept, and all records of every state agency, commission, committee, or any other activity of state or local government which may be abolished or discontinued, shall be transferred to the state archives and records center until eligible for disposition in accord with approved records retention schedules. State records designated by the state archivist as being archival or potentially archival shall be officially transferred to the jurisdiction of the state archives so that the valuable historical records of the state may be centralized, made more widely available for research, and insured permanent preservation.

Local government agency records designated by the state archivist as of primarily historical interest may be transferred to the state archives, or one of its designated regional depositories, in order to relieve local offices of the burden of housing them, to insure their preservation, and to make them available for reference or study. Officials of local agencies are authorized to transfer records in their custody which are no longer in current use to the Washington state archives. The state archives is not under obligation to acquire such records and will accept only records deemed valuable as a historical source. Any transfer must be by concurrent agreement, excepting wherein records are selected for preservation as historical sources from records retention schedules submitted to the local records committee for destruction authorization.

Chapter 434-620 WAC POWERS AND DUTIES OF THE STATE ARCHIVIST

NEW SECTION

WAC 434-620-010 Powers and duties of the state archivist. The division of archives and records management is established in the office of the secretary of state. The division is administered by the state archivist and is the primary archival and records management agency of Washington state government. In order to insure the proper management and safekeeping of public records, the state archivist, through the several sections of the division, carries out the following functions:

- (1) Manages the archives of the state of Washington;
- (2) Centralizes the archives of the state of Washington to make them available for reference and scholarship, and to insure their proper preservation;
- (3) Inspects, inventories, catalogs, and arranges retention and transfer schedules on all record files of all state departments and other agencies of state government;
- (4) Insures the maintenance and security of all state public records and establishes safeguards against unauthorized removal or destruction;
- (5) Establishes and operates such state records centers as may from time to time be authorized by appropriation for

the purpose of preserving, servicing, screening, and protecting all state public records which must be preserved temporarily or permanently, but which need not be retained in office space and equipment;

- (6) Adopts rules under chapter 34.05 RCW;
- (a) Establishing standards for the durability and permanence of public records maintained by state and local agencies;
- (b) Governing procedures for the creation, maintenance, transmission, or reproduction of public documents or records in a manner consistent with current standards, policies, and procedures of the department of information services for the acquisition of information technology;
- (c) Governing the accuracy and durability of photographic, optical, electronic, or other images used as public records;
- (d) Carrying out other provisions of chapter 40.14 RCW.
- (7) Operates a central microfilm bureau which will microfilm, at cost, records approved for filming by the head of the office of origin and the archivist; approves microfilming projects undertaken by state departments and other agencies of state government; and maintains proper standards for this work;
- (8) Maintains necessary facilities for the review of records approved for destruction and for their economical disposition; directly supervise such destruction of records as should be authorized by law;
- (9) Provides assistance to agencies of local government in records management related matters;
- (10) Manages a state-wide essential records protection program including the operation of an essential records storage facility, and serves as depository for essential record microfilms for state and local government agencies.

Chapter 434-624 WAC POWERS AND DUTIES OF THE STATE RECORDS COMMITTEE

NEW SECTION

WAC 434-624-010 Membership. The chief examiner of the division of departmental audits of the state auditor's office, the state archivist, a representative appointed by the attorney general and a representative appointed by the director of the office of financial management shall constitute a committee to be known as the state records committee.

NEW SECTION

WAC 434-624-020 Committee officers—Duties. The chief examiner of the division of departmental audits of the state auditor's office shall be ex officio chairperson of the state records committee. The representative appointed by the attorney general shall be vice-chairperson. The state archivist shall act as secretary and shall be responsible for the proper recording of its proceedings.

NEW SECTION

WAC 434-624-030 General powers of the committee.

The state records committee may adopt appropriate procedures for records disposition authorization, scheduling, and other matters relating to the retention, preservation, or destruction of public records of state agencies; may exercise such further powers as are granted by chapter 40.14 RCW or by any other statute.

NEW SECTION

WAC 434-624-040 General duties of the committee.

The committee shall review records retention and disposition schedules submitted to it for authorization and may veto, approve, or amend the schedule or any or all items contained therein. Approval of a schedule or amended schedule shall be by unanimous vote of the state records committee members.

NEW SECTION

WAC 434-624-050 Committee meetings.

The state records committee shall meet in open session on the first Wednesday of each month at 9:00 a.m. to consider all business relevant to the duties of the committee, at the office of the state archivist, Olympia, Washington.

**Chapter 434-626 WAC
POWERS AND DUTIES OF STATE AGENCY
RECORDS OFFICERS**

NEW SECTION

WAC 434-626-010 Designation.

The head of each agency of state government shall designate a records officer to supervise the agency records management program and to represent the agency in all its contacts with the state records committee and the division of archives and records management.

NEW SECTION

WAC 434-626-020 Powers and duties of agency records officers.

To facilitate the state records management program, agency records officers shall have reasonable access to all records of the agency, wherever kept, for the purposes of inventorying and scheduling their retention and transfer and shall perform the following duties.

(1) Approve all records inventory and destruction requests which are submitted to the state records committee by agency offices.

(2) Review the inventory, or manage the inventory, of all agency public records at least once during a biennium for disposition scheduling and transfer action, in accordance with procedures prescribed by the state archivist and the state records committee.

(3) Analyze records inventory data, examine and compare divisional or unit inventories for duplication of records, and recommend to the state archivist and state records committee minimal retentions for all copies commensurate with legal, financial, and administrative needs.

(4) Review established records retention schedules at least annually to insure that they are complete and current.

(5) Consult with other staff of the agency responsible for the maintenance of specific records regarding records retention and transfer recommendations.

(6) Administer the agency essential records program including an annual review and update of the agency essential records schedule in accordance with chapter 40.10 RCW and procedures established by the state archivist. Participate in the agency disaster preparedness plan as it relates to records protection and recovery in accord with guidelines provided by the state archivist.

(7) Approve agency acquisition of filing, microfilming, and other recording equipment and services.

(8) Coordinate other aspects of the agency records management program pursuant to law or these regulations.

**WSR 92-21-086
PREPROPOSAL COMMENTS
DEPARTMENT OF REVENUE
[Filed October 21, 1992, 9:32 a.m.]**

Subject of Possible Rule Making: WAC 458-40-660 Timber excise tax—Stumpage value tables; 458-40-670 Timber excise tax—Stumpage value adjustments; and 458-40-540 Property tax, forest land—Forest land values—1992.

Persons may comment on this subject in writing or by attending the public meeting. Written comments should be addressed to: Stephen Zagelow, Senior Counsel or Gary O'Neil, Assistant Director, Department of Revenue, P.O. Box 47458, Olympia, WA 98504-7458, FAX (206) 586-7603. Public meeting scheduled at: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, December 1, 1992, at 10:00 a.m. (written comments will be accepted to this date).

Other Information or Comments by Agency at this Time, if any: This public meeting concerns forest land values for 1993 and stumpage value tables for the period January 1, 1993, to June 30, 1993. Copies of the rule drafts are available upon request. Contact Joe Gienty at 1-800-548-8829.

October 20, 1992
Stephen P. Zagelow
Senior Counsel
Legislation and Policy

**WSR 92-21-087
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Health)
[Filed October 21, 1992, 9:40 a.m.]**

Original Notice.

Title of Rule: Chapter 246-358 WAC, Temporary-worker housing.

Purpose: To amend rules for clarity and to comply with WISHA standards.

Statutory Authority for Adoption: RCW 70.54.110.

Summary: These amendments clarify existing standards and add, as a minimum, the standards developed under the Washington Industrial Safety and Health Act.

Name of Agency Personnel Responsible for Drafting: Leslie Baldwin, P.O. Box 47852, Olympia, WA, (206) 705-6788; Implementation: Byron Plan, P.O. Box 47852, Olympia, WA, (206) 705-6779; and Enforcement: Kathy Stout, P.O. Box 47852, Olympia, WA, (206) 705-6655.

Name of Proponent: State Board of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Reorganizes and clarifies existing requirements and adds requirements to meet minimum WISHA standards.

Proposal Changes the Following Existing Rules: [NISBA].

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

No impact. The changes in these requirements are currently being done by operators to comply with WISHA standards.

Hearing Location: Radisson Hotel, 17001 International Boulevard, SeaTac, WA 98188, on December 9, 1992, at 9:30 a.m.

Submit Written Comments to: Ann Foster, Rules Coordinator, P.O. Box 47902, Olympia, WA 98504-7902, by November 24, 1992.

Date of Intended Adoption: December 9, 1992.

October 20, 1992

Sylvia I. Beck

Executive Director

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-001 Purpose and scope. ~~((Chapter 246-358 WAC establishes the Washington state board of health minimum health and sanitation requirements for temporary worker housing or labor camps as specified in RCW 70.54.110. These rules implement chapter 253, Laws of 1990, to establish a set of standards for farmworker housing and the intent of RCW 70.54.110.))~~ (1) This chapter contains:

(a) Minimum health and sanitation requirements for temporary-worker housing adopted by the Washington state board of health in accordance with RCW 70.54.110;

(b) Procedures for applying for an operating license to provide temporary-worker housing, adopted by the Washington state department of health in accordance with RCW 43.70.340(3); and

(c) Operating license fees as set by RCW 43.70.340(2) to cover the costs of an inspection program to ensure compliance with this chapter, adopted by the Washington state department of health.

(2) This chapter applies to temporary-worker housing started on or after May 3, 1969, that consists of:

(a) Five or more dwelling units; or

(b) Any combination of dwelling units, dormitories, or spaces that house ten or more occupants.

(3) This chapter does not apply to housing regulated by chapter 59.18 RCW, Residential Landlord-Tenant Act, or chapter 59.20 RCW, Mobile Home Landlord-Tenant Act.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-010 Definitions. (1) "Board" means the Washington state board of health.

(2) "Construction" means building ~~((of new temporary worker housing and additions, or alterations to existing temporary worker housing when the housing started on or after May 3, 1969)),~~ altering, or adding to a structure, or changing the use of ~~((a building to temporary worker housing (reference chapter 70.54 RCW)))~~ an existing structure, to house temporary workers.

~~((2))~~ (3) "Contracted health officer" means a health officer who has a signed agreement with the department to inspect housing, issue operating licenses, and enforce this chapter.

(4) "Department" means the Washington state department of health.

~~((3))~~ (5) "Dormitory" means a shelter, building, or portion of a building, without cooking and eating facilities, which is:

(a) ~~((Is))~~ Provided and designated by the operator as a sleeping area for five or more occupants; and

(b) Physically separated from ~~((dwelling units))~~ other sleeping and common use areas(;

~~(b) Is designated by the operator as a sleeping area for groups of temporary workers and/or those who accompany temporary workers;~~

~~(c) Houses at least five occupants; and~~

~~(d) Lacks cooking and eating facilities)).~~

~~((4))~~ (6) "Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

(a) ~~((Is))~~ Provided and designated by the operator as a sleeping and/or living area for occupants; and

(b) Physically separated from other ~~((units, dormitories,))~~ sleeping and common-use areas(;

~~(b) Is designated by the operator for use by temporary workers and/or those who accompany temporary workers as sleeping and/or living space; and~~

~~(c) May contain cooking and eating facilities)).~~

~~((5))~~ (7) "Drinking fountain" means a ~~((product))~~ fixture equal to a nationally recognized standard or a ~~((designed and drained))~~ designed-to-drain faucet which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

~~((6))~~ (8) "Emergency" means a natural disaster or other sudden and unexpected occurrence demanding immediate action. ~~((An))~~ "Emergency" ~~((condition would not include))~~ does not mean an unexpected demand for housing because additional workers are needed to harvest a crop larger than anticipated.

~~((7))~~ (9) "Exemption" means a written authorization from the ~~((Washington state))~~ board ~~((of health))~~ which excludes an operator from meeting a specific ~~((standard))~~ requirement or requirements in this chapter.

~~((a))~~ An exemption may be from:

~~(i) One or more subsections of this chapter;~~

~~(ii) A specific condition; and/or~~

~~(iii) A specific time limit.~~

~~(b) An exemption may not be granted for the permit requirements as defined in WAC 246-358-025(1).~~

~~(8)) (10) "Foodhandling facility" means a designated, enclosed area for preparation of food((-either-)).~~

(a) "Central foodhandling facility(;;)" means a cafeteria-type eating place with ((operator-furnished)) food furnished by and prepared under the direction of the operator for consumption, with or without charge, by ((temporary workers; or)) occupants.

(b) "Common foodhandling facility(;;)" means an area designated by the operator for ((temporary workers)) occupants to store, prepare, cook, and eat their own food supplies.

~~((9) "Health and sanitation permit" or "operating license" means a document issued by the department or the health officer authorizing the use of temporary worker housing under conditions specified in this chapter. An exemption shall not be granted for the permit requirement. A permit will specify:~~

~~(a) The length of time the permit is valid;~~

~~(b) Operator's name; and~~

~~(c) Number of persons authorized to occupy temporary worker housing according to square footage requirements.~~

~~((10)) (11) "Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW ((as the health officer for a local health department)) or appointed ((under chapter 70.08 RCW)) as the director of public health of a combined city-county health department under chapter 70.08 RCW.~~

~~((11)) (12) "Laundry" means an area or room with one or more laundry sinks and/or mechanical washing machines used to wash clothing.~~

~~((12)) (13) "Occupant" means a temporary worker or a person who resides with a temporary worker at the housing site.~~

(14) "Operator" means owner, or the individual designated ((as the person)) by the owner, responsible for the owner's temporary-worker housing ((and whose name appears on the health and sanitation permit)).

~~((13) "Person" means any individual, firm, partnership, corporation, association or the legal successor thereof, or any agency of the city, county, or state, or any municipal subdivision.~~

~~((14)) (15) "Operating license" means a document issued annually by the department or contracted health officer authorizing the use of temporary-worker housing.~~

(16) "Refuse" means solid wastes, rubbish, or garbage.

~~((15)) (17) "Single operation" means the common use of labor, equipment, and supervision.~~

(18) "Sink" means a properly trapped plumbing fixture which prevents back passage or return of air and ((includes)) may be a:

(a) "Handwashing sink" ((or lavatory with hot and cold)) with water under pressure ((and which is used)) intended for handwashing ((purposes)); or

(b) "Laundry sink" ((of a size)) with hot and cold water under pressure, large enough to accommodate hand laundering of clothing ((with hot and cold water under pressure)).

~~((16) "Single operation" means the common use of labor, equipment, and supervision.~~

~~((17)) (19) "Space" means a site designated by an operator for an individual worker-supplied housing unit.~~

(20) "Temporary worker" means a person employed intermittently and not residing year-round in the same place.

~~((18)) (21) "Temporary-worker housing" or "housing" ((formerly-a) labor camp) means all facilities provided by the operator, managed as a single operation, including(=~~

~~(a) Five dwelling units;~~

~~(b) A combination of facilities, shelters, spaces, dwelling units, or dormitories for housing ten or more temporary workers and/or those who accompany temporary workers with a minimum square footage of five hundred twenty square feet;~~

~~(c) Food handling facilities, toilet, bathing, handwashing facilities, and laundry facilities; and~~

~~(d) Does not include housing which is covered by the Landlord Tenant Act.~~

~~((19)) dwelling units; dormitories; spaces; bathing, foodhandling, handwashing, laundry, and toilet facilities; and site, to house occupants.~~

(22) "Worker-supplied housing" means ((a shelter provided by the temporary worker and may include recreational vehicles or trailers. Tents shall be prohibited)) an enclosed vehicle designed for sleeping and/or living, supplied and used by a temporary worker. "Worker-supplied housing" does not mean a tent.

NEW SECTION

WAC 246-358-020 Exemptions. The board may exempt an operator from meeting a specific requirement or requirements in this chapter. The board shall not grant an exemption for the operating license requirement.

(1) An operator wishing to request an exemption shall follow procedures established by the board, which include:

(a) Submitting a written request to the board; and

(b) Appearing before the board at a public hearing to justify the exemption.

(2) The board's decision shall be based on potential risk to public health and safety, justification presented by the operator, and recommendations by the department.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-045 Location and maintenance. ~~((The)) (1) An operator shall locate housing:~~

~~((1) Provide) (a) To prevent a health or safety hazard;~~

~~(b) On well-drained sites ((for temporary worker housing which prevents the existence of)) to prevent standing water from becoming a nuisance;~~

~~((2) Locate and maintain temporary worker housing to prevent the creation of a health or safety hazard; and~~

~~(3) Not locate temporary worker housing:~~

~~(a) Within) (c) More than five hundred feet ((of)) from a livestock operation unless the department or contracted health officer determines that no health risk exists; ((or~~

~~(b) Within) (d) More than two hundred feet ((of)) from swamps, pools, sink holes, or other surface collections of water unless provisions are taken to prevent the breeding of mosquitoes((-~~

~~(4) Maintain all open areas surrounding the housing units and dormitories in a sanitary condition and free from garbage and other refuse.~~

~~(5) All sites shall be); and~~

~~(e) On sites sufficient in size to prevent overcrowding of necessary structures.~~

~~(2) An operator shall ensure that the housing site is maintained at all times in a sanitary condition free from garbage and other refuse.~~

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-055 Water supply. ~~((The))~~ An operator shall:

(1) Provide an adequate, convenient water supply from an approved source as described in chapter 246-290 WAC, and:

(a) For housing existing prior to August 1, 1984, maintain and operate the water system in accordance with chapter 246-290 WAC; and

(b) For housing constructed after August 1, 1984, design, construct, maintain, and operate the water system in accordance with chapter 246-290 WAC;

(2) Submit a water sample to a department-certified laboratory for ~~((testing of))~~ bacteriological quality testing each year prior to opening ~~((temporary worker))~~ housing ~~((as described))~~ in accordance with WAC 246-290-300;

(3) Delay ~~((opening))~~ the use of housing until bacteriological quality meets the requirements ~~((as described))~~ in WAC 246-290-310;

(4) Provide ~~((hot and))~~ cold, potable, running water under pressure ~~((twenty four hours a day for bathing, laundry, and handwashing facilities adequate to meet needs of occupants served as defined by the department or health officer))~~ in, or within one hundred feet of, each dwelling unit, dormitory, and space;

(5) Provide ~~((in existing facilities where drinking water is not available in individual housing units,))~~ one or more drinking fountains for ~~((every))~~ each one hundred occupants or fraction thereof;

(6) Prohibit the use of containers from which water is dipped or poured, and common drinking cups;

(7) ~~((Operate and maintain water service in accordance with chapter 246 290 WAC for temporary worker housing existing prior to August 1984))~~ Ensure that outlets for nonpotable water are rendered inaccessible to occupants within the housing site; and

(8) ~~((Design, construct, and maintain a water supply system in accordance with chapter 246 290 WAC and this section for temporary worker housing constructed after August 1984.~~

~~(9))~~ When water is unsafe for drinking purposes and accessible to occupants ~~((at the temporary worker housing site, a sign shall be posted)),~~ post a sign within three feet of the source ~~((as))~~ reading "DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD." in English or marked with easily-understood pictures or symbols. ~~((Outlets for nonpotable water shall be rendered inaccessible to occupants of the temporary worker housing site.))~~

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-358-065 Sewage disposal. ~~((The))~~ An operator shall:

(1) Provide on-site sewage disposal systems designed, constructed, and maintained as required in chapter ~~((248-96))~~ 246-272 WAC, chapter 173-240 WAC, and local ~~((regulations))~~ ordinances; and

(2) Ensure connection and drainage of sewage and waste water from all ~~((temporary worker))~~ housing to a sewage disposal system approved by the jurisdictional agency.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-075 Construction ~~((of new facilities))~~ and maintenance ~~((of existing dwelling units, dormitories, and other facilities used for temporary worker housing)).~~ An operator shall:

(1) Ensure that all construction ~~((, as defined in WAC 246-358-010(1), of facilities shall be in accordance))~~ complies with applicable state and local ordinances, codes, and ~~((and))~~ regulations ~~((;))~~ , and this chapter;

(2) ~~((Maintenance of existing facilities.~~

~~((a) The operator shall))~~ Provide structurally-sound buildings and shelters which:

~~((i))~~ (a) Are maintained in good repair;

~~((ii))~~ (b) Are maintained in a sanitary condition; and

~~((iii))~~ (c) Protect ~~((temporary workers and those who accompany them))~~ occupants against the elements ~~((;))~~;

~~((b) The operator shall follow the compliance schedule established with the department or health officer when existing temporary worker housing fails to meet requirements in this section.~~

~~((c) All heating, cooking, water heating, and other electrical equipment shall be installed in accordance with state, local ordinances, codes, and regulations governing such installation.~~

~~((d) The operator shall provide temporary worker housing with:~~

~~((i) Subfloors shall be constructed of))~~ (3) Provide two means of escape from sleeping rooms, foodhandling facilities, and rooms where fifty or more people congregate;

(4) Provide, at a minimum, the following area, with ceiling heights in accordance with subsection (5) of this section:

(a) Seventy square feet of floor space for one occupant and fifty square feet for each additional occupant in each dwelling unit;

(b) Fifty square feet of floor space for each occupant in a dormitory; and

(c) Fifty square feet of floor space for each occupant in rooms used for sleeping purposes;

(5) Provide ceiling heights of:

(a) Seven feet over at least one-half the floor area, except manufactured homes may have a ceiling height of six feet eight inches; and

(b) No less than five feet at any point;

(6) Provide smooth and tightly constructed wood, asphalt, or concrete ~~((and shall be of smooth and tight construction and kept))~~ floors in good repair;

~~((ii) Wood floors. If used,)) (7) When wood floors are used, ensure floors are at least twelve inches above the ground at all points;~~

~~((iii) Clean,)) (8) Provide easily-cleanable surfaces on interior walls and floors free of excessive peeling paint;~~

~~((iv) Cold, potable, running water under pressure within one hundred feet of each dwelling unit;~~

~~(v) A minimum of seventy square feet gross floor space for first occupant and fifty square feet for each additional occupant in each dwelling unit;~~

~~(vi) A minimum of fifty square feet for each occupant in each dormitory;~~

~~(vii) At least fifty square feet of floor space for each occupant in rooms used for sleeping purposes;~~

~~(viii) A minimum ceiling height of seven feet over at least one half the floor area except for manufactured homes which may have six feet eight inches ceiling height;~~

~~(ix) Windows,)) (9) Use nonlead-based paint on all painted surfaces;~~

~~(10) Provide a window area ~~((of))~~ equal to one-tenth of the total floor area in each ~~((dwelling unit, dormitory, and other))~~ habitable room(s);~~

~~((x)) (11) Provide an adequate natural or mechanical ventilation system ~~((or natural ventilation))~~ for all rooms including ~~((in))~~ the bathroom(-);~~

~~((Openable)) (12) Ensure windows or skylights used for ventilation ~~((shall))~~ open:~~

~~(a) To fifty percent of total window area; and~~

~~(b) Directly to the outside(-);~~

~~((xi)) (13) Provide:~~

~~(a) Sixteen-mesh screens on all exterior openings; and~~

~~(b) Tight-fitting screen doors in good repair and equipped with self-closing devices;~~

~~(14) Provide electrical service including:~~

~~((A) Installation of wiring of fixtures consistent with the department of labor and industries, RCW 19.28.070 and local ordinances;~~

~~(B) Maintenance of wiring and fixtures in safe condition;~~

~~((C)) (a) One electrical ceiling-type light fixture and one wall outlet in each ~~((room of each))~~ dwelling unit room;~~

~~((D)) (b) One electrical ceiling-type light fixture or wall fixture, and outlets as needed, for each two hundred fifty square feet of space in each dormitory; and~~

~~((E)) (c) One electrical ceiling-type or wall-type light fixture, and outlets as needed, in each central ~~((toilet, handwashing,))~~ bathing, ~~((and))~~ foodhandling, handwashing, laundry, and toilet room(-);~~

~~((xii) Sixteen mesh screens on all exterior openings; and~~

~~(xiii) Screen doors shall be tight fitting, in good repair, and equipped with self-closing devices.~~

~~(e) The operator shall exclude floor space where ceiling height is under five feet when calculating minimum space requirements.~~

~~(f) Temporary worker housing consisting of) (15) Provide lighting intensities that meet the requirements in WAC 246-358-115;~~

~~(16) Ensure wiring and fixtures are installed in accordance with department of labor and industries regulations, RCW 19.28.070 and local ordinances, and maintained in a safe condition;~~

(17) Ensure heating, cooking, water heating, and other electrical equipment is installed in accordance with state and local ordinances, codes, and regulations governing such installation;

(18) Ensure that trailers and recreational vehicles manufactured after July 1968 ~~((shall have))~~ display a Washington state department of labor and industries insignia as required in chapters 296-150A and 296-150B WAC(;

~~(g) For painted surfaces, nonlead based paint shall be applied in all temporary worker housing facilities.~~

~~(h) Tents supplied by employer or emergency services agencies may be used for a limited time in emergency situations provided state board of health guidelines on the use of tents for temporary worker housing are followed and with the department's written approval prior to set up and occupancy. The signatory agencies of the interagency agreement pertaining to farmworker housing shall be provided the opportunity to participate in the development of the guidelines); and~~

(19) Follow the compliance schedule established with the department or contracted health officer when existing housing fails to meet the requirements in this chapter.

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-358-085 Worker-supplied housing~~((— Spaces and sites)). ((The))~~ An operator ~~((providing spaces or sites to accommodate))~~ licensed for worker-supplied housing shall:

~~(1) ~~((Designate the area to be used))~~ Provide a space located and maintained in accordance with WAC 246-358-045 for each worker-supplied housing unit; ~~((and))~~~~

~~(2) Provide facilities for the maximum occupancy specified on the operating license, including:~~

~~(a) ~~((toilets, handwashing sinks,))~~ bathing, ~~((and))~~ handwashing, laundry, and toilet facilities ~~((for worker-supplied housing spaces or sites as))~~ in accordance with the ratios specified in WAC ~~((248-63-095))~~ 246-358-095; and~~

~~(b) Common or central foodhandling facilities;~~

~~(3) Prohibit the use of tents as worker-supplied housing; and~~

~~(4) Comply with the requirements in this chapter; except, operators licensed only for worker-supplied housing are exempt from regulations pertaining to dwelling units and dormitories.~~

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-095 ~~((Toilets, handwashing,))~~ Bathing, ~~((and))~~ handwashing, laundry, and toilet facilities. (1) ~~((The))~~ An operator shall:

~~(a) Provide ~~((toilets, handwashing, bathing, and laundry facilities as required in this section))~~ hot and cold running water under pressure twenty-four hours a day for bathing, handwashing, and laundry adequate to meet the needs of occupants as determined by the department or contracted health officer; ~~((and~~~~

~~(b) Construct urinals, when provided so that the floor from the wall and for a distance not less than fifteen inches~~

measured from the outward edge of the urinal is constructed of materials impervious to moisture; and

~~(e) Provide toilets)) (b) Separate toilets~~ from habitable areas by walls((-));

~~(c) Locate toilet rooms to provide access without passing through sleeping rooms;~~

~~(d) Provide water flush toilets and urinals unless privies or other methods are specifically approved by the department or contracted health officer according to requirements in chapter 246-272 WAC;~~

~~(e) Locate privies, when approved, at least one hundred feet from any dwelling unit, dormitory, space, or foodhandling facility;~~

~~(f) If urinals are provided, cover the floor with a material impervious to moisture for a radius of not less than fifteen inches from the outer edge of the urinal, and from the urinal to the wall; and~~

~~(g) Connect sinks, bathing, and laundry facilities through properly trapped floor drains to an approved disposal system.~~

~~(2) ((The)) An operator providing centralized ((toilets, handwashing, and)) bathing, handwashing, or toilet facilities shall meet the requirements of subsection (1) of this section, and:~~

~~(a) Provide the number of handwashing sinks, shower heads, toilets, and urinals specified in Table I;~~

~~(b) Locate toilets and handwashing sinks within two hundred feet from ((temporary worker)) the door of housing lacking toilets;~~

~~((b)) (c) Locate bathing facilities within three hundred feet from ((temporary worker)) housing lacking bathing facilities;~~

~~((e)) (d) Provide means for individual privacy for toileting and bathing;~~

~~((d) Where the toilet rooms are shared such as in multifamily shelters and dormitories;~~

~~((i)) (e) Provide an adequate number of toilet rooms for each sex, and clearly mark each room for men and for women with signs printed in English and easily-understood pictures or symbols;~~

~~(f) Separate toilet rooms for ((each sex; (ii) Distinctly mark each room for "men" and for "women" by signs printed in English or marked with easily understood pictures or symbols; and~~

~~((iii) If the facilities for each sex are in the same building, separate rooms by)) men and for women with solid walls or partitions extending from the floor to the roof or ceiling;~~

~~((e) Maintain facilities)) (g) Provide adequate, accessible supplies of toilet tissue and holders;~~

~~(h) Provide lighting in toilet rooms twenty-four hours per day;~~

~~(i) Ensure bathing and handwashing facilities are maintained in a clean and sanitary condition;~~

~~((f) Determine required number of centralized toilets, handwashing sinks, and bathing facilities by:~~

~~(i) Using the maximum occupancy permitted and recorded on the permit as a base; and~~

~~(ii) Excluding from the determination the numbers of occupants sheltered in operator-supplied dwelling units containing toilets, handwashing sinks, and bathing facilities.~~

~~(g) Toilets, handwashing sinks, and bathing units in centralized toilet facilities;~~

~~(i) The number of toilets or privy seats shall be in the ratio of one such unit for each fifteen persons with a minimum of two units for any facility shared by men and women;~~

~~(ii) The number of handwashing basins shall be one per six persons;~~

~~(iii) The number of shower heads shall be one for every ten persons.~~

~~(h) Provide water flush toilets unless privies or other methods are specifically approved by the department or health officer according to requirements in chapter 246-272 WAC when approved, privies must be located at least one hundred feet from any sleeping room, dining room, lunch area, or kitchen; and~~

~~(i) Provide adequate, accessible supplies of toilet tissue and holders;))~~

~~(j) Ensure that the toilet facilities are cleaned at least daily;~~

~~(k) Provide shower and laundry rooms with:~~

~~(i) Sloped ((floors;~~

~~(l) Provide)) coved floors of nonslip impervious materials;~~

~~((m) Provide cleanable, nonabsorbent waste containers;)) and~~

~~((n)) (ii) Floor drains;~~

~~(l) Provide ((walls and partitions of)) shower rooms ((which are)) with smooth ((and)), water impervious walls and partitions, and~~

~~(m) Provide cleanable, nonabsorbent waste containers.~~

TABLE 1:

Required number of centralized handwashing sinks, shower heads, toilets, and urinals.

| | |
|-------------------|--|
| HANDWASHING SINKS | One per each 6 persons* or fraction thereof. |
| SHOWER HEADS | One per each 10 persons* or fraction thereof. |
| TOILETS | One per each 15 persons*, or fraction thereof, with a minimum of two for any facility shared by men and women. |
| URINALS | One unit or two linear feet of urinal trough for each 25 male persons* or fraction thereof. |

*The number of persons shall be calculated by subtracting the number of occupants sheltered in dwelling units and dormitories that contain individual facilities from the maximum occupancies approved for both operator-supplied and worker-supplied housing.

~~(3) ((The)) An operator ((having)) providing bathing, handwashing, or toilet facilities in dwelling units shall meet the requirements in subsection (1) of this section, and:~~

~~(a) Provide a handwashing sink in each dwelling unit that contains a toilet; ((and))~~

~~(b) ((Inform)) Request occupants ((of requirements)) to maintain bathing, handwashing, and toilet((s)) facilities in a clean and sanitary condition; and~~

~~(c) When dwelling units house more than one family, provide a means of privacy for toileting and bathing.~~

~~(4) ((The operator shall connect handwashing sinks, bathing, and laundry facilities through properly trapped floor drains to an approved disposal system.~~

~~(5) The)) An operator shall provide the following centralized laundry facilities ((convenient to temporary worker housing as follows)) unless commercial or~~

public laundry facilities are within three miles of housing and accessible to occupants:

(a) One laundry ~~((tub or))~~ sink and one mechanical washing machine for ~~((up to and including))~~ each thirty occupants ~~((as approved and listed on the permit; or~~

~~(b) Additional mechanical washing machines may be provided but each laundry facility shall have at least one laundry sink or tub; or~~

~~((e))), or fraction thereof, specified on the operating license. Two laundry ~~((tubs or))~~ sinks ~~((to))~~ may replace ~~((every required))~~ one mechanical washing machine. One mechanical washing machine may replace two laundry sinks, provided each laundry facility has at least one laundry sink; and~~

~~((d)))~~ (b) Facilities for drying clothes.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-105 Heating. ~~((The))~~ An operator shall:

(1) Provide means of maintaining temperature of at least seventy degrees Fahrenheit in ~~((dwelling units, dormitories))~~ habitable rooms, and bathing, foodhandling, handwashing, laundry, and toilet facilities if used during periods requiring artificial heating;

(2) Install, vent, and maintain heating facilities to prevent fire hazard and fume concentrations;

(3) Avoid placing heating facilities in locations obstructing exits ~~((from the dwelling unit));~~

(4) Prohibit use of portable kerosene heaters; and

(5) If providing wood burning devices in manufactured homes ~~((r))~~ or recreational vehicles ~~((used as temporary worker housing)), ensure~~ the Washington state department of labor and industries insignia is display in accordance with chapter 43.22 RCW ~~((shall be displayed)).~~

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-115 Lighting. ~~((The))~~ An operator shall provide:

(1) Dwelling units and dormitories with a minimum of thirty foot-candles of light measured thirty inches from the floor ~~((in dwelling units and dormitories and));~~

(2) Toilet facilities with a minimum of twenty foot-candles of light measured thirty inches from the floor ~~((in the toilets facility)); and~~

~~((2)))~~ (3) Adequate outdoor lighting for safe passage within the ~~((temporary worker))~~ housing area.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-125 Cooking and foodhandling facilities. ~~((1-The))~~ An operator shall provide enclosed cooking ~~((or))~~ and foodhandling facilities for all temporary workers housed by the ~~((operator))~~ occupants.

~~((2-The))~~ (1) An operator ~~((providing))~~ furnishing cooking facilities in each dwelling unit shall ~~((include))~~ provide:

(a) An operable cook stove or hot plate with a minimum of ~~((two))~~ one cooking surface(s) for every two adult

occupants or four cooking surfaces for every two ~~((to ten occupants or two))~~ families;

(b) A sink with running water under pressure;

(c) Food storage areas and easily-cleanable food preparation counters ~~((which are))~~ situated off the floor;

(d) Individual or centralized mechanical refrigeration, capable of maintaining temperature of forty-five degrees Fahrenheit or below, ~~((which has))~~ with space for storing perishable food items ~~((ef))~~ for all ~~((affected temporary workers))~~ occupants;

(e) Tables and chairs or equivalent seating;

(f) Fire resistant, nonabsorbent, nonasbestos, and easily-cleanable wall coverings adjacent to cooking areas; and

(g) ~~((Floors which are))~~ Nonabsorbent and easily-cleanable floors.

~~((3-The))~~ (2) An operator ~~((providing central))~~ furnishing common foodhandling facilities ~~((for temporary workers))~~ shall provide:

(a) ~~((Meet requirements of the state board of health in chapter 246-215 WAC food service sanitation;~~

~~(b) Ensure that there are))~~ A room or building separate from and convenient to dwelling units, dormitories, and spaces;

(b) An operable cook stove or hot plate with a minimum of one cooking surface for every two adult occupants or four cooking surfaces for every two families;

(c) Sinks with hot and cold running water under pressure;

(d) Food storage areas and easily-cleanable food preparation counters situated off the floor;

(e) Mechanical refrigeration capable of maintaining a temperature of forty-five degrees Fahrenheit or below with space for storing perishable food items for all occupants;

(f) Tables and chairs or equivalent seating;

(g) Fire-resistant, nonabsorbent, nonasbestos, and easily-cleanable wall coverings adjacent to cooking areas;

(h) Nonabsorbent, easily-cleanable floors; and

(i) No direct openings ~~((from))~~ to living or sleeping areas ~~((into))~~ from the ~~((central))~~ common foodhandling facility ~~((; and~~

~~(e) Provide fire resistant, nonasbestos, nonabsorbent, and easily cleanable wall coverings adjacent to the cooking area)).~~

~~((4-The))~~ (3) An operator ~~((with common))~~ furnishing a central foodhandling ~~((facilities))~~ facility shall ~~((provide)):~~

(a) ~~((A room or building separate from and convenient to dwelling units;~~

~~(b) An operable cook stove or hot plate with a minimum of two cooking surfaces for two occupants or four cooking surfaces for two to ten occupants or two families;~~

~~(c) Sinks with hot and cold running water under pressure;~~

~~(d) Food storage areas and food preparation counters which are off the floor;~~

~~(e) Mechanical refrigeration, capable of maintaining temperatures of forty five degrees Fahrenheit or below, which has space for storing perishable food items for all affected temporary workers and those who accompany them;~~

~~(f))~~ Comply with chapter 246-215 WAC, Food service;

(b) Provide tables and chairs or equivalent seating;

~~((g))~~ (c) Provide fire-resistant, nonabsorbent, nonasbestos, and easily-cleanable wall coverings adjacent to cooking areas; and

~~((h) Nonabsorbent, easily-cleanable floors)~~ (d) Ensure the central foodhandling facility has no direct openings to living or sleeping areas.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-135 Beds and bedding and personal storage. ~~((The))~~ An operator shall:

(1) Provide beds or bunks furnished with clean mattresses in good condition for the number~~((s))~~ of occupants allowed for operator-supplied housing specified on the ~~((permit))~~ operating license;

(2) ~~((If choosing to provide bedding,))~~ Ensure bedding, if provided by the operator, is clean and maintained in a sanitary condition;

(3) Provide a minimum of twelve inches between each bed or bunk and the floor;

(4) ~~((If))~~ When single beds are used~~((; (a))~~ separate ~~((single))~~ beds~~((, in dormitories,))~~ laterally and end to end by at least thirty-six inches;

~~((b) Separate single beds, in housing units, laterally and end to end by at least thirty-six inches.))~~

(5) ~~((If))~~ When bunk beds are used:

(a) Separate ~~((double-deck bunks, in dormitories,))~~ beds laterally and end to end by at least forty-eight inches;

(b) ~~((Separate double-deck bunks, in housing units, laterally and end to end by at least forty-eight inches; (e))~~ Maintain a minimum space of twenty-seven inches between the upper and lower bunks; and

~~((d))~~ (c) Prohibit triple bunks.

(6) Provide storage facilities for clothing and personal articles in ~~((dwelling units or dormitories))~~ each room used for sleeping.

NEW SECTION

WAC 246-358-140 Emergency use of tents. An operator may use tents for a limited time in emergency situations provided the operator:

(a) Has prior written approval by the department; and

(b) Follows board guidelines for the use of tents.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-145 Health and safety ~~((provisions))~~. ~~((The))~~ An operator shall:

(1) ~~((Provide two means of escape in every sleeping and eating area of temporary worker housing (e.g., doors, windows);~~

~~((2) Meet requirements of))~~ Use pesticides in and around the housing area consistent with chapters 15.58 and 17.21 RCW, chapter 16-228 WAC, and pesticide label instructions;

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use;

(3) Provide readily accessible first-aid equipment meeting the requirements of WAC 296-24-065;

(4) Ensure that a person trained in basic first aid and cardiopulmonary resuscitation is accessible to occupants;

(5) Provide smoke detection devices in accordance with the Washington state fire marshal regulations in chapter 212-10 WAC ~~((for smoke detection devices));~~

~~((3) Prevent potential health, safety, and fire hazards by:~~

(a) Storing and using dangerous materials away from the temporary worker housing; and

(b) Prohibiting:

(i) Storing flammable or volatile liquids or materials other than those intended for use in the housing unit or adjacent to temporary worker housing; and

(ii) Storing or mixing pesticides or other toxic substances in temporary worker housing other than those substances intended for occupant use in the dwelling unit.

(c) Providing readily accessible, available first-aid equipment meeting requirements of WAC 296-24-060 (Part A-1); and

(d) Provide a person trained in basic first aid and cardiopulmonary resuscitation (CPR) who is accessible to occupants of the temporary workers housing;

~~((e) Storing))~~ (6) Store or remove unused refrigerator units to prevent ~~((harm to))~~ access by children ~~((e.g., crushing, suffocation));~~ and

(7) Fill abandoned privy pits with earth; and lock or otherwise secure unused privy buildings.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-155 Refuse disposal. ~~((The))~~ An operator shall:

(1) Establish and maintain a refuse disposal system~~((s including:))~~;

~~((1) Protecting))~~ (2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse;

~~((2) Storing))~~ (3) Store refuse in enclosed, sound, fly-tight, rodent-tight, impervious, and cleanable ~~((enclosed))~~ containers;

~~((3) Providing))~~ (4) Keep refuse containers clean;

(5) Provide an accessible container ~~((if necessary))~~ on a wooden, metal, or concrete stand within one hundred feet of ~~((all))~~ each dwelling unit~~((s or dormitories)), dormitory, and space;~~

~~((4) Emptying))~~ (6) Empty refuse containers ~~((when full))~~ at least twice ~~((every))~~ each week, ~~((if possible, or more often if necessary))~~ and when full;

~~((5) Removing))~~ (7) Remove refuse from ~~((temporary worker))~~ housing areas and dispose of refuse in a manner consistent with local sanitation codes; and

~~((6) Properly disposing of all refuse consistent with sanitation codes approved by the local jurisdiction.~~

(7) Whenever the camp is closed for the season or permanently, all garbage, manure, and other refuse shall be collected and so disposed of as) (8) Ensure the housing area is free of refuse when housing is closed for the season to prevent a nuisance.

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-358-165 Rodent and insect control.
 ((The)) An operator shall take ((appropriate)) measures necessary to control rodents and insects in and around ((temporary worker)) the housing.

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-175 Disease prevention and control.
 ((The)) An operator shall:

- (1) Make reasonable efforts to know if disease is present among occupants ((of temporary worker housing));
- (2) Report immediately to the local health officer:
 - (a) The name((s)) and address((es)) of ((individuals)) any occupant suspected of having an infectious or communicable disease((s such as food poisoning or other));
 - (b) Any case of suspected food poisoning; and
 - (c) Any unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, jaundice, productive cough, or weight loss is a prominent symptom among occupants ((of temporary worker housing to the local health officer)); ((and))
- (3) Assist ((temporary workers)) occupants to obtain medical diagnosis and treatment when ill;
- (4) Establish rules and inform occupants of their responsibilities related to maintaining housing consistent with the requirements in this chapter; and
- (5) Post information regarding temporary-worker health and sanitation when provided by the department or contracted health officer.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-358-035 Supervision and responsibility.

WSR 92-21-088
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed October 21, 1992, 9:41 a.m.]

Original Notice.

Title of Rule: Temporary-worker housing rules, WAC 246-358-025, 246-358-030, and 246-358-990.

Purpose: To implement RCW 43.70.340 by establishing application procedures for obtaining an operating license to provide temporary-worker housing. To establish the term of a license. To establish the process for paying the operating license fee.

Statutory Authority for Adoption: RCW 43.70.340 and 43.70.040.

Summary: New sections set the procedure for applying for an operator's license and explain the department's responsibilities and authority. WAC 246-358-990 includes the fees set in RCW 43.70.340 and the process for payment.

Name of Agency Personnel Responsible for Drafting: Leslie Baldwin, P.O. Box 47852, Olympia, (206) 705-6788;

Implementation: Byran Plan, P.O. Box 47852, Olympia, (206) 705-6779; and Enforcement: Kathy Stout, P.O. Box 47852, Olympia, (206) 705-6655.

Name of Proponent: Department of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These rules are adopted by the department to implement RCW 43.70.340. Most of these requirements were previously Washington State Board of Health rules. Due to this recent statutory requirement, these rules are being adopted by the department.

Proposal Changes the Following Existing Rules: The department will now determine the maximum occupancy rate for worker-supplied, as well as operator-supplied housing. Licensing will be done on an annual basis. Operators will submit a copy of the results of a bacteriological water quality test with their application for licensure rather than provide a copy during department surveys.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

No economic impact. Fees were set by statute and are currently in effect.

Hearing Location: Radisson Hotel, 17001 International Boulevard, SeaTac, WA 98188, on December 9, 1992, at 9:30 a.m.

Submit Written Comments to: Ann Foster, Rules Coordinator, 1300 S.E. Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, by November 24, 1992.

Date of Intended Adoption: December 16, 1992.

Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 242B, filed 2/5/92, effective 3/7/92)

WAC 246-358-025 ((Permit Administration—Enforcement Exemptions)) Operating license. (1) ((The)) An operator shall((:)) have an operating license before allowing the use of housing except as specified in subsection (3) of this section.

(((a)) ~~Submit a completed initial application to the department~~) (2) An operator shall apply for an operating license at least forty-five days prior to either the use of ((the temporary worker)) housing((;

~~(b) Submit a completed renewal notice to the department or health officer as required;~~

~~(c) Have a permit from the department or health officer prior to initial occupancy;~~

~~(d) Post the department's health and sanitation the permit in a place readily accessible to workers; and~~

~~(e) Notify the department or health officer of a transfer of ownership. There will be no fee charged for transferring ownership.~~

~~(2) The)) or the expiration of an existing operating license by submitting to the department or contracted health officer:~~

(a) A completed application on a form provided by the department;

(b) Proof of satisfactory results of a bacteriological water quality test as required by WAC 246-358-055(2); and

(c) A fee as specified in WAC 246-358-990.

(3) An operator may:(:

(a)) allow the use of ((temporary worker)) housing without a permit when all of the following conditions exist:

((i) More than) (a) The operator applied for an operating license in accordance with subsection (2) of this section at least forty-five days ((have passed since a completed initial application was submitted and received by the department or health officer)) before occupancy, as evidenced by the post mark; ((and

((ii)) (b) The department or contracted health officer has not inspected the housing or issued ((a permit)) an operating license;

((iii)) (c) Other local, state, or federal laws, rules, or codes do not prohibit use of the ((temporary worker)) housing; and

((iv) Request refund of fees if housing is not occupied during the year.

(b) Request in writing an exemption for one or more of the sections or a portion of a section of this chapter from the Washington state board of health except the requirement for a permit; and

(e)) (d) The operator provides and maintains housing in compliance with this chapter.

(4) An operator shall:

(a) Post the operating license in a place readily accessible to workers;

(b) Notify the department or contracted health officer in the event of a transfer of ownership; and

(c) Cooperate with the department during on-site inspections.

(5) An operator may appeal decisions of the department ((to an adjudicative proceeding governed by the Administrative Procedure Act (i)) in accordance with chapter 34.05 RCW((j)) and chapter ((388-08)) 246-08 WAC.

((3) The department:

(a) May establish an agreement with a health officer whereby the health officer assumes responsibility for inspections, issuing permits, and enforcing chapter 246-358 WAC excluding exemptions.

(b) Shall consult with local health, fire, safety, and building agencies to define each party's responsibilities in temporary worker housing with respect to complaints, on-site sewage, drinking water, solid waste, food service, and other related environmental health issues.

(4) The department or health officer shall:

(a) Survey each premises of temporary worker housing to ensure standards of this chapter are met, including inspection:

(i) Prior to issuance of initial permit;

(ii) Upon request of operator or occupant; and

(iii) At least once every year or more frequently as determined by the department or health officer.

(b) Respond to complaints;

(c) Issue a permit to the operator when an on-site inspection reveals conditions meet or exceed the requirements in chapter 246-358 WAC;

(d) Include on each permit the duration for which the permit is valid not to exceed two years;

(e) Take appropriate enforcement action including any one or combination of the following:

(i) Develop corrective action including a compliance schedule;

(ii) Notify the operator concerning violations; and

(iii) Suspend or revoke the permit.

(f) Allow the operator to use temporary worker housing without a permit as specified in subsection (2) of this section.

(g) Allow permit to continue under the new ownership or transfer owner.

(5) The department or health officer may:

(a) Issue a provisional permit when temporary worker housing fails to meet the standards in this chapter if:

(i) A written corrective action plan including a compliance schedule is approved by the department or health officer; or

(ii) Pending the Washington state board of health's decision regarding an exemption request.

(b) Establish and collect fee as authorized in RCW 43.70.340;

(c) Refund all or part of a permit fee for housing not occupied during the year if requested by the operator.))

NEW SECTION

WAC 246-358-030 Department authority. (1) The department may establish an agreement with a health officer whereby the health officer assumes responsibility for inspections, issuing operating licenses, and enforcing this chapter.

(2) The department or contracted health officer shall issue an operating license when the department or contracted health officer determines the operator has met the minimum requirements in this chapter.

(3) The department or contracted health officer shall specify on the operating license the:

(a) Operator's name;

(b) Number of approved units;

(c) Maximum occupancy approved for both operator-supplied and worker-supplied housing; and

(d) Expiration date, which shall be one calendar year from the date of issuance.

(4) The department or contracted health officer shall determine the maximum occupancy for:

(a) Operator-supplied housing based on the square footage and the number of bathing, food handling, handwashing, laundry, and toilet facilities; and

(b) Worker-supplied housing based on:

(i) The number of spaces provided by the operator; and

(ii) The number of bathing, food handling, handwashing, laundry, and toilet facilities, in excess of those required for the maximum occupancy approved for operator-supplied housing.

(5) The department or contracted health officer may issue a provisional operating license when housing fails to meet the standards in this chapter when:

(a) The operator agrees to comply with a written corrective action plan and compliance schedule; or

(b) An exemption request by the operator is pending action by the board.

(6) The department or contracted health officer shall survey each housing site to ensure standards of this chapter are met, including inspection:

- (a) Before issuing an annual operating license;
- (b) Upon request of an operator or occupant; and
- (c) At least once each year or as determined by the department or contracted health officer.

(7) The department or contracted health officer shall respond to complaints.

(8) The department or contracted health officer shall take appropriate enforcement action which may include any one or combination of the following:

- (a) Develop, with the operator, a corrective action plan including a compliance schedule;
- (b) Notify the operator concerning violations;
- (c) Suspend or revoke the operating license; or
- (d) Other action deemed necessary to bring housing into compliance with this chapter.

(9) The department shall confer with local health, fire, safety, and building agencies to understand each party's responsibilities for housing complaints, on-site sewage, drinking water, solid waste, food service, and other related environmental health issues.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

~~WAC 246-358-990 ((Labor camp health and sanitation permit and survey))~~ **Operating license fees.** ~~((Starting December 1, 1987, owners or operators of labor camps, as defined in chapter 248-63 WAC, shall pay fees to the department as follows:~~

~~(1) A state health and sanitation permit of fifty dollars plus one dollar and fifty cents for each dwelling unit intended for occupancy by temporary workers.~~

~~(2) A labor camp survey charge of:~~

~~(a) Five dollars per dwelling unit up to and including twenty nine units intended for occupancy by temporary workers, or~~

~~(b) One hundred fifty dollars for each camp with thirty or more dwelling units intended for occupancy by temporary workers.~~

~~(3) Owners or operators of labor camps shall submit the health and sanitation fee with initial application for permit or upon receipt of a renewal notice.~~

~~(4) Owners or operators of labor camps shall submit the labor camp survey fee:~~

~~(a) With initial application for new labor camps, or~~

~~(b) Within thirty days after the department completes each survey for existing labor camps.~~

~~(5) The department shall:~~

~~(a) Issue the health and sanitation permit for two calendar years, and~~

~~(b) Collect no more than one survey fee from each labor camp annually.~~

~~(6) Labor camps regulated by local health officers in accordance with WAC 248-63-020 are excluded from the requirements in this section-))~~ (1) An operator shall pay the following annual fee as established by RCW 43.70.340(2):

(a) Fifty dollars for housing with six or less units; or

(b) Seventy-five dollars for housing with more than six units.

(2) An operator shall submit the fee to the department with the annual application for an operating license.

(3) An operator may request a refund if housing has not been occupied and inspected.

(4) An operator regulated by a contracted health officer is exempt from subsections (2) and (3) of this section.

WSR 92-21-094

**PROPOSED RULES
ENERGY OFFICE**

[Filed October 21, 1992, 10:21 a.m.]

Original Notice.

Title of Rule: Title 194 WAC, Energy Office, chapter 194-10 WAC.

Purpose: To reflect current headquarters address and description of organization. Also, to reduce the amount charged the public for copying.

Statutory Authority for Adoption: Chapter 34.05 RCW.

Summary: The following changes are implemented to reflect a change of address of the Washington State Energy Office headquarters and the description of the agency. Also to reduce the amount charged the public for copying.

Reasons Supporting Proposal: Chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting: Scott Decker, 809 Legion Way S.E., P.O. Box 43165, Olympia, WA 98504-3165, (206) 956-2055; Implementation and Enforcement: David W. Sjoding, 809 Legion Way S.E., P.O. Box 43165, Olympia, WA 98504-3165, (206) 956-2004.

Name of Proponent: Washington State Energy Office, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This chapter is being changed to reflect current headquarters address and description of the organization. It also reduces the amount charged the public for copying.

Proposal Changes the Following Existing Rules: It changes the address, the description of the organization and the amount charged the public for copying.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington State Energy Office, 809 Legion Way S.E., Olympia, WA 98504-3165, on November 25, 1992, at 9:00 a.m.

Submit Written Comments to: Scott Decker, Washington State Energy Office, 809 Legion Way S.E., Olympia, WA 98504-3165, by October 25, 1992.

Date of Intended Adoption: January 1, 1993.

October 21, 1992

David W. Sjoding

Assistant Director

Administration/Finance

AMENDATORY SECTION (Amending Order 82-2, filed 8/11/82)

WAC 194-10-030 Description of organization. The Washington state energy office headquarters is located at ~~((400 E. Union, Olympia, Washington, 98504. There are no field offices.))~~:

Washington State Energy Office Headquarters
Town Square Building #4
925 Plum St.
Olympia, WA 98504-3165

The energy extension service office is located at:

Washington State Energy Office
Energy Extension Service
914 East Jefferson #300
Seattle, WA 98122-5399

and at:

Washington State Energy Office
Energy Extension Service
North 1212 Washington St. #106
Spokane, WA 99201-2401

The agency is organized (~~into four~~) in five divisions (~~groups as follows~~): The administration division (~~conservation division, resource development and energy management division, and the energy policy development group. The director is appointed by the governor. The energy office advisory committee is appointed pursuant to RCW 43.21F.085~~); the commercial, institutional, and industrial division; the residential and transportation division; the energy extension service division; and the policy, resources, and program research division. Staff support for the energy facility site evaluation council and for Washington's members of the Northwest power planning council (power council) is also provided. Legislative and interagency activities are the responsibility of the assistant to the director for legislative and intergovernmental affairs. An external affairs unit reporting to the deputy director provides media and public involvement services.

AMENDATORY SECTION (Amending Order 82-2 filed 8/11/82)

WAC 194-10-100 Adoption of form. The office has (~~adopted state Form S.F. 276~~) developed Form SEO 1-055 for use by all persons requesting inspection and/or copies of public records.

AMENDATORY SECTION (Amending Order 1, filed 1/18/77)

WAC 194-10-110 Copying fees. No fees are to be charged for inspection of public records. The office will charge a fee (~~not to exceed 25¢~~) of five cents per page of copy for use of the office's copy equipment. In cases where (~~no~~) significant staff time is (~~taken up with the request~~) used, fees may be charged on a time and materials basis.

AMENDATORY SECTION (Amending Order 82-2, filed 8/11/82)

WAC 194-10-130 Protection of public records. Requests for public records shall be made in the Washington state energy office at (~~400 E. Union~~) Town Square Building #4, 925 Plum St., Olympia, WA 98504-3165. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made in the office or, if copying

facilities are not available, the office will arrange to have copies made subject to the provisions of WAC 194-10-110.

AMENDATORY SECTION (Amending Order 82-2, filed 8/11/82)

WAC 194-10-140 Records index. A current index of records of the Washington state energy office may be examined at the Washington state energy office at (~~400 E. Union~~) Town Square Building #4, 925 Plum St., Olympia, WA 98504-3165 during office hours defined in WAC 194-10-080.

WSR 92-21-095

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 21, 1992, 10:48 a.m.]

Original Notice.

Title of Rule: Noxious weed seeds.

Purpose: To prevent the distribution of certain noxious weed seeds in seed sold in the state of Washington.

Statutory Authority for Adoption: Chapter 15.49 RCW.
 Statute Being Implemented: Chapter 15.49 RCW.

Summary: The proposal adds eleven species to the list of prohibited noxious weed seeds and two species to the list of noxious weed seeds restricted in the state.

Reasons Supporting Proposal: The additions to the restricted and prohibited seed list were developed in consultation with the Washington Seed Council. The additions to the list were determined to be weed seeds that are economically and technically feasible to prohibit or restrict in seed. The additions to the list prevent public and private costs of control of noxious weeds by eliminating a possible means of distribution and enhance the quality of Washington seed stocks.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: William E. Brookreson, 1111 Washington Street, Olympia, (206) 902-2060.

Name of Proponent: Department of Agriculture, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule adds noxious weed seeds to the restricted and prohibited seed list that have been agreed upon with the Washington Seed Council and the Washington-North Idaho Seed Association. The rule is intended to prevent distribution of noxious weed seed in seed stocks in the state of Washington and avoid the public and private costs of noxious weed control required by law. The rule also enhances the quality of seed sold in the state.

Proposal Changes the Following Existing Rules: The proposal adds Knapweed complex, Lepyroclis, and velvetleaf seeds to the prohibited seed list; and blackgrass and Dyers woad to the restricted seeds list.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Natural Resources Building, Room 259, 1111 Washington Street, Olympia, WA 98504, on November 30, 1992, at 9:00 a.m.

Submit Written Comments to: William E. Brookreson, P.O.Box 42560, Olympia, WA 98504-2560, by November 30, 1992.

Date of Intended Adoption: December 14, 1992.

October 20, 1992
William E. Brookreson
Assistant Director

AMENDATORY SECTION (Amending Order 2005, filed 5/22/89)

WAC 16-300-010 Prohibited noxious weed seeds.

(1) Prohibited (primary) noxious weed seeds are the seeds of weeds which when established are highly destructive, competitive and/or difficult to control by cultural or chemical practices.

(2) It shall be unlawful for any person to distribute mislabeled seed. Seed shall be deemed to be mislabeled if it consists of or contains any of the prohibited noxious weed seeds listed below. For the purpose of seed certification, see WAC 16-316-160 for the list of prohibited noxious weeds.

| ENGLISH OR COMMON NAME | BOTANICAL OR SCIENTIFIC NAME |
|---|---|
| Austrian fieldcress | Rorippa austriaca (Crantz) Bess. |
| Field bindweed | Convolvulus arvensis L. |
| Hedge bindweed | Convolvulus sepium L. |
| Camelthorn | Alhagi camelorum Fisch. |
| Canada thistle | Cirsium arvense (L.) Scop. |
| Hairy whitetop | Cardaria pubescens (C.A. Mey.) |
| Hoary cress | Cardaria draba (L.) Desv. |
| Jointed goatgrass (only in small grain) | Aegilops cylindrica |
| <u>Knapweed complex</u> (including bighead, Vochin, black, brown, diffuse, meadow, Russian, and spotted knapweeds, and purple starthistle) | <u>Centaurea macrocephala,</u> <u>Centaurea nigrescens,</u> <u>Centaurea nigra,</u> <u>Centaurea jacea,</u> <u>Centaurea diffusa,</u> <u>Centaurea jacea x nigra,</u> <u>Centaurea repens,</u> <u>Centaurea maculosa,</u> <u>Centaurea calcitrapa</u> |
| Leafy spurge | Euphorbia esula L. |
| <u>Lepyrodielis</u> | <u>Lepyrodielis holsteoides</u> |
| Perennial pepperweed | Lepidium latifolium L. |
| Perennial sowthistle | Sonchus arvensis L. |
| Quackgrass (Russian knapweed) | Agropyron repens (L.) Beauv. Centaurea repens L. |
| Serrated tussock | Nassella trichotoma |
| Silverleaf nightshade | Solanum elaeagnifolium Cav. |
| Sorghum perennial such as, but not limited to, johnsongrass, sorghum almum, and perennial sweet sudangrass | Sorghum spp. |
| Tansy ragwort | Senecio jacobaea L. |
| Velvetleaf | Abutilon theophrasti |
| Yellow-flowering skeleton weed | Chondrilla juncea L. |

AMENDATORY SECTION (Amending Order 2041, filed 6/5/90, effective 7/6/90)

WAC 16-300-020 Restricted noxious weed seeds.

(1) Restricted (secondary) noxious weed seeds are the seeds of weeds which are objectionable in fields, lawns, and gardens

of this state, but which can be controlled by cultural or chemical practices.

(2) It shall be unlawful for any person to distribute mislabeled seed. Seed shall be deemed to be mislabeled if it consists of or contains any of the restricted noxious weed seeds listed below in excess of the number declared on the label.

| ENGLISH OR COMMON NAME | BOTANICAL OR SCIENTIFIC NAME |
|-----------------------------------|--|
| <u>Blackgrass</u> | <u>Alopecurus myosuroides</u> |
| Blue lettuce | Lactuca pulchella (Pursh.) DC. |
| Docks and Sorrel | Rumex spp. |
| Dodder | Cuscuta spp. |
| <u>Dyers woad</u> | <u>Isatis tinctoria</u> |
| Field pennycress (fanweed) | Thlaspi arvense |
| Field sandbur | Cenchrus pauciflorus Benth. |
| Gromwell (only in small grain) | Lithospermum arvense |
| Halogeton | Halogeton glomeratus C.A. Mey. |
| Medusahead | Elymus caput-medusae L. or Taeniatherum asperum (Sim.) Nevski |
| Plantains | Plantago spp. |
| Poverty weed | Iva axillaris Pursh. |
| Puncturevine | Tribulus terrestris L. |
| St. Johnswort | Hypericum perforatum L. |
| Dalmation toadflax | Linaria dalmatica (L.) Mill. |
| Yellow toadflax | Linaria vulgaris Hill. |
| Western ragweed | Ambrosia psilostachya DC. |
| Wild mustard | Brassica kabera (DC.) L.C. Wheeler Var. |
| Wild oat | Avena fatua L. |
| Yellow starthistle | Centaurea solstitialis L. |

For the purpose of seed certification, see WAC 16-316-165 for the list of objectionable weeds.

WSR 92-21-096
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed October 21, 1992, 10:52 a.m.]

Original Notice.

Title of Rule: Rules relating to nursery fees.

Purpose: The nursery inspection program is entirely supported by licensing fees and fees for requested inspection services. The licensing fee and service fee increases are needed to provide sufficient revenue to cover costs of delivering the services.

Statutory Authority for Adoption: Chapter 15.13 RCW.
Statute Being Implemented: Chapter 15.13 RCW.

Summary: The proposal establishes billing policies and procedures; establishes an hourly and overtime rate; clarifies and further defines, and amends the schedule of fees and charges for service provided under chapter 15.13 RCW. Nursery dealer license fees are also amended. The proposal adds the 20% surcharge for nursery research projects

PROPOSED

recently established in statute to rule, and adds an annual assessment on fruit tree related ornamental trees used for fruit tree propagation in Washington.

Reasons Supporting Proposal: The fee increases are needed to provide sufficient revenue to cover costs of delivering the services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: William E. Brookreson, 1111 Washington Street, Olympia, (206) 902-2060.

Name of Proponent: Department of Agriculture, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The nursery inspection program is entirely supported by licensing fees and fees for requested inspection services. The fee increases are needed to provide sufficient revenue to cover costs of delivering the services.

Proposal Changes the Following Existing Rules: The proposal increases licensing fees and fees for requested services to provide sufficient revenues to cover agency costs.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Natural Resources Building, Room 259, 1111 Washington Street, Olympia, WA 98504, on November 30, 1992, at 10:00 a.m.

Submit Written Comments to: William E. Brookreson, P.O. Box 42560, Olympia, WA 98504-2560, by November 30, 1992.

Date of Intended Adoption: December 1, 1992.

October 20, 1992

William E. Brookreson
Assistant Director

NEW SECTION

WAC 16-401-019 Schedule of fees and charges—Billing policies and procedures. (1) All billable services provided under chapter 15.13 RCW are due and payable upon billing by the department. For the convenience of established accounts and in accord with good business practices, the department provides a monthly billing service for established accounts. Accounts not paid-in-full within thirty days of billing shall be considered delinquent.

(2) All delinquent accounts shall be assessed a late charge equal to one and one-half percent per month, or portion of a month, on the unpaid balance.

(3) Except for established accounts where there is a reasonable expectation of additional charges during a calendar month, the minimum billable amount through the monthly billing system shall be twenty dollars. All billable services of less than twenty dollars shall be due and payable-in-full at the time that service is rendered.

(4) No person with an account ninety days or more in arrears shall receive service except on the basis of payment in full at the time service is rendered. Such accounts shall not be restored to monthly billing status until all past due accounts are paid-in-full. Such accounts may be subject to legal action for collection.

(5) Accounts that become ninety days or more in arrears twice within a five-year period may be subject to permanent

requirement to payment-in-full at the time service is provided.

AMENDATORY SECTION (Amending Order 1953, filed 9/17/87)

WAC 16-401-020 ((Nursery inspection fees)) Schedule of fees and charges—Facility inspection. ~~(((Facility inspection)))~~ (1) Any plant material at ~~((the))~~ a location licensed as a nursery dealer under chapter 15.13 RCW shall be subject to regulatory inspection. A nursery inspection certificate ~~((will))~~ shall be ~~((written))~~ issued, without additional charge except as provided in subsection (2) of this section, stating the results of the inspection.

(2) A fee may be charged for repeated, subsequent inspections of license locations where plant material does not meet the requirements set forth in chapter 15.13 RCW: *Provided*, That the license location shall be subject to no more than two paid inspections each license period. Fees shall be ~~((based on actual time spent for inspection as follows:~~

| | |
|----------------|---------|
| Up to 1/2 hour | None |
| 1/2 to 1 hour | \$ 9.00 |
| 1 to 2 hours | 18.00 |
| 2 to 3 hours | 27.00 |
| Over 3 hours | 36.00)) |

assessed on the basis of the time required for the inspection at the hourly rate provided in WAC 16-401-025.

NEW SECTION

WAC 16-401-023 Schedule of fees and charges—Establishing hourly rates. (1) Requested services shall be provided at an hourly rate and an overtime rate. The overtime rate shall apply for service provided before 8:00 a.m. or after 5:00 p.m. during the work day and for all services provided on Saturday, Sunday, or a holiday listed in subsection (2) of this section.

(2) Holidays shall mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving Day, Veteran's Day, Christmas Day, President's Day, and Martin Luther King's Birthday.

(3) The minimum hourly charge assessed shall be one hour. Additional charges shall be in one-half hour increments prospectively.

(4) Persons requesting service with less than twenty-four hours notice on a weekend or holiday, or before 8:00 a.m. or after 5:00 p.m., may be subject to a call back charge of two hours at the overtime rate, in addition to all other charges, if the department is actually required to pay call back to the employee(s) providing the requested service.

AMENDATORY SECTION (Amending Order 1953, filed 9/17/87)

WAC 16-401-025 ((Nursery inspection—Requested inspections)) Schedule of fees and charges—Applicable rates and charges. ~~((Requested nursery inspections shall be at the rate of \$18.00 per hour, except as listed below, and shall include, but not be limited to:~~

| | |
|--|--------------|
| Third party inspections, including travel time | |
| Minimum charge | \$18.00/hour |

Phytosanitary certificate

Minimum charge each inspection

First phytosanitary \$9.00

Each additional phytosanitary
(or hourly rate whichever applies) \$3.00

Nursery inspection record

Minimum charge \$6.00

Fumigation certificate

Minimum charge \$27.00 ea.

Field inspections

Field inspections of flowering bulbs, corms, rhizomes, or other field crops, each year

Per acre or fraction thereof \$2.00

Certificate of inspection of nursery stock

Minimum charge:

Licensed nurseryman No fee

Unlicensed nurseryman 1.00 ea.

Nursery sticker

In lots of 25001 ea.

Less than 250 (minimum 10)10 ea.

Nursery stock inspection certificate tag

In lots of 25001 ea.

Less than 250 (minimum 10)10 ea.

When combinations of requested inspections are made, the charge shall be \$18.00 per hour and minimum charges shall be waived.

EXCEPTION: When combination inspections include fumigation, a minimum charge will be \$27.00.)

The following rates for requested inspection services shall apply:

- (1) Hourly rate, per hour \$ 25.00
- (2) Overtime rate, per hour \$ 32.00
- (3) Mileage at the established office of financial management rate (schedule A), per diem at actual cost, and travel time at the hourly rate may be assessed for requested inspections that are not a part of a regular work schedule.

Such charge may be pro-rated among applicants if more than one applicant is provided service during a work day or trip when mileage and/or per diem are applicable.

(4) Inspections for phytosanitary certification, including growing season field inspections, shall be provided at the hourly rate provided in subsection (1) of this section except where an alternate certification inspection fee is provided in statute, in rule, or by a written agreement between the department and an industry organization. When growing season field inspections for phytosanitary certification and regulatory inspections are performed simultaneously, the first two hours of inspection each calendar year for nurseries licensed under WAC 16-401-040 (1)(b) or (2)(a); and the first four hours of inspection per calendar year for nurseries licensed under WAC 16-401-040 (1)(c) or (2)(b), shall be without charge.

(a) There shall be no additional charge for the first phytosanitary certificate issued at the time of the inspection.

(b) Phytosanitary certificates issued more than twenty-four hours from the time of the inspection, first certificate \$ 12.00

(c) Additional phytosanitary certificates . . \$ 4.00 ea.

(5) Inspection and certification of nonplant material or equipment for sanitation (freedom from soil or pests) by visual examination or through a prescribed treatment (steam

cleaning, hydro-washing, etc.) shall be performed at the hourly rate.

(a) All certificates must be issued at the time of inspection.

(b) For the first certificate, no additional charge.

(c) Additional certificates \$ 4.00 ea.

(6) Inspections for garden brown snail certification or other miscellaneous inspection certification shall be at the hourly rate.

(a) For the first certificate no charge

(b) For additional certificates \$ 4.00 ea.

(7) Witnessing and certification of fumigation shall be at the hourly rate, plus a per lot or container fee of \$ 10.00

(8) For a certificate of plant health for noncommercial movement of plant materials between states by unlicensed persons, up to a maximum of five plants, and provided that the plants are brought to a plant services office for inspection \$ 5.00

Note: When two or more types of inspection, provided in this section, are performed simultaneously, only one hourly rate, per WAC 16-401-025, shall be applied. One certificate for one service shall be issued at not charge. Additional certificates will be issued at the \$4.00 rate.

AMENDATORY SECTION (Amending Order 1953, filed 9/17/87)

WAC 16-401-030 ((Extra)) Schedule of fees and charges—Miscellaneous charges. ((Extra charges on all requested inspections under WAC 16-401-025 shall be at the rate of \$18.00 per hour above the minimum charges listed.

(1) For all inspection services performed after 5:00 p.m. or on Saturdays, Sundays or state legal holidays, an hourly charge equivalent of \$27.00 per hour for actual hours spent in performance of duties shall be made. This shall include unit charges, plus, if necessary, overtime charges to equal \$27.00 per hour.

(2) The following state legal holidays will be observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving, Veteran's Day, Christmas Day, President's Day, and Martin Luther King Jr.'s birthday. NO SERVICE will be performed on Thanksgiving, Christmas or New Year's Day, beginning at 5:00 p.m. on the previous day.

(3) All fees due under provisions of WAC 16-401-020, 16-401-025 and 16-401-030 shall be payable at the time the service is completed.) The following rates for miscellaneous charges on requested inspections shall apply.

(1) Postage and other miscellaneous costs shall be charged back at the actual cost.

(2) Fee for special handling service (i.e., federal express, air parcel post or air freight) \$ 3.50

(3) Fee for facsimile transmission of documents, per document \$ 3.50

(4) Additional copies of certificates, per copy \$.20

(5) Other requested office services, not specifically provided, shall be charged a fee based on the portion of an hour at the hourly rate in WAC 16-401-025 necessary to perform the service.

(6) Nursery stickers and nursery stock inspection: Certificate tags:

(a) In lots of 250 \$ 5.00 per lot

- (b) Less than 250 (minimum 10) \$.25 each
- (7) Authorization by the department to preprint Washington nursery stock inspection certificates on shipping containers, yearly authorization fee or renewal . . \$ 25.00

in Washington, and sold within the state or shipped from the state by any licensed nursery dealer.

AMENDATORY SECTION (Amending Order 1953 [2094], filed 9/17/87 [6/10/92])

WSR 92-21-097
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER
 [Filed October 21, 1992, 10:57 a.m.]

WAC 16-401-040 Nursery dealer license fees. As provided in chapter 15.13 RCW, the director of agriculture hereby establishes the following schedule of annual license fees which shall accompany the application for nursery dealer license:

Original Notice.

Title of Rule: Financial requirements for unauthorized foreign and alien insurers increased.

Purpose: To increase the capital funds an unauthorized foreign insurer must have to write surplus line coverage in this state, and to advise of a similar increase with respect to unauthorized alien insurers.

Other Identifying Information: Insurance Commissioner Matter No. R 92-24.

Statutory Authority for Adoption: RCW 48.02.060.

Statute Being Implemented: RCW 48.15.090(2).

Summary: Requires annual increases in the capital and surplus (or equivalent funds) an unauthorized insurer must have under the surplus line law. Advises of similar increase as to unauthorized alien insurers.

Reasons Supporting Proposal: RCW 48.15.090(2) permits an increase in the capital funds an unauthorized insurer must have under the surplus line law by up to one million dollars in any 12-month period, not to exceed \$15,000,000. The rule carries out the legislature's instruction.

Name of Agency Personnel Responsible for Drafting: Robert E. Johnson, Insurance Building, Olympia, Washington, (206) 753-2406; Implementation and Enforcement: David H. Rodgers, Insurance Building, Olympia, Washington, (206) 753-7302.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: RCW 48.15.090(2) permits the commissioner to increase the capital funds an unauthorized foreign insurer must have to provide surplus line coverage in this state, limiting such increase to not more than one million dollars in any 12-month period, and not to exceed a total of fifteen million dollars. The rule provides for an annual increase of one million dollars, beginning January 1, 1993, continuing until the maximum is reached. The purpose is to ensure that only financially sound insurers are used to provide surplus line coverage in Washington state. Few insurers commonly used at this time will not meet or exceed the requirements as the years progress. The effect will be to protect the public from insolvent insurers.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The rule pertains to foreign and alien insurers not admitted to do business in Washington state, but who provide insurance coverage through licensed surplus line

(1) Retail nursery dealer license:
(a) For gross business sales of horticultural plants and turf less than two thousand five hundred dollars, the license fee shall be ~~((twenty-five))~~ thirty-five dollars.

(b) For gross business sales of horticultural plants and turf between two thousand five hundred dollars and fifteen thousand dollars, the license fee shall be ~~((fifty))~~ seventy-five dollars.

(c) For gross business sales of horticultural plants and turf of fifteen thousand dollars or more, the license fee shall be one hundred fifty dollars.

(d) Retail nursery dealer license fee increases shall become effective January 1, 1993.

(2) Wholesale nursery dealer license:

(a) For gross business sales of horticultural plants and turf less than fifteen thousand dollars, the license fee shall be ~~((fifty))~~ seventy-five dollars.

(b) For gross business sales of horticultural plants and turf of fifteen thousand dollars or more, the license fee shall be one hundred fifty dollars.

(c) Wholesale nursery dealer license fee increases shall become effective January 1, 1993.

(3) As provided in RCW 15.13.280, there is hereby established a surcharge of twenty percent of the base rate, in addition to the fees established on all classes of licenses in subsections (1) and (2) of this section to be used solely to support research projects recommended by the nursery advisory committee and of general benefit to the nursery industry.

(4) Permit fee for those types of sales and organizations exempted from licensing requirements by RCW 15.13.270, per permit \$ 5.00

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 1953, filed 9/17/87)

WAC 16-401-050 Annual assessment—Fruit tree material. As provided in ~~((chapter 15.13))~~ RCW 15.13.310, the director of agriculture hereby establishes an annual assessment of one percent on the gross sale price of the wholesale market value for all fruit trees, fruit tree related ornamental trees, fruit tree seedlings, fruit tree rootstock, and all other rootstock used for fruit tree propagation produced

brokers. Such insurers become subject to the rule only if they choose to provide insurance coverage in this state so the rule need have no impact upon them. Assuming that the Regulatory Fairness Act is to be applied to small businesses in other states and countries, and further assuming that any insurer to which the rule would apply has fifty or fewer employees, for the protection of citizens of this state such an insurer should meet the same solvency standards as an insurer with more than fifty employees.

Hearing Location: Insurance Commissioner's Office, Insurance Building, Olympia, Washington, on November 25, 1992, at 10:00 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, P.O. Box 40255, Olympia, WA 98504-0255, by November 25, 1992.

Date of Intended Adoption: November 30, 1992.

October 21, 1992

Dick Marquardt

Insurance Commissioner

By Robert E. Johnson

Deputy Insurance Commissioner

NEW SECTION

WAC 284-15-090 Financial requirements for unauthorized foreign and alien insurers increased. (1) Pursuant to RCW 48.15.090 (2)(a) and subject to RCW 48.15.090 (2)(b) and WAC 284-15-050, the commissioner hereby increases the financial requirements set forth in RCW 48.15.090 (1)(a) with respect to unauthorized foreign insurers as follows:

(a) Beginning January 1, 1993, a surplus line broker shall not insure with any foreign insurer having less than seven million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(b) Beginning January 1, 1994, a surplus line broker shall not insure with any foreign insurer having less than eight million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(c) Beginning January 1, 1995, a surplus line broker shall not insure with any foreign insurer having less than nine million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(d) Beginning January 1, 1996, a surplus line broker shall not insure with any foreign insurer having less than ten million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(e) Beginning January 1, 1997, a surplus line broker shall not insure with any foreign insurer having less than eleven million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(f) Beginning January 1, 1998, a surplus line broker shall not insure with any foreign insurer having less than twelve million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(g) Beginning January 1, 1999, a surplus line broker shall not insure with any foreign insurer having less than thirteen million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(h) Beginning January 1, 2000, a surplus line broker shall not insure with any foreign insurer having less than fourteen million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(i) Beginning January 1, 2001, a surplus line broker shall not insure with any foreign insurer having less than fifteen million dollars of capital and surplus or substantially equivalent capital funds, of which not less than one million five hundred thousand dollars is capital.

(2) The commissioner hereby advises that the financial requirement imposed by RCW 48.15.090 (1)(b) with respect to unauthorized alien insurers is increased. Beginning January 1, 1993, a surplus line broker shall not insure with any alien insurer having less than fifteen million dollars of capital and surplus or substantially equivalent capital funds, subject to WAC 284-15-050 with respect to a waiver pursuant to RCW 48.15.090 (2)(b).

**WSR 92-21-102
PROPOSED RULES
DEPARTMENT OF REVENUE**

[Filed October 21, 1992, 11:07 a.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-260 Oil spill response and administration tax.

Purpose: To implement chapter 73, Laws of 1992, which changed the definition of "taxpayer" to the owner of the product after receipt of the product into storage tanks of [a] marine terminal, and added certain credits related to use of the product.

Statutory Authority for Adoption: RCW 82.23B.050 and 82.32.300.

Statute Being Implemented: Chapter 82.23B RCW.

Summary: This amendment of WAC 458-20-260 implements the 1992 legislative changes to chapter 82.23B RCW. This legislation changed the definition of taxpayer to the owner of the product after receipt into storage tanks of a marine terminal and added credits relating to the use of the product.

Name of Agency Personnel Responsible for Drafting: Steve Zagelow, 711 Capitol Way, #205, Olympia, (206) 586-4291; Implementation: Les Jaster, 711 Capitol Way, #205, Olympia, (206) 586-7150; and Enforcement: Russ Brubaker, 711 Capitol Way, #303, Olympia, (206) 586-0257.

Name of Proponent: Department of Revenue, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment of WAC 458-20-260 implements the 1992 legislative changes to chapter 82.23B RCW. This legislation changed the definition of taxpayer to the owner

of the product after receipt into storage tanks of a marine terminal and added credits relating to the use of the product. Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The Department of Revenue has reviewed administrative provisions contained in this rule in order to lessen the economic impact on small businesses. A small business economic impact statement is not required for the following reason(s): No economic impact. This rule has no identifiable administrative impact on small businesses.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on November 25, 1992, at 10:00 a.m.

Submit Written Comments to: Steve Zagelow, Senior Counsel, Department of Revenue, P.O. Box 47458, Olympia, WA 98504-7458, FAX (206) 586-7603, by November 25, 1992.

Date of Intended Adoption: November 30, 1992.

October 20, 1992

Russell W. Brubaker

Legislation and Policy Manager

AMENDATORY SECTION (Amending WSR 92-10-006, filed 4/24/92, effective 5/25/92)

WAC 458-20-260 Oil spill response and administration tax. (1) **Introduction.** This section explains and implements the provisions of chapter 82.23B RCW which imposes an oil spill response tax and an oil spill administration tax, effective October 1, 1991, and as amended by chapter 73, Laws of 1992, effective October 1, 1992. The taxes are imposed upon the privilege of ((offloading)) receiving crude oil or petroleum products at a marine terminal in this state from a waterborne vessel or barge operating through or upon the navigable waters of this state. This section provides applicable definitions, the rate and measure of the tax, the tax payment and reporting procedure, and describes an exemption and a credit against tax.

(2) **Definitions.** For purposes of this section, the following terms will apply.

(a) "Tax" means the oil spill response and oil spill administration taxes imposed by chapter 82.23B RCW.

(b) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(c) "Crude oil" means any naturally occurring liquid hydrocarbon at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(d) "Department" means the department of revenue.

(e) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(f) "Navigable waters" means those waters of the state and their adjoining shorelines, that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(g) "Person" has the meaning provided in RCW 82.04.030.

(h) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product

of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(i) "Taxpayer" means the person owning crude oil or petroleum products immediately ((before the same are offloaded at)) after receipt of the same into the storage tanks of a marine terminal in this state from a waterborne vessel or barge and who is liable for the tax.

(j) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of travelling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(k) "Previously taxed product" means any crude oil or petroleum product which has been ((offloaded)) received in this state in a manner subject to the tax and upon which the tax has been paid.

(l) "Offloading" means the physical act of moving crude oil or petroleum product from a waterborne vessel or barge to a marine terminal. ((Offloading occurs at the point where the crude oil or petroleum product passes through the dock flange or point of connection between the vessel or barge and the marine terminal.))

(3) **Tax rate and measure.** The tax is imposed on the privilege of ((offloading)) receiving crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating through or across the navigable waters of this state. The tax is levied upon the owner of the crude oil or petroleum products immediately ((before such offloading occurs)) after receipt of the same into the storage tanks of a marine terminal.

(a) The oil spill response tax is imposed at the rate of two cents per barrel of crude oil or petroleum product ((offloaded)) received.

(b) The oil spill administration tax is imposed at the rate of three cents per barrel of crude oil or petroleum product ((offloaded)) received.

(c) The number of barrels ((offloaded)) received shall be computed as the net barrels received by the marine terminal operator. Net barrels shall be computed by using an industry standard adjustment to gross barrels offloaded to account for variations in temperature and content of water or other nonpetroleum substances.

(4) **Tax collection by the marine terminal operator.** Unless the taxpayer has been issued a direct payment certificate as provided in subsection (5) of this section, the operator of any marine terminal located in this state where crude oil or petroleum products are ((offloaded)) received and placed into storage tanks is responsible for the collection of the tax from the taxpayer.

(a) Failure to collect the tax from the taxpayer and remit it to the department will cause the marine terminal operator to become personally liable for the tax, unless the marine terminal operator has billed the taxpayer for the tax or notified the taxpayer in writing of the imposition of the tax. The tax has been billed to a taxpayer when an invoice, statement of account, or notice of imposition of the tax is mailed or delivered to the taxpayer by the terminal operator within the operator's normal billing cycle and separately

states the dates of ~~((offloading))~~ receipt, rate of tax, number of barrels ~~((offloaded))~~ received and placed into storage tanks, and the amount of the tax required to be collected. A taxpayer has been notified of the imposition of the tax when, within twenty days from the date of ~~((offloading))~~ receipt, a notice is mailed or delivered to the taxpayer, or to an agent of the taxpayer authorized to accept notices of this type other than the marine terminal operator, which separately states the dates of ~~((offloading))~~ receipt, rate of tax, number of barrels ~~((offloaded))~~ received into storage tanks, and the amount of the tax required to be collected. Marine terminal operators shall maintain a record of the names and addresses of taxpayers billed for the tax, or in cases where taxpayers are sent written notification of the imposition of the tax, the names and addresses of the persons to whom notice is sent. Such records shall indicate those persons billed or notified from whom the tax has been collected. Upon request, the records shall be made available for inspection by the department.

(b) The tax collected shall be held in trust by the terminal operator until paid to the department.

(c) The tax collected shall be due from the marine terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the tax is collected.

(d) A terminal operator who relies in good faith upon a direct payment certificate issued to a taxpayer shall be relieved from any liability for the collection of the tax from the taxpayer. A marine terminal operator shall likewise be relieved from liability for collection of the tax from a taxpayer if the marine terminal operator relies in good faith upon a current roster of certificate holders published by the department which bears the name of a taxpayer.

(5) **Direct payment to the department.** Any taxpayer may apply to the department in writing for permission to pay the tax directly to the department. Upon approval of the department, any taxpayer making application for direct payment shall be issued a direct payment certificate entitling the taxpayer to pay the tax directly to the department.

(a) In order to qualify for direct payment, the taxpayer must meet the following requirements:

(i) The taxpayer must be registered with the department.

(ii) The taxpayer must file a bond with the department in an amount equal to two months estimated liability for the tax, but in no event less than ten thousand dollars. The bond shall be executed by the taxpayer as principal, and by a corporation approved by the department and authorized to engage in business as a surety company in this state, as surety. Two months estimated tax liability shall be the total number of barrels ~~((offloaded))~~ received and placed into the storage tanks of a marine terminal in this state by the taxpayer during the two months in the immediately preceding twelve-month period with the highest number of barrels ~~((offloaded))~~ received multiplied by the total tax rate. If the department determines that the result of the foregoing calculation does not represent a fair estimate of the actual tax liability which the taxpayer is expected to incur, it may set the bond requirement at such higher amount as the department determines in its judgment will secure the payment of the tax. The bond requirement may be waived upon proof satisfactory to the department that the taxpayer

has sufficient assets located in this state to insure payment of the tax.

(iii) The taxpayer must be current in all of its tax obligations to the state having filed all returns as required by Title 82 RCW.

(b) The department may, from time to time, review the amount of any bond filed by a taxpayer possessing a direct payment certificate and may, upon twenty days written notice to the taxpayer, require such higher bond as the department determines to be necessary to secure the payment of the tax. The filing of a substitute bond in such higher amount shall be a condition to the continuation of the right to make direct payment under this section.

(c) A direct payment certificate issued under this section may be revoked by the department if the taxpayer fails to maintain a current registration, fails to file a substitute bond within twenty days from a written request, or becomes delinquent in the payment of the tax.

(d) The department shall maintain a current roster of all taxpayers who have a direct payment certificate. Copies of the roster shall be made available on a monthly basis to any interested person requesting to be placed on the roster subscription list. Requests to be placed on the subscription list should be mailed to the Miscellaneous Tax Division, Department of Revenue, P.O. Box 47470, Olympia, WA 98504-7470.

(e) Applications for a direct payment certificate shall be in writing and shall include the name and address of the applicant, the applicant's registration number if currently registered, and the name and phone number of a contact person. The application shall also contain a statement that if the application is approved, the taxpayer consents to the public disclosure that the taxpayer has been granted a direct payment certificate, or if the certificate is later revoked, the taxpayer consents to the public disclosure of the fact of revocation. Applications should be mailed to the Miscellaneous Tax Division, Department of Revenue, P.O. Box 47470, Olympia, WA 98504-7470.

(6) **Exemption - previously taxed oil or petroleum products.** The tax applies only to the first ~~((offloading))~~ receipt of crude oil or petroleum products ~~((at))~~ into the storage tanks of a marine terminal in this state. An exemption is available for the subsequent ~~((offloading))~~ receipt into storage tanks at a marine terminal in this state of previously taxed product. This exemption applies even though the previously taxed product is refined or processed prior to ~~((further))~~ subsequent transportation and ~~((subsequent offloading))~~ receipt into storage tanks.

(a) Crude oil or petroleum products ~~((offloaded))~~ received and placed into storage tanks for the first time at a marine terminal in this state which have been commingled with previously taxed product present a special problem in determining the amount of tax properly due. In such cases the amount of tax due is equal to the difference between the total number of barrels ~~((offloaded))~~ received and placed into storage tanks and the number of barrels of previously taxed product multiplied by the total tax rates. Due to the difficulty of determining the amount of tax due under such circumstances the following rebuttable presumptions shall apply:

(i) All crude oil or petroleum products loaded on a vessel and shipped from a point within this state will be

presumed, subject to rebuttal, to be previously taxed product. The subsequent ((offloading)) receipt at a point within this state of such product will be treated as exempt from the tax.

(ii) All crude oil or petroleum products loaded on a vessel and shipped from a point outside this state will be presumed to be crude oil or petroleum products ((offloaded)) received for the first time in this state. The subsequent ((offloading)) receipt at a point within this state of such crude oil or petroleum products will be treated as subject to the tax.

(b) The presumptions in this subsection may be rebutted upon proof of the number of barrels of previously taxed product ((offloaded)) received into storage tanks in this state.

(c) Example. The presumptions in this subsection (6) can be illustrated by the following example:

A previously taxed petroleum product is loaded on an ocean-going barge at a marine terminal located on Puget Sound in Washington. The barge is towed to Portland, Oregon where the petroleum product is offloaded and commingled with a similar product which has not been subjected to the tax. Later, commingled product is loaded onto a barge which is towed up the Columbia River to a marine terminal located in Pasco, Washington and ((offloaded)), where it is offloaded and placed into storage tanks. The petroleum products loaded onto the barge in Portland would be presumed, subject to rebuttal, to be subject to the tax when ((offloaded)) received in Pasco.

(7) Export credit. A credit is allowed against the tax imposed for any crude oil or petroleum products previously ((offloaded)) received in a manner subjected to the tax and subsequently exported or sold for export from the state.

(a) An export credit may be taken by any person exporting or selling for export any previously taxed product who has paid the tax on such product to a marine terminal operator or the department. An export credit may also be taken by any person who has purchased previously taxed product and who subsequently exports the product or sells the product for export, provided that such person has been invoiced for and has paid the tax to its seller. Any such invoice must state the amount of the tax passed on to the purchaser and identify the product to which the tax amount relates by type and quantity.

(b) A person exports previously taxed product when they actually transport the product beyond the borders of this state for purposes of sale, or deliver the product to a common carrier for delivery and subsequent sale or use at a point outside this state.

(c) A person sells previously taxed product for export when as a necessary incident to a contract of sale the seller agrees to, and does deliver previously taxed product:

- (i) To the buyer at a destination outside this state;
- (ii) To a carrier consigned to and for transportation to a destination outside this state;

(iii) To the buyer alongside or aboard a vessel or other vehicle of transportation under circumstances where it is clear that the process of exportation of the product has begun; or

(iv) Into a pipeline for transportation to a destination outside this state.

In all circumstances there must be a certainty of export evidenced by some overt step taken in the export process. A sale for export will not necessarily be deemed to have

occurred if the product is merely in storage awaiting shipment, even though there is reasonable certainty that the product will be exported. The intention to export, as evidenced for example, by financial and contractual relationships does not indicate certainty of export if the product has not commenced its journey outside this state. The product must actually enter the export stream. Sales of petroleum products by delivery into the fuel tank of a vessel or other vehicle in quantities greater than one hundred gallons will be considered placed into the export stream, provided the vessel or vehicle is immediately destined for a point outside this state and the seller obtains and keeps the documentary evidence provided in (d) of this subsection.

(d) A person claiming credit for sales for export under this subsection (7) must document the fact the product was placed into the export process. This fact may be shown by obtaining and keeping any of the following documentary evidence:

(i) A bona fide bill of lading in which the seller is the shipper/consignor and by which the carrier agrees to transport the product to the buyer at a destination outside this state; or

(ii) A written certification in substantially the following form:

Certificate of Export

I hereby certify that the crude oil or petroleum products specified herein, purchased by or transferred to the undersigned from (seller or transferor), have been received into the export stream and are for export for sale or use outside Washington state. I will become liable for any tax credit granted (seller or transferor) pertaining to any crude oil or petroleum products which are not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud.

Registration No. Type of Business
(If applicable)

Firm Name Registered Name
(If different)

Authorized Signature

Title

Identity of Product
(Kind and amount by volume)

Date ; or

(iii) Documents consisting of:

(A) Purchase orders or contracts of sale which show that the seller is required to place the product into the export stream, e.g., "f.a.s. vessel"; and

(B) Local delivery receipts, tripsheets, waybills, warehouse releases, etc., reflecting how and when the product was delivered into the export stream; and

(C) When available, records showing that the products were packaged, numbered or otherwise handled in a way which is exclusively attributable to products sold for export.

(e) Only the export or sale for export of crude oil or petroleum products will qualify for the export credit. Crude oil or petroleum products will not be eligible for the export

credit if, prior to export, they are subject to further processing or used as ingredients in other compounds unless the resulting products are themselves crude oil or petroleum products.

(f) Crude oil or petroleum products delivered to purchasers in other states pursuant to location exchange agreements will not qualify for the export credit unless the crude oil or petroleum products were previously subject to the tax and credit has not yet been taken. A location exchange agreement is any arrangement where crude oil or petroleum products located in this state are exchanged through an accounts crediting system, or any other method, for like substances located in other states. Any person acquiring previously taxed product in this state for which no credit has been taken may claim a credit on any such product subsequently exported or sold for export, provided all of the requirements set forth in this subsection (7) have been met.

Example. An oil company enters into a location exchange agreement with a competitor which provides for the delivery of one thousand barrels of petroleum products to a local storage facility owned by the competitor. In exchange for the petroleum products delivered in Washington the competitor delivers one thousand barrels of like petroleum products to the oil company's storage facilities in California. The delivery of petroleum products in California would not constitute an export or sale for export of the products delivered in Washington even though the products are of like quality and quantity. If the competitor delivers products which have been previously subject to the tax and no credit has been taken, the delivery of products in California may qualify for the credit. The subsequent export of the petroleum products received by the competitor in Washington would qualify for the credit if the competitor has been invoiced for and has paid the tax to the exchanging oil company.

(g) Persons claiming this credit must maintain records necessary to verify that the credit taking qualifications have been met. For this purpose any person claiming a credit who maintains those records required by WAC 458-20-19301 (Multiple activities tax credit), subsection (9), will be considered to have satisfied the requirements of this subsection.

(8) **Amount of credit.** The amount of the credit will be equal to the tax previously paid by the person claiming the credit on the crude oil or petroleum product exported or sold for export.

(a) In the case of a person claiming credit who is not the taxpayer, the credit will be equal to that portion of the tax billed on an invoice which relates to the particular product exported or sold for export. In order to determine the amount of tax reflected on an invoice which relates to a particular product exported or sold for export, it may be necessary to convert the tax paid from a rate per barrel to a rate per gallon or some other unit of measurement. This conversion is computed by taking the total amount of tax paid on an invoice for a particular product and dividing that figure by the total quantity of the product expressed in terms of the unit of measurement used for export. The credit is then computed by multiplying the converted rate times the quantity of product exported or sold for export. In no event

will a credit be allowed in excess of the tax paid on the product exported or sold for export.

(b) Due to the fungible nature of crude oil and petroleum products it will sometimes be impossible for a person claiming a credit to determine exactly the rate of tax invoiced for a specific quantity of oil being exported or sold for export. The physical handling of oil or petroleum products requires that products of like kind be stored in bulk. This commingling results in product bearing tax passed on at different rates making it difficult to determine the amount of credit applicable to an export sale. Under such circumstances a person claiming the export credit may compute the tax using one of the following methods:

(i) First-in, first-out method. Under this method the export credit is computed by treating existing inventory as sold before later acquired inventory.

(ii) Average of tax paid method. Under this method the export credit is determined by calculating the average rate of tax paid on all inventory. This method requires computing the tax by making adjustments in the rate of tax paid on all product on hand as it is removed from or added to storage.

(iii) Any other method approved by the department.

(c) The use of one of the methods set forth in this subsection (8) to account for tax paid on commingled crude oil or petroleum products shall constitute an election to continue using the method selected. Once selected, no change in accounting method will be permitted without the prior consent of the department.

(d) **Examples.** The following are examples of the way in which the credit is to be computed:

(i) A petroleum products distributor purchases 100 barrels each of premium unleaded gasoline and regular unleaded gasoline. The invoice from the refiner separately states that the invoice includes \$5.00 of tax for each of the two types of products. The distributor pays the invoiced amount and later sells 2,000 gallons of the premium unleaded and 4,000 gallons of the regular unleaded to a retailer located outside Washington. In order to compute the amount of credit on the export sales the distributor must convert the tax paid from barrels to gallons. Since there are 42 US gallons in a barrel and 200 barrels purchased, the number of gallons equals 8400 (42×200). The per gallon tax paid on both products is equal to .119 cents per gallon ($\$10.00 \div 8400$). The distributor would be eligible for credit equal to \$2.38 for the premium unleaded ($2,000 \times \$.00119$) and \$4.76 for the regular unleaded ($4,000 \times \$.00119$).

(ii) A petroleum products distributor purchases 100 barrels of unleaded gasoline which it will use to blend with 30 barrels of ethanol to produce gasohol. The invoice for the unleaded separately states that the total price includes \$4.00 of tax. The distributor pays the invoiced amount and sells 2,940 gallons of gasohol to a retailer for sale outside Washington. The tax paid on the unleaded is equal to .095 cents per gallon ($\$4.00 \div 4200$). Since the exported product has been blended with a component that has not been taxed, only 76.9% of the exported product is eligible for credit ($100 \div 130$). The credit would be \$2.15 ($2,940 \times .769 \times \$.00095$).

(iii) A petroleum distributor purchases 100 barrels of unleaded gasoline from refinery A and later purchases 100 barrels from refinery B. The distributor stores all of its unleaded gasoline in a single storage tank. The invoice from

refinery A separately states the amount of tax on the gasoline as \$5.00 and the refinery B invoice states the tax as \$4.00. The distributor pays the two invoiced amounts and sells 2,100 gallons of the commingled unleaded to a retailer located outside Washington. The distributor then purchases 100 more barrels of unleaded gasoline from distributor C. Distributor C's invoice separately states the tax as \$3.00. Following payment of the invoice, the distributor exports an additional 2,100 gallons of unleaded. The distributor could choose to calculate the tax using one of the methods of accounting described in (b) of this subsection.

(A) Under the first-in, first-out method the distributor would treat all 4,200 gallons sold as if it was the unleaded gasoline purchased from refinery A. Under this method, the credit would be equal to .119 cents per gallon ($\$5.00 \div 4,200$) or \$5.00 total ($\$.00119 \times 4,200$).

(B) Under the average of tax paid method the distributor would recompute the tax paid on average for the entire commingled amount making adjustments as gasoline is sold or gasoline is added. Prior to the addition of the purchases from refinery B or distributor C, the rate would be .119 cents per gallon ($\$5.00 \div 4,200$). Following the addition of the 100 barrels from refinery B the tank contains 8,400 gallons. The rate of tax would now be .107 cents per gallon ($(\$5.00 + \$4.00) \div 8,400$). Out of this amount 2,100 gallons is exported in the first sale. The credit for this sale would be equal to \$2.25 ($\$.00107 \times 2,100$). After the addition of the 100 barrels from distributor C, the tank contains 10,500 gallons ($8,400 - 2,100 + 4,200$). In order to recompute the tax, the total tax paid on the remaining gasoline after the first sale must be computed. After withdrawal of the 2,100 gallons of unleaded for the first sale, the total tax paid on the remainder would be \$6.74 ($(8,400 - 2,100) \times \$.00107$). The addition of the 100 barrels from distributor C causes the total tax for the stored amount to rise to \$9.74 ($\$6.74 + \3.00). The average rate of tax is now .093 cents per gallon ($\$9.74 \div 10,500$). The credit for the second export sale would be \$1.95 ($\$.00093 \times 2,100$).

(9) Credit for use of petroleum products. Effective March 26, 1992, any person having paid the tax imposed by this chapter may claim a refund or credit for the following:

(a) The use of petroleum products, as a consumer, for a purpose other than as a fuel. For this purpose, the term consumer shall be defined as provided in RCW 82.04.190; or

(b) The use of petroleum products as a component or ingredient in the manufacture of an item which is not a fuel.

(c) The amount of refund or credit claimed may not exceed the amount of tax paid by the person making such claim on the petroleum products so consumed or used.

(10) **How and when to pay tax.** The tax must be reported on special return forms prescribed by the department. The tax is due for payment together with the timely filing of the return upon which it is reported, on the twenty-fifth day of the month following the month in which the taxable ~~((offloading))~~ receipt into storage tanks occurs. In case any offloading commences on the last day of any month and extends past midnight, the ~~((offloading))~~ receipt will be deemed to have occurred during the following month.

~~((10))~~ (11) **How and when to claim credits.** Persons who pay tax under a direct payment certificate and persons who are both taxpayers and marine terminal operators should

claim credits as an offset against tax liability reported on the same return when possible. The tax return form provides a line for reporting the tax and a line and supporting schedule for taking credits as an offset against the tax reported. Persons claiming credit who are not required to file returns reporting liability for the tax may claim credits on forms provided by the department for this purpose. It is not required that any documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

~~((11))~~ (12) **Sales to United States government.** The tax does not apply to the ~~((offloading))~~ receipt into storage tanks of crude oil or petroleum products owned by the United States government. The United States government is also not required to collect the tax as a marine terminal operator when the United States government owns the facilities where crude oil or petroleum products are received. However, owners of crude oil or petroleum products ~~((offloaded at))~~ received and placed into the storage tanks of marine terminals owned by the United States government remain liable for the tax. In such instances the taxpayer is required to report the tax on forms supplied by the department. The tax is due for payment along with a completed return on the twenty-fifth day of the month following the month in which ~~((the offloading))~~ receipt into storage tanks occurred.

WSR 92-21-104
PROPOSED RULES
OFFICE OF MINORITY
AND WOMEN'S BUSINESS ENTERPRISES
 [Filed October 21, 1992, 11:30 a.m.]

Original Notice.

Title of Rule: WAC 326-02-030 Definitions; chapter 326-07 WAC, Public records rules and regulations for OMWBE; and WAC 326-08-070 Service of papers.

Purpose: To implement RCW 39.19.030 and chapter 42.17 RCW.

Statutory Authority for Adoption: RCW 39.19.030(7).

Statute Being Implemented: RCW 39.19.030 and chapter 42.17 RCW.

Summary: Add definition to general provisions for a new term used in amendment to chapters 326-30 and 326-40 WAC. Delete obsolete procedural provisions in chapter 326-08 WAC. Repeal obsolete chapter governing agency's public records.

Reasons Supporting Proposal: These rules are being updated to more effectively implement the provisions of chapter 39.19 RCW and to comply with the provisions of chapter 42.17 RCW.

Name of Agency Personnel Responsible for Drafting: Juan Huey-Ray, 406 South Water, Olympia, WA 98504, 586-1228; Implementation and Enforcement: James A. Medina, 406 South Water, Olympia, WA 98504, 753-9679.

Name of Proponent: Office of Minority and Women's Business Enterprises, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These rules set forth the requirements of the state's certification program and ensure compliance of the provisions of chapter 42.17 RCW.

Proposal Changes the Following Existing Rules: Will add a definition for "Heavy construction" in the general provisions; will delete a subparagraph describing proof of service, which is deemed unnecessary; and will repeal the entire chapter on public records (chapter 326-06 WAC) and replace it with a new chapter (chapter 326-07 WAC).

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Office of Minority and Women's Business Enterprises, 406 South Water, Olympia, WA 98504, on November 24, 1992, at 1:30 p.m.

Submit Written Comments to: Office of Minority and Women's Business Enterprises, 406 South Water, Olympia, WA 98504, by November 20, 1992.

Date of Intended Adoption: December 2, 1992.

October 21, 1992

James A. Medina

Director

AMENDATORY SECTION (Amending WSR 92-11-007, filed 5/11/92, effective 6/11/92)

WAC 326-02-030 Definitions. Words and terms used in this title shall have the same meaning as each has under chapter 120, Laws of 1983, unless otherwise specifically provided in this title, or the context in which they are used clearly indicates that they should be given some other meaning.

(1) "Advisory committee" means the advisory committee on minority and women's business enterprises.

(2) "Certified business" or "certified" means a business or the status of a business that has been examined by the Washington state office of minority and women's business enterprises and deemed to be a minority business enterprise (MBE), a women's business enterprise (WBE), a minority woman's business enterprise (MWBE), or a combination business enterprise (CBE).

(3) "Class of contract basis" means an entire group of contracts having a common characteristic. Examples include, but are not limited to, personal service contracts, public works contracts, leases, purchasing contracts, and contracts for specific types of goods and/or services.

(4) "Combination business enterprise" or "CBE" means a small business concern organized for profit, performing a commercially useful function, that is fifty percent owned and controlled by one or more minority men or MBEs certified by the office and fifty percent owned and controlled by one or more nonminority women or WBEs certified by the office. The owners must be United States citizens or lawful permanent residents.

(5) "Commercially useful function" means the performance of real and actual services which are integral and necessary in the discharge of any contractual endeavor, and not solely for the purpose of obtaining certification or obtaining credit for participation goal attainment.

(6) "Common industry practices" means those usages, customs, or practices which are ordinary, normal, or prevalent among businesses, trades, or industries of similar types engaged in similar work in similar situations in the community.

(7) "Conduit" means a certified business which agrees to be named as a subcontractor on a contract in which such certified business does not perform the work but, rather, the work is performed by the prime contractor, prime consultant, material supplier, purchasing contractor, or any other noncertified business.

(8) "Contract" means a mutually binding legal relationship, including a lease, or any modification thereof, obligating the seller to furnish goods or services, including construction, and the buyer to pay for them.

(9) "Contract by contract basis" means a single contract within a specific class of contracts.

(10) "Contractor" means a party who enters into a contract to provide a state agency or educational institution with goods or services, including construction, or a subcontractor or sublessee of such a party.

(11) "Corporate-sponsored dealership" means a business that does not meet the requirements for certification but is participating in a program specifically developed by a national or regional corporation to address the present-day issue of lack of opportunities for minorities or women in the dealership industry.

(12) "Director" means the director of the office of minority and women's business enterprises.

(13) "Educational institutions" means the state universities, the regional universities, The Evergreen State College, and the community colleges.

(14) "Front" means a business which purports to be eligible for certification but is not in fact legitimately owned and controlled by minorities, women, or a combination thereof.

(15) "Goods and/or services" means all goods and services, including professional services.

(16) "Heavy construction" means construction other than building, highway, or street construction; e.g., sewers and pipelines, railroads, communication and power lines, flood control, irrigation, marine, etc.

(17) "Joint venture" means a partnership of two or more persons or businesses created to carry out a single business enterprise for profit, for which purpose they combine their capital, efforts, skills, knowledge or property and in which they exercise control and share in profits and losses in proportion to their contribution to the enterprise.

~~((17))~~ (18) "Legitimately owned and controlled" means that minorities, women, or a combination thereof, own at least fifty-one percent interest in the business (unless the business qualifies as a corporate sponsored dealership under the provisions of subsection (11) of this section and WAC 326-20-050(4)); and the minorities, women, or combination thereof, possess and exercise sufficient expertise specifically in the firm's field of operation to make decisions governing the long-term direction and the day-to-day operations of the firm.

~~((18))~~ (19) "Manufacturer" means a business which owns, operates, or maintains a factory or establishment that produces or creates goods from raw materials or substantially alters goods before reselling them.

~~((19))~~ (20) "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(a) Black: Having origins in any of the black racial groups of Africa;

(b) Hispanic: Of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;

(c) Asian American: Having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or

(d) American Indian or Alaskan Native: Having origins in any of the original peoples of North America.

~~((20))~~ (21) "Minority business enterprise," "minority-owned business enterprise," or "MBE" means a small business concern, organized for profit, performing a commercially useful function, which is legitimately owned and controlled by one or more minority individuals or minority business enterprises certified by the office. The minority owners must be United States citizens or lawful permanent residents.

~~((21))~~ (22) "Minority women's business enterprise" or "MWBE" means a small-business concern, organized for profit, performing a commercially useful function, which is legitimately owned and controlled by one or more minority women and is certified by the office. The owners must be United States citizens or lawful permanent residents.

~~((22))~~ (23) "Office" means the office of minority and women's business enterprises of the state of Washington.

~~((23))~~ (24) "Pass-through" means a certified business which buys goods from a noncertified business and simply resells those goods to the state, state contractors or other persons doing business with the state for the purpose of allowing those goods to be counted towards fulfillment of WBE or MBE goals.

~~((24))~~ (25) "Person" means one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons.

~~((25))~~ (26) "Procurement" means the purchase, lease, or rental of any goods or services.

~~((26))~~ (27) "Public works" means all work, including construction, highway and ferry construction, alteration, repair, or improvement other than ordinary maintenance, which a state agency or educational institution is authorized or required by law to undertake.

~~((27))~~ (28) "Regular dealer" means a certified business that owns, operates, or maintains a store, warehouse or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business.

~~((28))~~ (29) "Services," in the context of "goods and/or services," means all services including, but not limited to, client services, personal services, and purchased services as defined in RCW 39.29.006.

~~((29))~~ (30) "State agency" includes the state of Washington and all agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions. "State agency" does not include the judicial or legislative branches of government except to the extent that

procurement or public works for these branches is performed by a state agency.

~~((30))~~ (31) "Supplier" means a manufacturer, regular dealer, broker, or packager that (a) provides or furnishes goods or materials; (b) performs a commercially useful function; and (c) is not considered a conduit, front, or pass-through.

~~((31))~~ (32) "Switch business" means a business which was previously owned and controlled by a man, men or nonminorities, which has made technical changes to its business structure so that it is now purportedly owned and controlled by a woman or women or by a minority person or persons, but continues to operate in substantially the same manner as it did prior to the written revisions of the business structure.

~~((32))~~ (33) "Women's business enterprise," "women-owned business enterprise," or "WBE" means a small business concern, organized for profit, performing a commercially useful function, which is legitimately owned and controlled by one or more women or women's business enterprises certified by the office. The women owners must be United States citizens or lawful permanent residents.

Chapter 326-07 WAC

PUBLIC RECORDS RULES AND REGULATIONS FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

NEW SECTION

WAC 326-07-010 Purpose. The purpose of this chapter shall be to ensure compliance by the office with the provisions of chapter 42.17 RCW, and in particular with RCW 42.17.250 through 42.17.320, dealing with public records.

NEW SECTION

WAC 326-07-020 Definitions. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the office regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

NEW SECTION

WAC 326-07-030 Description of office organization.

(1) The office is located at 406 South Water Street, Olympia, Washington 98504.

(2) The office consists of a director, deputy director, confidential secretary, support staff, and three divisions; certification, monitoring, and information services.

(3) The office provides the following services: Certification of businesses, monitoring agency/educational institution compliance with chapter 39.19 RCW and this title,

publication of a list of certified businesses, identification of barriers to participation by minority and women-owned businesses in the contracting and procurement processes of state agencies and educational institutions, and development of a plan which ensures opportunities for qualified minority and women-owned businesses to participate.

NEW SECTION

WAC 326-07-040 Operations and procedures. (1) Practice and procedure in and before the office are governed by the Model rules of procedure, chapter 10-08 WAC. Adjudicative proceedings are governed by chapter 326-08 WAC.

(2) The operations of the office are conducted according to the provisions of chapter 39.19 RCW.

NEW SECTION

WAC 326-07-050 Public records available. All public records of the office, except as otherwise provided in RCW 42.17.310, shall be available for public inspection and copying during the customary office hours of the office.

NEW SECTION

WAC 326-07-060 Public records officer. The person designated by the director as the public records officer shall be responsible for the following:

The implementation of the agency's rules and regulations regarding release of public records, coordinating the staff of the agency in this regard, and generally ensuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

NEW SECTION

WAC 326-07-070 Office hours. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 326-07-080 Requests for public records. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the office, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the office which shall be available at its office. The form shall be presented to the public records officer; or to the appropriate member of the office's staff, if the public records officer is not available, at the office during customary office hours. The request shall include the following information:

- (a) The name, address, and organization represented, if any, of the person requesting the record;
- (b) The calendar date on which the request was made;
- (c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the office's current index, an appropriate description of the record requested;

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or, in his or her absence, the appropriate staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

NEW SECTION

WAC 326-07-090 Inspection and copying. (1) Inspection of public records shall be made in the presence of the public records officer or, in his or her absence, the presence of the appropriate staff member.

(2) Copying of public records shall be performed only by the public records officer or, in his or her absence, the appropriate staff member.

NEW SECTION

WAC 326-07-100 Fees. No fee shall be charged for the inspection of public records. The office shall charge a fee of twenty-five cents per page for providing copies of public records. This charge is the amount necessary to reimburse the office for its actual costs incident to such copying.

NEW SECTION

WAC 326-07-110 Exemptions. (1) The office reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 326-06-080 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260(1), the office reserves the right to delete identifying details when it makes available or publishes any public record, in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

NEW SECTION

WAC 326-07-120 Review of denials of public records request. (1) Any person who objects to the denial of a request for a public record may petition for a review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public

records officer shall refer it to the director, who shall consider the matter in a timely manner. The request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the office has returned the petition with a decision or until the close of the second business day following denial, whichever occurs first.

NEW SECTION

WAC 326-07-130 Protection of public records. (1) No person shall knowingly alter, deface, or destroy public records of the agency.

(2) Original copies of public records of the office shall not be removed from the office.

NEW SECTION

WAC 326-07-140 Records index. (1) A chronological index shall be maintained by the public records officer on the following:

- (a) All final orders entered after June 30, 1990, issued in adjudicative proceedings;
- (b) Declarative orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240;
- (c) Interpretative statements as defined in RCW 34.05.010(8) that were entered after June 30, 1990; and
- (d) Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990.

(2) The index shall contain identifying information on each item listed in subsection (1) of this section and shall be maintained in ascending chronological order.

NEW SECTION

WAC 326-07-150 Communications with the office. All communications with the office, including but not limited to, the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules, requests for copies of the office's rules, and other matters, shall be addressed as follows:

Office of Minority and Women's
Business Enterprises
c/o Public Records Officer
P.O. Box 41160
Olympia, Washington 98504-1160

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 326-06-010 Purpose.
- WAC 326-06-020 Definitions.
- WAC 326-06-030 Description of office organization.
- WAC 326-06-040 Operations and procedures.
- WAC 326-06-050 Public records available.
- WAC 326-06-060 Public records officer.
- WAC 326-06-070 Office hours.
- WAC 326-06-080 Requests for public records.
- WAC 326-06-090 Copying.

- WAC 326-06-100
- WAC 326-06-110

- Exemptions.
- Review of denials of public records request.
- Protection of public records.
- Records index.
- Communications with the agency.
- Request for public record—Form.

- WAC 326-06-120
- WAC 326-06-130
- WAC 326-06-140
- WAC 326-06-160

AMENDATORY SECTION (Amending Order 92-15-077, filed 7/16/92)

WAC 326-08-070 Service of papers. (1) All notices, pleadings, and other papers filed with the presiding officer shall be served upon all counsel and representatives of record and upon unrepresented parties or upon their agents designated by them or by law.

(2) Service shall be made personally or, unless otherwise provided by law, by first-class, registered, or certified mail; by telegraph, by electronic telefacsimile transmission and same-day mailing of copies, or by commercial parcel delivery company.

(3) Service by mail shall be regarded as completed upon deposit in the United States mail properly stamped and addressed. Service by telegraph shall be regarded as completed when deposited with a telegraph company properly addressed and with charges prepaid. Service by electronic telefacsimile transmission shall be regarded as completed upon production by the telefacsimile device of confirmation of transmission. Service by commercial parcel delivery shall be regarded as completed upon delivery to the parcel delivery company with charges prepaid.

(4) Papers required to be filed with the office shall be deemed filed upon actual receipt during office hours at any location of the office. Papers required to be filed with the presiding officer shall be deemed filed upon actual receipt during office hours at the office of the presiding officer.

~~(5) Where proof of service is required by statute or rule, filing the papers with the presiding officer, together with one of the following, shall constitute proof of service:~~

- ~~(a) An acknowledgement of service.~~
- ~~(b) A certificate that the person signing the certificate did on the date of the certificate serve the papers upon all parties of record in the proceeding by:~~
 - ~~(i) Delivering a copy thereof in person to (names.); or~~
 - ~~(ii) Mailing a copy thereof, properly addressed with postage prepaid, to each party to the proceeding or his or her attorney or authorized agent; or~~
 - ~~(iii) Telegraphing a copy thereof, properly addressed with charges prepaid, to each party to the proceeding or his or her attorney or authorized agent; or~~
 - ~~(iv) Transmitting a copy thereof by electronic telefacsimile device, and on the same day, mailing a copy to each party to the proceeding or his or her attorney or authorized agent; or~~
 - ~~(v) Depositing a copy thereof, properly addressed with charges prepaid, with a commercial parcel delivery company.~~

**WSR 92-21-105
PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS**
[Filed October 21, 1992, 11:39 a.m.]

Original Notice.

Title of Rule: WAC 196-12-030 Examinations; 196-12-050 Evaluations of candidates; 196-16-020 Examinations; 196-16-031 Comity; 196-24-030 Comity; 196-24-050 Examinations; and 196-24-105 Examination review.

Purpose: To clarify existing language and provide new language requiring that engineers and land surveyors take an examination over chapter 18.43 RCW and Title 196 WAC.

Statutory Authority for Adoption: RCW 18.43.035.

Statute Being Implemented: Chapter 18.43 RCW.

Summary: This law examination requirement applies to both examination and comity applicants. For examinees it will start with the April 1993 licensing examination. For comity applicants it will start with applications filed on or after April 1, 1993. The law exam must be passed for licensure. The statute and codes being tested over are listed. The amendment will ensure that engineers and land surveyors are familiar with the statute, codes and ethical standards that they practice under. With this increased knowledge, law violations should be reduced.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: W. Rick Notestine, 2424 Bristol Court S.W., Olympia, 753-3634.

Name of Proponent: Board of Registration for Professional Engineers and Land Surveyors, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment to a series of rules implements the requirement for engineers and land surveyors to take an examination over chapter 18.43 RCW and Title 196 WAC. This law exam will be given to all candidates being licensed by exam starting with the April 1993 examination and all candidates being licensed by comity starting with applications filed on or after April 1, 1993. It is a "take-home," multiple choice exam. The purpose is to ensure that engineers and land surveyors read and become familiar with the laws that govern their practice. The anticipated effect is that engineers and land surveyors will be more conscientious about the law and practice within the requirements and ethical standards defined in it.

Proposal Changes the Following Existing Rules: WAC 196-12-030, implements the law exam requirements, gives starting dates and lists laws to be tested over; WAC 196-12-050, requires an EIT to take both the branch and law exams; WAC 196-12-050 [196-16-020], implements the law exam requirement, gives starting dates and lists laws to be tested over; WAC 196-16-031, clarifies language that land surveyor comity applicants are exempt from taking both the fundamentals and principles and practice examinations. In subsection (3), examination is made plural, land surveyors will take a comity exam and law exam for licensure; WAC 196-24-030, delete "without further examination" because a law exam will be required of comity applicants for licensure. Add "professional land surveyor" to expand scope of the

section. Add two paragraphs to state that engineers and land surveyors must pass the law examination; WAC 196-24-050, add new paragraph to state that engineers and land surveyors must take and pass the law exam and gives the starting dates for comity and licensure by exam applicants; and WAC 196-24-105, statement added to not allow the law exam to be reviewed if failed. That exam can be retaken immediately upon notice that it was not passed.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Seattle Marriott - SeaTac, City Suite Area, 3201 South 176th Street, SeaTac, WA, on December 4, 1992, at 1:00 p.m.

Submit Written Comments to: Alan E. Rathbun P.E., P.O. Box 9649, Olympia, WA 98507-9649, FAX (206) 586-0998, by December 3, 1992.

Date of Intended Adoption: December 4, 1992.

October 21, 1992
Alan E. Rathbun
Executive Director

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-12-030 Examinations. (1) The examination is given in ~~two~~ three parts; fundamentals of engineering (EIT), branch (PE), and law. All examinations are given with open book unless otherwise specified by the board.

For the specific branch of engineering in which the applicant desires to qualify, and for the times and places of such examinations, see WAC 196-24-050.

(2) The following rules shall apply:

(a) Applicants must be enrolled as an engineer-in-training ~~(and are required)~~ in order to take the branch examination (in the specific branch of engineering under which they desire to qualify).

(b) Applicants ~~(who are)~~ enrolled as an EIT(s) in any other state(s), territory, or possession of the United States, the District of Columbia, or a foreign country by virtue of a written examination comparable to that given by the state of Washington (may) will be exempt from taking the (first stage of the) fundamentals of engineering examination.

(c) All qualified applicants are required to take the examination in the specific branch of engineering in which they desire to become registered.

(d) All three parts of the examination must be passed to become licensed as a professional engineer. Except for candidates who have been approved to waive the fundamentals and engineering exam under WAC 196-12-050(2); those candidates must write only the branch and law exams.

(3) Applicants for a professional engineer (PE) license, either by examination or comity, must take and pass the law portion of the examination effective as follows:

Examination

Starting with the April 16, 1993, examination, and continuing with future licensing examinations, PE applicants being examined for initial licensure shall also take the law exam. Initial licensure, in the context of this section, means licensure for an applicant who has not previously obtained

a professional license under chapter 18.43 RCW in the state of Washington.

Comity

Any applicant for licensure by comity whose application is postmarked on or after April 1, 1993, shall take the law examination.

(a) The law examination will cover the following sections of statute and administrative code:

Chapter 18.43 RCW;

Chapter 196-04 WAC;

Chapter 196-08 WAC;

Chapter 196-12 WAC;

Chapter 196-16 WAC;

Chapter 196-20 WAC;

Chapter 196-24 WAC;

Chapter 196-26 WAC;

Chapter 196-27 WAC.

(b) The examination is multiple choice format and will be administered as a "take-home" exam. The law exam shall be taken after the branch exam.

(c) A candidate failing the law examination may retake the examination upon notice that they did not pass.

AMENDATORY SECTION (Amending WSR 92-01-101, filed 12/17/91, effective 1/17/92)

WAC 196-12-050 Evaluation of candidates for engineering licenses. (1) A candidate who is enrolled as an E.I.T. is required to write ~~((only))~~ both the examination in the branch approved by the board and the law examination to obtain licensure.

(2) Candidates who have had at least twelve years of experience satisfactory to the board and hold a baccalaureate degree in an approved engineering curriculum may request that the fundamental examination be waived and that they be permitted to write the branch and law examinations only.

(3) A professional land surveyor seeking registration as a professional engineer should refer to WAC 196-12-020.

AMENDATORY SECTION (Amending Order PM 820, filed 2/10/89)

WAC 196-16-020 Examinations. (1) The ~~licensing examination((s are))~~ is given in ~~((two))~~ three parts~~((:-(+)))~~; fundamentals ((and (2))), principles and practice, ((each of one day's duration)) and law. The fundamentals and principles and practice exams are each one day in length. The law exam is a take-home examination.

(a) The fundamentals of land surveying examination shall test knowledge areas including, but not limited to, the following: Mathematics, measurement techniques, field techniques, computation techniques, and record sources. The principles and practice examination shall test knowledge areas including, but not limited to, the following: Washington state law and judicial decisions, public land system, property descriptions, surveying principles procedures and standards, geometrics, error analysis together with ethics and professional conduct. Copies of the examination matrices are available from the board office upon request.

(b) A candidate may elect to sit for the fundamentals and principles and practice examinations ~~((in))~~ on two

consecutive days or they may sit for ~~((one part of one examination and the other part))~~ the fundamentals only, and take the principles and practice at a subsequent examination. The law exam shall be taken after the principles and practice exam.

(c) A candidate failing ~~((either the fundamentals or principles and practice and passing the other has))~~ any one of the three parts of this examination must only ((to)) repeat the part(s) failed.

(d) A candidate must pass all three parts of the examination to become licensed as a professional land surveyor.

(2) Applicants for a professional land surveyor (PLS) license, either by examination or comity, must take and pass the law portion of the examination effective as follows:

Examination

Starting with the April 16, 1993, examination, and continuing with future licensing examinations, PLS applicants being examined for initial licensure shall also take the law exam. Initial licensure, in the context of this section, means licensure for an applicant who has not previously obtained a professional license under chapter 18.43 RCW in the state of Washington.

Comity

Any applicant for licensure by comity whose application is postmarked on or after April 1, 1993, shall take the law examination.

(a) The law examination will cover the following sections of statute and administrative code:

Chapter 18.43 RCW;

Chapter 196-04 WAC;

Chapter 196-08 WAC;

Chapter 196-12 WAC;

Chapter 196-16 WAC;

Chapter 196-20 WAC;

Chapter 196-24 WAC;

Chapter 196-26 WAC;

Chapter 196-27 WAC.

(b) The law examination is multiple choice format and will be administered as a "take-home" exam.

(c) Candidates failing the law examination may retake the examination upon notice that they did not pass.

AMENDATORY SECTION (Amending WSR 91-23-111, filed 11/20/91, effective 12/21/91)

WAC 196-16-031 Comity. Applicants for registration as a land surveyor by comity will be exempt from the full sixteen-hour ~~((written))~~ fundamentals and principles and practice examinations administered by this board provided:

(1) That the applicant's qualifications meet the requirements of chapter 18.43 RCW and the rules established by the board;

(2) That the applicant has been qualified by a written sixteen-hour examination determined by the board to be equivalent to the exam administered in Washington; and

(3) That the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction of original

registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration.

All candidates will be required to pass ((a)) written examinations as prescribed by the board. The examinations shall test knowledge areas as described in WAC 196-16-020.

AMENDATORY SECTION (Amending WSR 91-23-111, filed 11/20/91, effective 12/21/91)

WAC 196-24-030 Comity. The board for professional engineers and land surveyors may, upon application, and payment of a fee, issue a certificate of registration (~~without further examination~~) as a professional engineer or a professional land surveyor to any person who holds a certificate of registration issued to the applicant following examination by proper authority, of any state, territory or possession of the United States, the District of Columbia, or of any foreign country, provided the following conditions are met:

(1) That the applicant's qualifications meet the requirements of chapter 18.43 RCW and the rules established by the board;

(2) That the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction of original registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration; ~~((and))~~

(3) That the certificate of registration has been granted on the basis of examinations equivalent to those given by the state of Washington;

(4) That engineers pass the law examination as prescribed in WAC 196-12-030(3); and

(5) That land surveyors pass the law examination and a written examination as prescribed in WAC 196-16-020 and 196-16-031.

AMENDATORY SECTION (Amending WSR 92-09-089, filed 4/17/92, effective 5/18/92)

WAC 196-24-050 Examinations. (1) The regular branches of engineering in which certificates of registration are presently issued are: Aeronautical, agricultural, chemical, civil, control systems, electrical, fire protection, industrial, logging, manufacturing, mechanical, metallurgical, mining, naval architecture and marine engineering, nuclear, and petroleum. The branch of structural engineering is a specialized branch. An applicant for structural engineer is required to hold a current registration in the state of Washington, in one of the regular branches. Applicants shall have a minimum of ten years of professional engineering experience (two years in addition to the statutory eight-year requirement) at least two years of which must be structural engineering.

The examination in structural engineering shall be sixteen hours long.

Certificates of registration shall also be issued in land surveying.

All examinations are given at times and places as designated by the board. The schedule of future examinations may be obtained from the board office.

(2) Applicants for registration by comity who have been issued certificates of registration without examination or by

examination not equivalent to exams given in Washington, or do not have a certificate of registration shall be required to sit for an examination.

(a) The examination will be in a branch of engineering selected from the list of regular branches given in subsection (1) of this section.

The board must approve of the branch selected before an exam can be administered.

(b) Such examinations are given after the board has approved the applicant's request for licensure.

(c) In cases where an applicant is issued a certificate of registration by his or her governmental body in a branch not included in the list of regular branches (subsection (1) of this section) the board may examine such an applicant in a regular branch of his or her choice, the one closest to his or her specialty.

(3) One designation as professional engineer and/or land surveyor will be issued by comity. Each added designation requires a new application. Any additional branch designations will be authorized after the applicant has passed an examination in the branch, except that applicants may be granted registration in the additional branch without further examination provided they have successfully passed an examination equivalent to that given in the state of Washington.

(4) All examinations will be open book unless otherwise specified by the board.

(5) Applicants for a professional engineer or professional land surveyor license, either by examination or comity, must take and pass the law portion of the examination effective as follows:

Examination

Starting with the April 16, 1993, examination, and continuing with future licensing examinations, applicants being examined for initial licensure shall also take the law exam. Initial licensure, in the context of this section, means licensure for an applicant who has not previously obtained a professional license under chapter 18.43 RCW in the state of Washington.

Comity

Any applicant for licensure by comity whose application is postmarked on or after April 1, 1993, shall take the law examination. This exam is prescribed in WAC 196-12-030 for engineers and WAC 196-16-020 for land surveyors.

AMENDATORY SECTION (Amending WSR 92-15-139, filed 7/22/92, effective 8/22/92)

WAC 196-24-105 Examination review. The following conditions shall apply to all examinations administered by the board ~~((:))~~ except the law examination. The law exam may not be reviewed.

First time examinees shall not be allowed to view any examination material prior to taking the examination other than syllabi available to the public or sample examination booklets published by the National Council of Examiners for Engineering and Surveying.

Examinees who achieve a passing score will not be permitted to review their examination.

Failing examinees may review their examination (test booklet, answer sheet or solution pamphlet and answer key) during a period of up to ninety days as prescribed by the board. Examinees shall review their examinations only during the prescribed time period. Examinees who fail to review their exam during the prescribed time will not be scheduled for an examination review. This review shall be under the following conditions:

(1) An examinee shall be able to review his/her examination one time only. This review shall be arranged in advance by appointment with office staff.

(2) All examination reviews shall be conducted in the presence of a member of the office staff. No one may accompany the examinee during the examination review except where persons with disability require assistance, and that need is conveyed to staff when the exam review appointment is made.

(3) In regard to any examinations consisting of machine scored answer sheets, the examinee shall be allowed to review a copy of his/her answer sheet.

(4) Note taking shall be limited to examination scoring and general problem subject matter. No detailed notes depicting any portion of an examination question or solution will be permitted.

(5) Board of registration staff shall supply the examinee with writing materials for taking notes.

(6) All notes must be reviewed by board staff prior to the examinee leaving the office.

(7) All examination appeals shall be conducted in conformance with the policies and procedures adopted by the board. Any questions pertaining to an appeal of examination scoring shall be directed to supervisory staff.

WSR 92-21-106
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed October 21, 1992, 11:42 a.m.]

Original Notice.

Title of Rule: Chapter 296-306 WAC, Safety standards for agriculture.

Purpose: Chapter 296-306 WAC, Safety standards for agriculture, proposed state-initiated amendments and new sections to the agriculture standards are made to include legislative amendments issued by 1992 SHB 2831, effective April 1, 1992, and other recommendations and requests from representative farm worker advocates where adequate justification indicated additional farm worker protection and hygiene practices were required.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Statute Being Implemented: RCW 49.17.040, [49.17].050, and [49.17].060.

Summary: Proposed amendments to WAC 296-306-010 Purpose and scope, are made to be more precise in the interpretation and presentation of applicable industries and activities within the major standard agricultural industries classification groups, and subsection (4), which exempts air contaminant standards of the general occupational health

standards, is deleted; proposed amendment to WAC 296-306-012 Definitions, is made to add a new term describing how "handling pesticides" will be interpreted and applied; proposed amendments to WAC 296-306-035 Accident prevention program, are made to reflect requirements in the general safety and health standards which are comparable to similar requirements in construction and general industry. The amendments will allow all employees the capability of representing the employee group whereas temporary and seasonal employees were previously excluded; proposed amendments to WAC 296-306-060 Personal protective equipment, are made to include language similar to new EPA regulations on protective equipment requirements for persons handling pesticides. It also provides more detailed descriptions of the requirements the equipment must meet. Language on the use of enclosed cabs, closed mixing and loading systems, and laundering of personal protective equipment is also similar to new EPA regulations; proposed new sections WAC 296-306-061, 296-306-062, 296-306-063, 296-306-064, 296-306-067, and 296-306-068 are to include applicable material from chapter 296-24 WAC. The specific sections included are Machine guarding, WAC 296-306-06101 through 296-306-06119; Definitions, WAC 296-306-062; General requirements (machine guarding), WAC 296-306-063; General requirements (power transmission belts), WAC 296-306-064 and 296-306-06401 through 296-306-06417; Power lawn mowers, WAC 296-306-06701 through 296-306-06709; Jacks, WAC 296-306-06801 through 296-306-06805. These sections were selected for inclusion as a result of statistical review which indicated areas where farmsteads had been previously cited in violation. The standards are included in chapter 296-306 WAC to make the requirements more visible to affected employers and employees; proposed amendment to WAC 296-306-070 is reserved. The text is relocated and renumbered to WAC 296-306-061. Farm shops, where workers may be exposed, are not exempt from the safety requirements of the standard. Therefore, the exemption currently stated is no longer pertinent. New sections for shop machinery replace this exemption; proposed new sections WAC 296-306-081, 296-306-082, 296-306-083 and 296-306-084, concerning portable power tools and abrasive grinders are added for the same logic. Specific sections included are WAC 296-306-08101 through 296-306-08105, 296-306-08301 through 296-306-08307, and 296-306-08401 through 296-306-08409. These sections were selected for inclusion as a result of statistical review which indicated areas where farmsteads had been previously cited in violation. The standards are included in chapter 296-306 WAC to make the requirements more visible to affected employers and employees; proposed amendments to WAC 296-306-105 Orchard ladders, are made to provide additional ladder safety for farm workers; proposed amendment to WAC 296-306-115 is made to include new requirements of trenching and excavations adopted to be at-least-as-effective-as the federal rule to chapter 296-155 WAC, Safety standards for construction work. This change will make agricultural requirements equal to those required industry-wide within the state; proposed new sections WAC 296-306-14501 General requirements, 296-306-14503 Wiring design and protection, 296-306-14505 Wiring methods, components, and equipment for general use, 296-306-14507 Hazardous (classified)

locations, and 296-306-14509 Working on or near exposed energized parts, (electrical protection), are added to make applicable sections of the general safety and health standard available to users in the agriculture industries. Documented citations indicate that these sections are encountered at agriculture establishments and, therefore, they are included for user convenience; proposed new sections WAC 296-306-146 Definitions applicable to WAC 296-306-145 through 296-306-148, 296-306-147 Selection and use of work practices, and 296-306-148 Personal protective equipment for electrical applications are also added from the general safety standards; proposed amendments to WAC 296-306-165 General requirements for all agricultural equipment, are made to include requirement for written program and employee training for equipment/area operation; proposed amendments to WAC 296-306-200 are to add training requirements for tractor operators; proposed amendments to WAC 296-306-26001 Minimum performance criteria for rollover protective structures for designated scrapers, loaders, dozers, graders, and crawler tractors, 296-306-265 Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in agriculture, and 296-306-270 Overhead protection for operators of agricultural and industrial tractors, are made to eliminate duplication of descriptive illustration references, thereby making the standard easier to interpret and apply; proposed amendments to WAC 296-306-27095 Exhibit B—Figures C-17 through C-34, are made to eliminate duplicate illustrations, thereby making the standard easier to interpret and apply; proposed new section WAC 296-306-330 Emergency washing facilities for pesticide handlers, will provide needed protection for employees in affected workplaces. It requires certain emergency wash facilities and employee training on hygiene; proposed new section WAC 296-306-33001 was developed to assure employees are provided appropriate materials for cleansing after handling pesticides; proposed amendment to WAC 296-306-400 Posting requirements, adds a requirement for employee notification and evacuation of areas of pesticide application, and deletes a "7-day" posting time limitation to comply with and include legislative mandated changes in 1992 SHB 2831, effective April 19, 1992; proposed amendments to WAC 296-306-40003 General requirements (pesticide application) are made to comply with, and include, legislative mandated changes of SHB 2831, effective April 19, 1992; proposed new section WAC 296-306-40007 Emergency medical care information, is added to make information readily available to employees. The proposed regulation is near identical to the United States Environmental Protection Agency worker protection standard, 40 CFR 170; proposed new section WAC 296-306-40009 Emergency assistance, adds required protection for employees of agricultural establishments when accidentally exposed, poisoned, or injured by pesticides. The proposed regulation is identical to the United States Environmental Protection Agency worker protection standard, 40 CFR 170; and proposed new section WAC 296-306-40011 Cholinesterase monitoring for employees mixing, loading, or applying pesticides, and/or early reentering of treated areas, is added as a nonmandatory reference to methods of medical monitoring for these employees.

Reasons Supporting Proposal: To provide a safe and healthful workplace for all Washington agriculture employees.

Name of Agency Personnel Responsible for Drafting: Ray V. Wax, 7273 Linderson Way, Tumwater, WA, (206) 956-5526; Implementation and Enforcement: J. N. Kirchoff, 7273 Linderson Way, Tumwater, WA, (206) 956-5495.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above and Small Business Economic Impact Statement below.

Proposal Changes the Following Existing Rules: See Purpose and Summary above and Small Business Economic Impact Statement below.

Small Business Economic Impact Statement

Proposed amendments and new sections to chapter 296-306 WAC, Safety standards for agriculture.

Background

The Department of Labor and Industries is proposing changes to the safety standards for agriculture, chapter 296-306 WAC.

The department had extensive involvement of both growers and farm workers and their advocates in the process of developing these final proposed amendments. Five informal monthly meetings were held separately with grower and farmworker representatives and advocates starting in October 1991 to discuss drafts and redrafts of the proposed rule changes, and to solicit suggestions for changes. Eight "informal" public hearings were held around the state in June 1992 to receive additional public comment on a draft of proposed amendments. Finally a joint meeting with both grower and farmworker advocates was held in July 1992 to further discuss the proposed amendments and input from the informal public hearings. As a result of these meetings and public hearings significant changes were made in this final proposed amendment that mitigate costs of emergency and routine washing facilities for employees handling pesticides.

Summary of Amendments

The following are new requirements that agricultural employers will have to follow to comply with these proposed changes for which there may be significant costs: Prepare a written accident prevention program and minutes of weekly foreman-crew safety meetings; provide goggles and gloves to employees who mix or load any pesticide or work on pesticide-contaminated equipment; wash or launder any pesticide label-specified personal protective clothing or gear worn by employees mixing, loading or applying pesticides; provide clean change areas and places where personal protective equipment such as protective clothing, boots, gloves, goggles, or respirators; change respirator cartridges daily or after 8 hours of use when respirators must be worn as specified on pesticide labels; provide orientation and training for employees using orchard ladders or operating tractors; provide emergency washing facilities for employees who mix, load or apply pesticides. (This was partially covered in existing standards, WAC 296-62-130

Emergency washing facilities in the general occupational health standards, which require emergency showers and eyewash.); and conduct air monitoring, and provide respirators or install engineering controls when employees are exposed to nonpesticide chemicals above the permissible exposure limits (PELs) of those chemicals. "Nonpesticide chemicals" are defined as chemicals that are not insecticides, herbicides, fungicides, rodenticides, or fumigants.

Although there is new language on safety requirements for machine guarding, electrical safety, they are primarily clarifications of requirements in existing less specific regulatory language or were previously enforced through the "safe place standard," WAC 296-24-073. In addition new language regarding personal protective equipment clarifies existing less specific requirements in the agriculture standard and makes specific reference to pesticide label requirements currently mandated by the United States Environmental Protection Agency for the use of personal protective equipment. There is also additional language on pesticide posting and recordkeeping which was mandated by the legislature which changed existing posting and recordkeeping requirements, and mitigated costs of pesticide storage recordkeeping.

Professional Services Possibly Needed

In order to comply with these new requirements, the agricultural employer may require the following professional services: Commercial laundry services to launder personal protective clothing; industrial hygiene consulting services for determining possible overexposures to nonpesticide chemicals and methods or equipment to lower employee exposure. However, the department does provide industrial hygiene consultation services at no charge, to assist agricultural employers in this area; and professional consulting services to prepare accident prevention programs, ladder and tractor safety training programs and respirator protection programs. However, the department again has free consultation and training services available to employers through both the department's safety and health and industrial insurance divisions. In addition, grower trade organizations have already prepared some of these programs for grower-members.

Costs of Compliance

Personal protective equipment costs: Gloves - \$2 to \$35 per pair per pesticide mixing/loading employee; goggles - \$3 to \$10 each per pesticide mixing/loading employee; dust mask respirators - \$1 to \$2 each per employee required to wear a respirator; half-face respirators - \$20 to \$25 each per employee required to wear a respirator; full-face respirators - \$100 to \$175 each per employee required to wear a respirator; half-mask pesticide cartridges - \$10 each per 8 hours of use; and helmet respirator pesticide filters - \$20 to \$35 each per 8 hours of use. Personal protective equipment replacement costs will depend on frequency of use and type of equipment.

Protective clothing cleaning costs: Commercial laundry services - \$2 per piece; washing machine - \$250 to \$900 (new) or \$100 to \$400 (used); and dryer - \$220 to \$700 (new) or \$100 to \$300 (used). Larger employers may need to purchase more than one washer and dryer.

Emergency washing facilities costs: Portable eyewash - \$200 to \$225 per nonplumbed mixing and loading station; plumbed eyewash - \$200 to \$250 per plumbed mixing and loading station; and hand bottle eyewash - \$5 per pesticide handling employee.

Other costs: There will be additional "administrative" costs to prepare written accident prevention programs, safety meeting minutes and respirator programs, and to provide orientation and training on the safe use of orchard ladders and tractors. Some employers who have employees exposed to nonpesticide chemicals above the permissible exposure limits (PELs), may have to conduct air monitoring and purchase additional respirators or install engineering controls. These costs are difficult to predict as it would depend on the particular circumstances of exposure. However, farm employee overexposure to nonpesticide chemicals is expected to be a rare occurrence because other chemicals are infrequently used and much farm work is outdoors where ventilation is usually adequate.

Comparison of Cost - Small versus Large Employers

Personal protective equipment (PPE): The cost for personal protective equipment per employee would be the same for the small employer compared to the large employer since individual employees wear the equipment. Larger agricultural employers would be expected to have more employees who would be required to wear PPE. The extra costs for PPE required by these amendments is only for gloves and goggles to always be worn by pesticide mixer and loaders, replacing respirator cartridges after 8 hours of use by pesticide handlers and extra respirators which may be required for employees exposed to nonpesticide chemicals above the permissible exposure limits. All other PPE use is currently required by existing regulations and by pesticide labels.

Protective clothing cleaning costs: Costs for cleaning protective clothing would be proportionally more for the small employer. The cost of a washing machine and dryer would be the same whether one employee or ten employees clothing was washed. Commercial laundry services may not be feasible for many small employers in rural locations. However, for those employers who could use commercial laundry services, the cost should be proportionate for small employers compared to large employers.

Emergency washing facilities: Costs for portable or plumbed eyewashes would be somewhat more per employee for small employers compared to larger employers since one eyewash is required at every pesticide mixing and loading station. A small employer with several mixing and loading stations and only a small number of mixing/loading employees would incur higher costs per employee than a larger employer with only one or two mixing and loading stations and several mixer/loader employees.

Administrative costs: The costs for preparing written accident prevention programs, respirator programs and training and orientation on ladder and tractor safety will be proportionally more per employee for small employers. These programs will have to be prepared regardless of the number of employees an employer may have. However, as mentioned above, both the department and agriculture trade organizations can and have provided assistance in this area. It would cost significantly more per employee, per hour of

labor or per \$100 of sales for a small employer to contract private industrial hygiene consultants to conduct air monitoring and provide advice on respirators and engineering controls. However, as stated previously, the department does offer free I.H. consultation services which is available to the small employer in the rare cases where these services would be needed on a small farm to conduct air monitoring. In addition, the current exemption from the permissible exposure limits is only in agriculture. It should be noted that nonagriculture small employers have had to comply with these PELs for over twenty years.

Mitigation of Disproportionate Costs to Small Employers

Some costs to small agricultural employers were reduced in the redrafting process in response to small employers concerns. For example, an earlier proposed amendment required emergency showers at each pesticide mixing and loading site, that met ANSI standards which included specifications for construction and large volumes of running water. Testimony in public hearings revealed that the cost of providing the equipment and water would be quite expensive with smaller employers having to spend proportionally more money per employee needing these facilities. Therefore, the strict ANSI requirements for equipment and volumes of water were modified. In addition, a requirement in the previous draft for routine showers for persons handling pesticides was removed completely. Again, a small employer would have spent proportionally more per employee for routine shower facilities than a larger employer.

A written accident prevention program provides the basic structure for a safe workplace and has been required for all nonagriculture employers since the Washington Industrial Safety and Health Act was enacted twenty years ago. Similarly, the permissible exposure limit regulations have been in place for all nonagriculture employers for the past twenty years. These requirements which are currently exempted only in agriculture are too essential to the safety and health of agricultural workers to mitigate. They have proven to be extremely useful in reducing injuries and illnesses in all other industries.

Mitigation of other requirements would jeopardize the health of employees working for small employers. Laundering of protective clothing must be done to protect the health of the wearer by removing pesticides which can be absorbed through the skin from the clothing. Change and clean storage areas for employees to change into protective clothing and segregate personal clothing is needed to prevent contamination of personal clothing which is worn home. Some form of eyewash for employees mixing and loading pesticides is needed in the case of spills or splashes to the eyes. The department has not been informed of alternatives to these requirements that would be as protective to the employee of a small agricultural employer.

Finally the costs to small employers to develop written accident prevention programs and training programs for use of ladder, tractors, and respirators would be significantly reduced because consulting services are provided by the department at no charge as a service particularly for the small employer.

Hearing Location: The public hearings will commence at 9:30 a.m. at the following locations: On November 24,

1992, Department of Labor and Industries, 7273 Linderson Way, Tumwater, WA 98501, 1-800-423-7233; on November 30, 1992, Elks Lodge, 211 Riverside Drive, Mt. Vernon, WA 98273, (206) 424-1051; on December 1, 1992, Cedars Inn, 1 Appleway, Okanogan, WA 98840, (509) 422-6431; on December 2, 1992, Red Lion/Hanford House, 802 George Washington Way, Richland, WA 99352, (509) 946-7611; on December 2, 1992, Red Lion, 1225 North Wenatchee Avenue, Wenatchee, WA 98840, (509) 663-0711; on December 3, 1992, West Coast Ridpath Hotel, West 515 Sprague, Spokane, WA 99201, (509) 838-2711; and on December 3, 1992, Red Lion Inn, 1507 North 1st Street, Yakima, WA, (509) 248-7850.

Submit Written Comments to: J. N. Kirchoff, Assistant Director, P.O. Box 44600, Olympia, WA 98504-4600, by December 10, 1992, 5:00 p.m.

Date of Intended Adoption: January 4, 1993.

October 21, 1992
Joseph A. Dear
Director

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-306-010 Purpose and scope. (1) The standards in this chapter apply to all agricultural operations with one or more employees, when such employees are covered by the Washington Industrial Safety and Health Act (WISHA). Agriculture operations are defined as all operations necessary to farming and ranching, including maintenance of equipment and machinery, and planting, cultivating, growing or raising, keeping for sale, harvesting, or transporting on the farm or to the first place of processing any tree, plant, fruit, vegetable, animal, fowl, fish, or insects or products thereof. Agricultural operations include all employers who are designated by the division of industrial insurance in one or more of the following Standard Industrial Classification (SIC) Codes:

- 0111 Wheat
- 0115 Corn
- 0119 Cash Grains NEC, Barley, Peas, Lentils, Oats, etc.
- 0133 Sugar Cane and Sugar Beets
- 0134 Irish Potatoes - All Potatoes except Yams
- 0139 Field Crops - Hay, Hops, Mint, etc.
- 0161 Vegetables and Melons, All Inclusive
- 0171 All Berry Crops
- 0172 Grapes
- 0173 Tree Nuts
- 0175 Deciduous Tree Fruits
- 0179 Tree Fruits or Tree Nuts Not Elsewhere Classified
- 0181 Ornamental Floriculture and Nursery Products
- 0182 Food Crops Grown Under Cover
- 0191 General Farms, Primarily Crops
- 0211 Beef Cattle Feedlots
- 0212 Beef Cattle Except Feedlots - Cattle Ranches
- 0213 Hogs
- 0214 Sheep and Goats
- 0219 General Livestock Except Dairy and Poultry
- 0241 Dairy Farms
- 0251 Broiler, Fryer, and Roaster Chickens

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| <u>0252</u> | <u>Chicken Eggs</u> |
| <u>0253</u> | <u>Turkeys and Turkey Eggs</u> |
| <u>0254</u> | <u>Poultry Hatcheries</u> |
| <u>0259</u> | <u>Poultry and Eggs Not Elsewhere Classified</u> |
| <u>0271</u> | <u>Fur Bearing Animals and Rabbits</u> |
| <u>0272</u> | <u>Horses</u> |
| <u>0273</u> | <u>Animal Aquaculture</u> |
| <u>0279</u> | <u>Animal Specialties Not Elsewhere Classified</u> |
| <u>0291</u> | <u>General Farms, Primarily Livestock and Animal Specialties</u> |
| <u>0711</u> | <u>Soil Preparation Services</u> |
| <u>0721</u> | <u>Crop Planting, Cultivating, and Protecting</u> |
| <u>0722</u> | <u>Crop Harvesting, Primarily by Machine</u> |
| <u>0751</u> | <u>Livestock Services, Except Veterinary</u> |
| <u>0761</u> | <u>Farm Labor Contractors</u> |
| <u>0811</u> | <u>Timber Tracts, Christmas Tree Growing, Tree Farms</u> |
| <u>0831</u> | <u>Forest Nurseries</u> |
| <u>0851</u> | <u>Forestry Services - Reforestation</u> |

(2) In the event that the provisions of this chapter conflict with the provisions contained in any other chapter of Title 296 WAC, this chapter shall prevail. Sections of other chapters 296-24 WAC apply only when specifically referenced in this chapter.

(3) When employees are assigned to perform tasks other than those directly related to agricultural operations, the proper chapter of Title 296 WAC shall apply.

Note: Such assignments may involve logging, mining, sawmills, etc., when the products of such activities are removed from the farm site for commercial distribution.

(4) ~~((The air contaminant standards contained in WAC 296-62-073 through 296-62-07389 and 296-62-075 do not apply to chapter 296-306 WAC. Safety standards for agricultural code.~~

~~(5))~~ The requirement that the employer shall develop and maintain a hazard communication program as required by WAC 296-62-054 through 296-62-05427 which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed or may become exposed in the course of their employment, shall apply to chapter 296-306 WAC.

~~((Note: Such assignments may involve logging, mining, sawmills, etc., when the products of such activities are removed from the farm site for commercial distribution.))~~

AMENDATORY SECTION (Amending Order 86-46, filed 4/22/87)

WAC 296-306-012 Definitions applicable to all sections of this chapter.

Note: Meaning of words. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "Approved" means approved by the director of the department of labor and industries or his authorized representative: *Provided, however,* That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or

the Bureau of Mines, the provisions of WAC 296-24-006 shall apply.

(2) "Authorized person" means a person approved or assigned by the employer to perform a specific type of duty or duties or to be at a specific location or locations at the job site.

(3) "Competent person" means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective action to eliminate them.

(4) "Department" means the department of labor and industries.

(5) "Director" means the director of the department of labor and industries, or designated representative.

(6) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: *Provided,* That any person, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee.

(7) "Handling pesticides" means mixing, loading, or applying pesticide products, or maintaining, servicing or cleaning pesticide-contaminated equipment, or entering fields or treated areas before re-entry intervals are expired.

(8) "Hazard" means that condition, potential or inherent, which can cause injury, death, or occupational disease.

~~((8))~~ (9) "Safety factor" means the ratio of the ultimate breaking strength of a member or piece of material or equipment to the actual working stress or safe load when in use.

~~((9))~~ (10) "Shall" or "must" means mandatory.

~~((10))~~ (11) "Should" or "may" means recommended.

~~((11))~~ (12) "Standard safeguard" means a device designed and constructed with the object of removing the hazard of accident incidental to the machine, appliance, tool, building, or equipment to which it is attached.

Standard safeguards shall be constructed of either metal or wood or other suitable material or a combination of these. The final determination of the sufficiency of any safeguard rests with the director of the department of labor and industries through the division of safety.

~~((12))~~ (13) "Suitable" means that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

~~((13))~~ (14) "Working day," for the purpose of appeals and accident reporting, means a calendar day, except Saturdays, Sundays, and legal holidays, as set forth in RCW 1.16.050, as now or hereafter amended, and for the purposes of the computation of time within which an act is to be done under the provisions of this chapter, shall be computed by excluding the first working day and including the last working day.

~~((14))~~ (15) "Workmen," "personnel," "man," "person," "employee," and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, mean an employee of an employer who is employed in the business of his employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is his personal labor for an employer whether by manual labor or otherwise.

AMENDATORY SECTION (Amending Order 75-2, filed 1/24/75)

WAC 296-306-035 Accident prevention program.

(1) The agricultural employer shall instruct all employees, including temporary and seasonal employees, in safe working practices. Such instruction shall be tailored to the types of hazards to which the employees will be exposed.

~~(2) ((The agricultural employer or a delegated representative shall schedule and take part in monthly safety meetings with year-round employee(s), or representatives they may select.~~

~~(3) The employer shall conduct weekly inspections of job sites, materials, equipment and operating procedures. Findings from such inspections shall be discussed at safety meetings.~~

Note: Employers should consider the advantage of having an employee representative participate in such inspections.

~~(4) A record of safety meetings and inspections shall be kept by the employer. This record shall be made available to personnel of the department of labor and industries upon request.~~

~~(5) Agricultural employers shall give appropriate safety instruction to seasonal employees and temporary crews at the beginning of employment.)~~ Each employer shall develop an accident prevention program tailored to the needs of the particular farm or agricultural operation and to the types of hazards involved.

(3) The following are minimal program elements, for all agricultural employers, to be included in the safety orientation program:

(a) How, when, and where to report injuries and illnesses, and the location of first-aid facilities.

(b) How to report unsafe conditions and practices.

(c) The use and care of personal protective equipment.

(d) What to do in emergencies.

(e) Identification of hazardous chemicals or materials and the instruction for their safe use.

(f) An on-the-job review of the practices necessary to perform job assignments in a safe and healthful manner.

(4) The accident prevention program shall be outlined in writing.

(5) Every employer shall conduct foreman-crew safety meetings as follows:

(a) Foreman-crew safety meetings shall be held weekly when employees are employed during all farming activities. These meetings shall be tailored to the particular operation or activity occurring at the time.

(b) Attendance shall be documented.

(c) Subjects discussed shall be documented in the form of minutes.

(d) Short-term operations, such as harvesting, that lasts less than one week, do not require foreman-crew safety meetings but only require initial safety orientation for the operation.

(6) Minutes of each foreman-crew safety meeting shall be prepared and maintained at the location where the majority of employees report to work each day.

(7) Minutes for foreman-crew safety meetings shall be retained by employers for one year, and shall be made available upon request to personnel of the department of labor and industries.

(8) Every employer shall conduct weekly walk-around safety inspections of active jobsites, materials, and equipment involved and operating procedures.

(a) The safety inspections shall be conducted by a management representative and an employee representative chosen by employees.

(b) Records of walk-around inspections shall be maintained by the employer for one year, and shall be made available for inspection by personnel of the department of labor and industries.

AMENDATORY SECTION (Amending Order 83-34, filed 11/30/83)

WAC 296-306-060 Personal protective equipment.

(1) Employers shall make certain that employees are protected from injury or impairment of any bodily function that might occur through absorption, inhalation or physical contact of any substance, vapor, radiation or mechanical irritant. Adequate protective equipment for eyes, face, head and extremities, protective clothing, respiratory devices, shields and barriers shall be provided at no cost to the employees and used wherever appropriate. Such equipment shall be maintained in sanitary and reliable condition.

(2) If employees provide their own protective equipment, the employer shall require that such equipment be adequate, and properly maintained and sanitary.

(3) Every item of personal protective equipment shall be designed and constructed in such a way that it will be safe to use for the work being done, and reasonably comfortable to wear.

(4) Eye protectors shall be required wherever workers are exposed to flying objects, welding or cutting glare, injurious liquids, injurious radiation or any combination of these. Eye protectors shall meet the criteria of the American National Standard for Occupational and Educational Eye and Face Protection.

(a) The employer shall provide and require employees to wear eye protection and gloves whenever opening or pouring out pesticide containers, mixing, loading, or transferring pesticides or pesticide solutions, or washing or cleaning pesticide containers or tanks containing pesticides or applying pesticides with hand-held equipment, or adjusting, cleaning, or repairing pesticide application equipment containing pesticides.

(b) Eye protection and gloves as required above shall be initially provided at no cost to the employee, including replacement due to normal wear and tear thereafter.

(c) Unless otherwise stated by the pesticide label, eye protection shall be either goggles or splash face shields.

(d) Unless otherwise stated by the pesticide label, gloves shall be made of chemical resistant material as defined in this section, such as neoprene, nitrile rubber, or PVC. Leather, cotton, or other absorbent-type gloves shall not be worn.

(e) When gloves must be used as required in this section, employees shall be provided with clean gloves at the beginning of the work shift and at any time during the shift if the gloves become contaminated. Clean gloves are unused gloves or previously used gloves that have been washed with soap and water, inside and outside.

(5) The respiratory protection requirements of the general occupational health standards, chapter 296-62 WAC, shall apply when respiratory protection is required by the pesticide label or when a permissible exposure limit of chemicals listed in the air contaminant standards of chapter 296-62 WAC are exceeded, or when respiratory protection is used to protect employees in oxygen-deficient atmospheres, or when respirators are used for emergency or rescue use.

(6) Pesticide personal protective equipment requirements.

(a) Any employee who works with or is exposed to pesticides shall use the clothing and personal protective equipment specified on the labeling for use of the product.

(b) Personal protective equipment (PPE) for pesticide use means devices and apparel that are required by pesticide labeling to be worn to protect the body from contact with pesticides or pesticide residues, including, but not limited to, coveralls, long-sleeved shirts, pants and socks, chemical-resistant suits, chemical-resistant gloves, chemical-resistant footwear, respiratory protection devices, chemical-resistant aprons, chemical-resistant headgear, and protective eyewear.

(c) Provision. When personal protective equipment is specified by the labeling of any pesticide for any handling activity, the employer shall provide the appropriate personal protective equipment in clean and operating condition at no cost to the employee, including replacement due to normal wear and tear. Normal work clothing, including long-sleeved shirts, long-legged pants, and socks, do not need to be provided by employers.

(i) When "chemical-resistant" apparel is specified on the product labeling, it shall be made of material that allows no measurable movement of the pesticide being used through the material during use.

(ii) When "waterproof gloves" are specified on the product labeling, they shall be made of material that allows no measurable movement of water or aqueous solutions through the material during use.

(iii) When a "chemical-resistant suit" is required by the product labeling, it shall be a loose-fitting, one- or two-piece chemical-resistant garment that covers, at a minimum, the entire body except head, hands, and feet.

(iv) When "coveralls" are specified on the product labeling, they shall be a loose-fitting, one- or two-piece garment, such as a cotton and polyester coveralls that cover, at a minimum, the entire body except head, hands, and feet. The product labeling may specify that coveralls be worn over another layer of clothing.

(v) Gloves shall be of the type specified by the product labeling. Gloves or glove linings made of leather, cotton, or other absorbent material may not be worn for the handling

activities unless they are listed on the product labeling as acceptable for such use.

(vi) When "chemical-resistant footwear" is specified by the product labeling, one of the following types of footwear must be worn:

(A) Chemical-resistant shoes.

(B) Chemical-resistant boots.

(C) Chemical-resistant shoe coverings worn over shoes or boots.

(vii) When "protective eyewear" is specified by the product labeling, one of the following types of eyewear must be worn:

(A) Goggles.

(B) Face shield.

(C) Safety glasses with front, brow, and temple protection.

(viii) When a "chemical-resistant apron" is specified by the product labeling, an apron that covers the front of the body from mid-chest to the knees shall be worn.

(ix) When a respirator is specified by the product labeling, it shall be appropriate for the pesticide product used and for the activity to be performed. The employer shall assure that the respirator fits correctly by using procedures consistent with WAC 296-62-071. If the label does not specify the type of respirator to be used, it shall meet the requirements of WAC 296-62-071.

(x) When "chemical-resistant headgear" is required, it shall be either a chemical-resistant hood or a chemical-resistant hat with a wide brim.

(d) Exceptions to personal protective equipment specified on product labeling.

(i) Body protection.

(A) A chemical-resistant suit may be substituted for "coveralls," and any requirement for an additional layer of clothing beneath is waived.

(B) A chemical-resistant suit may be substituted for "coveralls" and a chemical-resistant apron.

(ii) Boots. If chemical-resistant footwear with sufficient durability and a tread appropriate for wear in rough terrain is not obtainable, then leather boots may be worn in such terrain.

(iii) Gloves. If chemical-resistant gloves with sufficient durability and suppleness are not obtainable, then during handling activities with roses and other plants with sharp thorns, leather gloves may be worn over chemical-resistant glove liners. However, once leather gloves are worn for protection from pesticide exposure, thereafter they only shall be worn with chemical-resistant liners and must be clearly marked with that distinction.

(iv) Closed systems. If handling tasks are performed using properly functioning systems designed by the manufacturer to enclose the pesticide to prevent it from contacting handlers or other persons and such systems are used and are maintained in accordance with that manufacturer's written operating instructions, exceptions to labeling-specified personal protective equipment for the handling activity are permitted as provided in (d)(iv)(A) and (B) of this subsection.

(A) Persons using a closed system to mix or load pesticides with a signal word of DANGER or WARNING may substitute a long-sleeved shirt, long-legged pants, shoes, socks, chemical-resistant apron, and any protective gloves

specified on the labeling for handlers for the labeling-specified personal protective equipment.

(B) Persons using a closed system to mix or load pesticides other than those in (d)(iv)(A) of this subsection or to perform other handling tasks may substitute a long-sleeved shirt, long-legged pants, shoes, and socks for the labeling-specified personal protective equipment.

(C) Persons using a closed system that operates under pressure shall wear protective eyewear.

(D) Persons using a closed system shall have all personal protective equipment specified on the pesticide label immediately available for use in an emergency.

(v) Enclosed cabs. If handling tasks are performed from inside a cab that has a nonporous barrier which totally surrounds the occupants of the cab and prevents contact with pesticides outside the cab, exceptions to personal protective equipment specified on the product labeling for that handling activity are permitted as provided in (d)(v)(A) through (C) of this section.

(A) Persons occupying an enclosed cab may substitute a long-sleeved shirt, long-legged pants, shoes, and socks for the labeling-specified personal protective equipment. If a respiratory protection device is specified on the pesticide product labeling for the handling activity, it must be worn.

(B) Persons occupying an enclosed cab that has a properly functioning ventilation system which is used and maintained in accordance with the manufacturer's written operating instructions and which is declared in writing by the manufacturer and by a governmental agency to provide respiratory protection equivalent to or greater than a dust/mist filtering respirator may substitute a long-sleeved shirt, long-legged pants, shoes, and socks for the labeling-specified personal protective equipment. If a respiratory protection device other than a dust/mist filtering respirator is specified on the pesticide product labeling, it must be worn.

(C) Persons occupying an enclosed cab that has a properly functioning ventilation system which is used and maintained in accordance with the manufacturer's written operating instructions and which is declared in writing by the manufacturer and by a governmental agency to provide respiratory protection equivalent to or greater than the vapor- or gas-removing respirator specified on the pesticide product labeling may substitute a long-sleeved shirt, long-legged pants, shoes, and socks for the labeling-specified personal protective equipment. If an air-supplying respirator or a self-contained breathing apparatus (SCBA) is specified on the pesticide product labeling, it must be worn.

(D) Persons occupying an enclosed cab shall have all labeling-specified personal protective equipment immediately available inside the cab and shall wear such personal protective equipment if it is necessary to exit the cab and contact pesticide-treated surfaces in the treated area. Once personal protective equipment is worn in the treated area, it may not be worn into or taken into the cab. It must be removed before reentering the cab and must be stored outside the cab or be taken into the cab only in a closed chemical-resistant container. Occupants of an enclosed cab may exit and reenter the cab for the purposes of limited repairs or adjustments to the equipment after spraying is stopped and the vehicle is moved at least 20 feet outside the treated area.

(e) Use of personal protective equipment.

(i) The employer shall assure that personal protective equipment is used correctly for its intended purpose and is used according to the manufacturer's instructions.

(ii) The employer shall assure that, before each use, all personal protective equipment is inspected for leaks, holes, tears, or worn places, and any damaged equipment is repaired or discarded.

(iii) The employee shall use the provided personal protective equipment in accordance with instructions and training received.

(iv) The employee shall notify the employer of any defects in personal protective equipment or when the equipment becomes contaminated.

(f) Cleaning and maintenance of personal protective equipment.

(i) The employer shall assure that all label-specified personal protective equipment, including long-sleeved shirts, long-legged pants and socks, is cleaned according to the manufacturer's instructions or pesticide product labeling instructions before it is reused. In the absence of any such instructions, it shall be washed thoroughly in detergent and hot water.

(ii) If any personal protective equipment cannot be cleaned properly, the employer shall dispose of the personal protective equipment in accordance with any applicable federal, state, and local regulations. Coveralls or other absorbent materials that have been drenched or heavily contaminated with an undiluted pesticide that has the signal word DANGER or WARNING on the label shall not be reused.

(iii) The employer shall assure that contaminated personal protective equipment is kept separately and washed separately from any other clothing or laundry.

(iv) The employer shall assure that all clean personal protective equipment shall be dried thoroughly before being stored or put in a well-ventilated place to dry.

(v) The employer shall assure that all personal protective equipment is stored separately from personal clothing and apart from pesticide-contaminated areas.

(vi) The employer shall assure that when dust/mist filtering respirators are used, the filters shall be replaced:

(A) When breathing resistance becomes excessive.

(B) When the filter element has physical damage or tears.

(C) According to manufacturer's recommendations or pesticide product labeling, whichever is more frequent.

(D) In the absence of any other instructions or indications of service life, at the end of each day's work period.

(vii) The employer shall assure that when gas- and vapor-removing respirators are used the gas- or vapor-removing canisters or cartridges shall be replaced:

(A) At the first indication of odor, taste, or irritation.

(B) According to the manufacturer's recommendations or pesticide product labeling, whichever is more frequent.

(C) In the absence of any other instructions or indications of service life, at the end of each day's work period.

(viii) The employer shall inform any person who cleans or launders personal protective equipment for the employer and is not the wearer:

(A) That such equipment may be contaminated with pesticides.

(B) The name of the pesticides that may have contaminated this personal protective equipment.

(ix) The employer shall assure that handlers have clean place(s) away from pesticide-storage and pesticide-use areas, and adjacent to showers required by WAC 296-306-340, where they may:

(A) Store personal clothing not in use.

(B) Put on label-specified personal protective equipment at the start of any exposure period.

(C) Remove label-specified personal protective equipment at the end of any exposure period.

(x) The employer shall not allow or direct any handler to wear home or to take home label-specified personal protective equipment, including long-sleeved shirts, long-legged pants or socks contaminated with pesticides.

(h) Heat-related illness. When the use of personal protective equipment is specified by the labeling of any pesticide for the handling activity, the employer shall assure that no handler is allowed or directed to perform the handling activity unless the appropriate measures are implemented if necessary to prevent heat-related illness.

~~((6))~~ (7) Employers shall instruct each employee in the proper use of any item of personal protective equipment used. Such instruction shall include, but not be limited to, any special limitations or precautions indicated by the manufacturer.

~~((7) At least five gallons of water shall be supplied for emergency while using pesticides or herbicides.)~~

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-306-061 Machinery and machine guarding. Farm shops shall be exempt from these standards when the following conditions are met:

(1) When the shop equipment is used solely by the owner or others not covered by WISHA.

(2) When employees are not permitted in the shop while shop equipment is being operated.

NEW SECTION

WAC 296-306-06101 Anchoring fixed machinery. Machines designed for a fixed location shall be securely anchored to prevent walking or moving. However, machines using rubber feet or other nonskid (high coefficient of friction) foot pads or similar vibration dampening materials (in lieu of anchoring fixed machinery to prevent walking) shall be acceptable provided the machines do not present a tipping or falling-over or walking hazard.

NEW SECTION

WAC 296-306-06103 Means to prevent slipping. Operators of dangerous machinery, shall be safeguarded against slipping on smooth, oily or otherwise slippery floor, where they are required to stand while at the point of operation of such dangerous machinery, by covering such portion of the floor with a rubber mat, cork, nonslip

composition flooring, or some other effective means of preventing slipping.

NEW SECTION

WAC 296-306-06105 Stopping machines during repair. All power-driven machinery shall be stopped and brought to a complete standstill before any repairs or adjustments are made or pieces of material or refuse removed, except where motion is necessary to make adjustment.

NEW SECTION

WAC 296-306-06107 Machine controls and equipment. (1) A mechanical or electrical power control shall be provided on each machine to make it possible for the operator to cut off the power from each machine without leaving his position at the point of operation.

(2) On machines driven by belts and shafting, a locking-type belt shifter or an equivalent positive device shall be used.

(3) On applications where injury to the operator might result if motors were to restart after power failures, provision shall be made to prevent machines from automatically restarting upon restoration of power.

(4) Power controls and operating controls should be located within easy reach of the operator while he is at his regular work location, making it unnecessary for him to reach over the cutter to make adjustments. This does not apply to constant pressure controls used only for setup purposes.

(5) On each machine operated by electric motors, positive means shall be provided for rendering such controls or devices inoperative while repairs or adjustments are being made to the machines they control.

(6) Each operating treadle shall be protected against unexpected or accidental tripping.

(7) Feeder attachments shall have the feed rolls or other moving parts so covered or guarded as to protect the operator from hazardous points.

NEW SECTION

WAC 296-306-06109 Circular hand-fed rip saws and crosscut table saws. (1) Each circular hand-fed rip saw shall be guarded by a hood which shall completely enclose that portion of the saw above the table and that portion of the saw above the material being cut. The hood and mounting shall be arranged so that the hood will automatically adjust itself to the thickness of and remain in contact with the material being cut but it shall not offer any considerable resistance to insertion of material to saw or to passage of the material being sawed. The hood shall be made of adequate strength to resist blows and strains incidental to reasonable operation, adjusting, and handling, and shall be so designed as to protect the operator from flying splinters and broken saw teeth. It shall be made of material that is soft enough so that it will be unlikely to cause tooth breakage. The material should not shatter when broken, should be nonexplosive, and should be no more flammable than wood. The hood shall be so mounted as to insure that its operation will be positive, reliable, and in true alignment with the saw;

and the mounting shall be adequate in strength to resist any reasonable side thrust or other force tending to throw it out of line.

(2) Circular hand-fed rip saw blades may be guarded with a fixed enclosure, fixed barrier guard, or a manually adjusted guard when specific conditions prevent use of the standard automatic adjusting guard. In those instances where alternate fixed-type guards are used, they must provide protection equivalent to the protection afforded by automatically adjusting guards. The alternate guards must be used in accordance with manufacturer's instructions and under sufficient supervision to ensure consistent compliance with the intent of the standard.

(3) Each hand-fed circular rip saw shall be furnished with a spreader to prevent material from squeezing the saw or being thrown back on the operator. The spreader shall be made of hard tempered steel, or its equivalent, and shall be thinner than the saw kerf. It shall be of sufficient width to provide adequate stiffness or rigidity to resist any reasonable side thrust or blow tending to bend or throw it out of position. The spreader shall be attached so that it will remain in true alignment with the saw even when either the saw or table is tilted, and should be placed so that there is not more than 1/2-inch space between the spreader and the back of the saw when the largest saw is mounted in the machine. The provision of a spreader in connection with grooving, dadoing, or rabbeting is not required. On the completion of such operations; the spreader shall be immediately replaced.

(4) Each hand-fed circular rip saw shall be provided with nonkickback fingers or dogs so located as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator. They shall be designed to provide adequate holding power for all the thicknesses of materials being cut.

NEW SECTION

WAC 296-306-06111 Hand-fed crosscut table saws.

(1) Each circular crosscut table saw shall be guarded by a hood which shall meet all the requirements of WAC 296-306-06109(1) for hoods for circular rip saws.

(2) Each circular crosscut saw should also be provided with a spreader which should meet all the requirements of WAC 296-306-06109.

NEW SECTION

WAC 296-306-06113 Swing cutoff saws. The requirements of this section are also applicable to sliding cutoff saws mounted above the table.

(1) Each swing cutoff saw shall be provided with a hood that will completely enclose the upper half of the saw, the arbor end, and the point of operation at all positions of the saw. The hood shall be constructed in such a manner and of such material that it will protect the operator from flying splinters and broken saw teeth. Its hood shall be so designed that it will automatically cover the lower portion of the blade, so that when the saw is returned to the back of the table the hood will rise on top of the fence, and when the saw is moved forward the hood will drop on top of and remain in contact with the table or material being cut.

(2) Swing cutoff saws may be guarded with a fixed enclosure, fixed barrier guard, or a manually adjusted guard when specific conditions prevent use of the standard automatic adjusting guard. In those instances where alternate fixed-type guards are used, they must provide protection equivalent to the protection afforded by automatically adjusting guards. The alternate guards must be used in accordance with manufacturer's instructions and under sufficient supervision to ensure consistent compliance with the intent of the standard.

(3) Each swing cutoff saw shall be provided with an effective device to return the saw automatically to the back of the table when released at any point of its travel. Such a device shall not depend for its proper functioning upon any rope, cord, or spring. If there is a counterweight, the bolts supporting the bar and counterweight shall be provided with cotter pins; and the counterweight shall be prevented from dropping by either a bolt passing through both the bar and counterweight, or a bolt put through the extreme end of the bar, or, where the counterweight does not encircle the bar, a safety chain attached to it.

(4) Limit chains or other equally effective devices shall be provided to prevent the saw from swinging beyond the front or back edges of the table, or beyond a forward position where the gullets of the lowest saw teeth will rise above the table top.

(5) Inverted swing cutoff saws shall be provided with a hood that will cover the part of the saw that protrudes above the top of the table or above the material being cut. It shall automatically adjust itself to the thickness of and remain in contact with the material being cut.

NEW SECTION

WAC 296-306-06115 Radial saws. (1) The upper hood shall completely enclose the upper portion of the blade down to a point that will include the end of the saw arbor. The upper hood shall be constructed in such a manner and of such material that it will protect the operator from flying splinters, broken saw teeth, etc., and will deflect sawdust away from the operator. The sides of the lower exposed portion of the blade shall be guarded to the full diameter of the blade by a device that will automatically adjust itself to the thickness of the stock and remain in contact with stock being cut to give maximum protection possible for the operation being performed.

(2) Each radial saw used for ripping shall be provided with nonkickback fingers or dogs located on both sides of the saw so as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator. They shall be designed to provide adequate holding power for all the thickness of material being cut.

(3) An adjustable stop shall be provided to prevent the forward travel of the blade beyond the position necessary to complete the cut.

(4) Installation shall be in such a manner that the front end of the unit will be slightly higher than the rear, so as to cause the cutting head to return to the starting position in the following manner when released by the operator:

(a) The cutting head or carriage shall return to the rest or starting position in a gentle motion;

(b) The cutting head or carriage shall not bounce or recoil when reaching the rest or starting position; and

(c) The cutting head or carriage will remain in the rest or starting position.

(5) Ripping and ploughing shall be against the direction in which the saw turns. The direction of the saw rotation shall be conspicuously marked on the hood. In addition, a permanent label not less than 1 1/2 inches by 3/4 inch with standard proportional lettering shall be affixed to the rear of the guard hood at approximately the level of the arbor, where the blade teeth exit the upper hood during the operation of the saw, reading as follows: "Danger: Do not rip or plough from this end." Such a label shall be colored standard danger red.

(6) Radial saws may be guarded with a fixed enclosure, fixed barrier guard, or a manually adjusted guard when specific conditions prevent use of the standard automatic adjusting guard. In those instances where alternate fixed-type guards are used, they must provide protection equivalent to the protection afforded by automatically adjusting guards. The alternate guards must be used in accordance with manufacturer's instruction and under sufficient supervision to ensure consistent compliance with the intent of the standard.

NEW SECTION

WAC 296-306-06117 Bandsaws. (1) All portions of the saw blade shall be enclosed or guarded, except for the working portion of the blade between the bottom of the guide rolls and the table. Bandsaw wheels shall be fully encased. The outside periphery of the enclosure shall be solid. The front and back of the band wheels shall be either enclosed by solid material or by wire mesh or perforated metal. Such mesh or perforated metal shall be not less than 0.037 inch (U.S. Gage No. 20), and the openings shall be not greater than three-eighths inch. Solid material used for this purpose shall be of an equivalent strength and firmness. The guard for the portion of the blade between the sliding guide and the upper-saw-wheel guard shall protect the saw blade at the front and outer side. This portion of the guard shall be self-adjusting to raise and lower with the guide. The upper-wheel guard shall be made to conform to the travel of the saw on the wheel, and the top member of the guard should have at least a 2-inch clearance outside the saw and be lined with smooth material, preferably metal. Effective brakes should be provided to stop the wheel in case of blade breakage.

(2) Each bandsaw machine shall be provided with a tension control device to indicate a proper tension for the standard saws used on the machine, in order to assist in the elimination of saw breakage due to improper tension.

(3) Feed rolls of bandsaws shall be protected with a suitable guard to prevent the hands of the operator from coming in contact with the in-running rolls at any point. The guard shall be constructed of heavy material, preferably metal, and the edge of the guard shall come to within three-eighths inch of the plane formed by the inside face of the feed roll in contact with the stock being cut.

NEW SECTION

WAC 296-306-06119 Inspection and maintenance of machinery. (1) Dull, badly set, improperly filed, or improperly tensioned saws shall be immediately removed from service, before they begin to cause the material to stick, jam, or kick back when it is fed to the saw at normal speed. Saws to which gum has adhered on the sides shall be immediately cleaned.

(2) All knives and cutting heads of machines shall be kept sharp, properly adjusted, and firmly secured. Where two or more knives are used in one head, they shall be properly balanced.

(3) Bearings shall be kept free from lost motion and shall be well lubricated.

(4) Arbors of all circular saws shall be free from play.

(5) Sharpening or tensioning of saw blades or cutters shall be done only by persons of demonstrated skill in this kind of work.

(6) Emphasis is placed upon the importance of maintaining cleanliness around machinery, particularly as regards the effective functioning of guards and the prevention of fire hazards in switch enclosures, bearings, and motors.

(7) All cracked saws shall be removed from service.

(8) The practice of inserting wedges between the saw disk and the collar to form what is commonly known as a "wobble saw" shall not be permitted.

(9) Push sticks or push blocks shall be provided at the work place in the several sizes and types suitable for the work to be done.

NEW SECTION

WAC 296-306-062 Definitions. (1) "Belts" include all power transmission belts, such as flat belts, round belts, V-belts, etc., unless otherwise specified.

(2) "Belt shifter" means a device for mechanically shifting belts from tight to loose pulleys or vice versa, or for shifting belts on cones of speed pulleys.

(3) "Belt pole" (sometimes called a "belt shipper" or "shipper pole") means a device used in shifting belts on and off fixed pulleys on line or countershaft where there are no loose pulleys.

(4) "Enclosed" for vertical and inclined belts means that only the portion of a belt that is seven feet or less from the floor is required to be enclosed by a guard.

(5) "Exposed to contact" means that the location of an object is such that a person is likely to come into contact with it and be injured.

(6) "Flywheels" include flywheels, balance wheels, and flywheel pulleys mounted and revolving on crankshaft of engine or other shafting.

(7) "Fully enclosed" applies to the sides of a power transmission system not guarded by location as described in WAC 296-24-20511 (1)(a), which includes both runs of a horizontal belt, pulley, and flywheel. Small units with slightly inclined belts are included in this category.

(8) "Maintenance runway" means any permanent runway or platform used for oiling, maintenance, running adjustment, or repair work, but not for passageway.

(9) "Nip-point belt and pulley guard" means a device which encloses the pulley and is provided with rounded or rolled edge slots through which the belt passes.

(10) "Point of operation" means that point at which cutting shaping, or forming is accomplished upon the stock and shall include such other points as may offer a hazard to the operator in inserting or manipulating the stock in the operation of the machine.

(11) "Prime movers" include steam, gas, oil, and air engines, motors, steam and hydraulic turbines, and other equipment used as a source of power.

(12) "Sheaves" mean grooved pulleys and shall be so classified unless used as flywheels.

NEW SECTION

WAC 296-306-063 General requirements—Abrasive wheel grinders. (1) Machine guarding. Abrasive wheels shall be used only on machines provided with safety guards as defined in WAC 296-24-18005, except:

(a) Wheels used for internal work while within the work being ground;

(b) Mounted wheels used in portable operations 2 inches and smaller in diameter; and

(c) Types 16, 17, 18, 18R, and 19 cones, plugs, and threaded hole pot balls where the work offers protection.

(2) Guard design. The safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard, except:

(a) Safety guards on all operations where the work provides a suitable measure of protection to the operator, may be so constructed that the spindle end, nut, and outer flange are exposed; and where the nature of the work is such as to entirely cover the side of the wheel, the side covers of the guard may be omitted; and

(b) The spindle end, nut, and outer flange may be exposed on machines designed as portable saws.

(3) Flanges. Grinding machines shall be equipped with flanges in accordance with WAC 296-24-18007.

(4) Work rests. On offhand grinding machines, work rests shall be used to support the work. They shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted closely to the wheel with a maximum opening of one-eighth inch to prevent the work from being jammed between the wheel and the rest, which may cause wheel breakage. The work rest shall be securely clamped after each adjustment. The adjustment shall not be made with the wheel in motion.

(5) Excluded machinery. Natural sandstone wheels and metal, wooden, cloth, or paper discs, having a layer of abrasive on the surface are not covered by WAC 296-306-063.

(6) Exposure adjustment. Safety guards of the types described in (3) and (4) of this section, where the operator stands in front of the opening, shall be constructed so that the peripheral protecting member can be adjusted to the constantly decreasing diameter of the wheel. The maximum angular exposure above the horizontal plane of the wheel spindle as specified in (3) and (4) of this section shall never

be exceeded, and the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch. (See Figures O-18, O-19, O-20, O-21, O-22, and O-23 of WAC 296-24-18005.)

NEW SECTION

WAC 296-306-064 General requirements—Transmission belts. (1) This section covers all types and shapes of power-transmission belts, except the following when operating at two hundred and fifty feet per minute or less:

(a) Flat belts one inch or less in width.

(b) Flat belts two inches or less in width which are free from metal lacings or fasteners.

(c) Round belts one-half inch or less in diameter.

(d) Single strand V-belts, the width of which is thirteen thirty-seconds inch or less.

(2) Vertical and inclined belts (WAC 296-306-06401(3) and (4)) if not more than two and one-half inches wide and running at a speed of less than one thousand feet per minute, and if free from metal lacings or fastenings may be guarded with a nip-point belt and pulley guard.

(3) These standards cover the principal features with which power transmission safeguards shall comply. When there is no possibility of employee contact with power transmission belts during operation, the belts are "guarded by location" and no further guarding is required.

NEW SECTION

WAC 296-306-06401 Belt, rope, and chain drives.

(1) Horizontal belts and ropes.

(a) Where both runs of horizontal belts are seven feet or less from the floor level, the guard shall extend to at least fifteen inches above the belt or to a standard height (see Table O-12), except that where both runs of a horizontal belt are 42 inches or less from the floor, the belt shall be fully enclosed in accordance with WAC 296-306-06411 and 296-306-06415.

(b) In powerplants or power development rooms, a guardrail may be used in lieu of the guard required by (a) of this subsection.

(2) Overhead horizontal belts.

(a) Overhead horizontal belts, with lower parts seven feet or less from the floor or platform, shall be guarded on sides and bottom in accordance with WAC 296-306-06415(3).

(b) Horizontal overhead belts more than seven feet above floor or platform shall be guarded for their entire length under the following conditions:

(i) If located over passageways or work places and traveling 1,800 feet or more per minute.

(ii) If center to center distance between pulleys is ten feet or more.

(iii) If belt is eight inches or more in width.

(c) Where the upper and lower runs of horizontal belts are so located that passage of persons between them would be possible, the passage shall be either:

(i) Completely barred by a guardrail or other barrier in accordance with WAC 296-306-06411 and 296-306-06415; or

(ii) Where passage is regarded as necessary, there shall be a platform over the lower run guarded on either side by a railing completely filled in with wire mesh or other filler, or by a solid barrier. The upper run shall be so guarded as to prevent contact therewith either by the worker or by objects carried by him. In powerplants only the lower run of the belt need be guarded.

(d) Overhead chain and link belt drives are governed by the same rules as overhead horizontal belts and shall be guarded in the same manner as belts.

(e) American or continuous system rope drives so located that the condition of the rope (particularly the splice) cannot be constantly and conveniently observed, shall be equipped with a telltale device (preferably electric-bell type) that will give warning when rope begins to fray.

(3) Vertical and inclined belts.

(a) Vertical and inclined belts shall be enclosed by a guard conforming to standards in WAC 296-306-06411 and 296-306-06415.

(b) All guards for inclined belts shall be arranged in such a manner that a minimum clearance of seven feet is maintained between belt and floor at any point outside of guard.

(4) Vertical belts. Vertical belts running over a lower pulley more than seven feet above floor or platform shall be guarded at the bottom in the same manner as horizontal overhead belts, if conditions are as stated in subsection (2)(b)(i) and (iii) of this section.

(5) Cone-pulley belts.

(a) The cone belt and pulley shall be equipped with a belt shifter so constructed as to adequately guard the nip point of the belt and pulley. If the frame of the belt shifter does not adequately guard the nip point of the belt and pulley, the nip point shall be further protected by means of a vertical guard placed in front of the pulley and extending at least to the top of the largest step of the cone.

(b) If the belt is of the endless type or laced with rawhide laces, and a belt shifter is not desired, the belt will be considered guarded if the nip point of the belt and pulley is protected by a nip point guard located in front of the cone extending at least to the top of the largest step of the cone, and formed to show the contour of the cone in order to give the nip point of the belt and pulley the maximum protection.

(c) If the cone is located less than 3 feet from the floor or working platform, the cone pulley and belt shall be guarded to a height of 3 feet regardless of whether the belt is endless or laced with rawhide.

(6) Belt tighteners.

(a) Suspended counterbalanced tighteners and all parts thereof shall be of substantial construction and securely fastened; the bearings shall be securely capped. Means must be provided to prevent tightener from falling, in case the belt breaks.

(b) Where suspended counterweights are used and not guarded by location, they shall be so encased as to prevent accident.

(c) Belt tighteners, used for starting and stopping machinery, other than those which are securely held in "off" or "out of service" position by gravity, shall be provided with means or mechanism that will securely hold the belt tightener away from the belt when the machine or part thereof driven by the belt is not in use. Such means or

mechanism shall be automatic in its action in gripping, latching or otherwise fastening itself to and holding the belt tightener in "off" or "out of service" position until manually released. (Released by hand.)

(d) Counterbalanced belt tighteners and all parts thereof shall be of substantial construction, and securely fastened. The bearings shall be securely capped. If exposed to contact, means shall be installed to catch the belt tightener, to prevent tightener from falling on any person below, should the belt break or throw the tightener.

NEW SECTION

WAC 296-306-06403 Gears, sprockets, and chains.

(1) Gears. Gears shall be guarded in accordance with one of the following methods:

(a) By a complete enclosure; or

(b) By a standard guard as described in WAC 296-306-06415, at least seven feet high extending six inches above the mesh point of the gears; or

(c) By a band guard covering the face of gear and having flanges extended inward beyond the root of the teeth on the exposed side or sides. Where any portion of the train of gears guarded by a band guard is less than six feet from the floor a disk guard or a complete enclosure to the height of six feet shall be required.

(2) Hand-operated gears. Subsection (1) of this section does not apply to hand-operated gears used only to adjust machine parts and which do not continue to move after hand power is removed. However, the guarding of these gears is highly recommended.

(3) Sprockets and chains. All sprocket wheels and chains shall be enclosed unless they are more than seven feet above the floor or platform. Where the drive extends over other machine or working areas, protection against falling shall be provided. This section does not apply to manually operated sprockets.

(4) Openings for oiling. When frequent oiling must be done, openings with hinged or sliding self-closing covers shall be provided. All points not readily accessible shall have oil feed tubes if lubricant is to be added while machinery is in motion.

NEW SECTION

WAC 296-306-06405 Guarding friction drives.

The driving point of all friction drives when exposed to contact shall be guarded, all arm or spoke friction drives and all web friction drives with holes in the web shall be entirely enclosed, and all projecting belts on friction drives where exposed to contact shall be guarded.

NEW SECTION

WAC 296-306-06407 Keys, setscrews, and other projections.

(1) All projecting keys, setscrews, and other projections in revolving parts shall be removed or made flush or guarded by metal covers. This section does not apply to keys or setscrews within gear or sprocket casings or other enclosures, nor to keys, setscrews, or oilcups in hubs of pulleys less than twenty inches in diameter where they are within the plane of the rim of the pulley.

Note: It is recommended, however, that no projecting setscrews or oilcups be used in any revolving pulley or part of machinery.

NEW SECTION

WAC 296-306-06409 Collars and couplings. (1) Collars. All revolving collars, including split collars, shall be cylindrical, and screws or bolts used in collars shall not project beyond the largest periphery of the collar.

(2) Couplings. Shaft couplings shall be so constructed as to present no hazard from bolts, nuts, setscrews, or revolving surfaces. Bolts, nuts, and setscrews will, however, be permitted where they are covered with safety sleeves or where they are used parallel with the shafting and are countersunk or else do not extend beyond the flange of the coupling.

NEW SECTION

WAC 296-306-06411 Standard guards—General requirements. (1) Materials.

(a) Standard conditions shall be secured by the use of the following materials. Expanded metal, perforated or solid sheet metal, wire mesh on a frame of angle iron, or iron pipe securely fastened to floor or to frame of machine.

(b) All metal should be free from burrs and sharp edges.

(c) Wire mesh should be of the type in which the wires are securely fastened at every cross point either by welding, soldering, or galvanizing, except in case of diamond or square wire mesh made of No. 14 gage wire, 3/4-inch mesh or heavier.

(2) Methods of manufacture.

(a) Expanded metal, sheet or perforated metal, and wire mesh shall be securely fastened to frame by one of the following methods:

(i) With rivets or bolts spaced not more than five inches center to center. In case of expanded metal or wire mesh, metal strips or clips shall be used to form a washer for rivets or bolts.

(ii) By welding to frame every four inches.

(iii) By weaving through channel or angle frame, or if No. 14 gage 3/4-inch mesh or heavier is used by bending entirely around rod frames.

(iv) Where openings in pipe railing are to be filled in with expanded metal, wire mesh or sheet metal, the filler material shall be made into panels with rolled edges or bound with "V" or "U" edging of No. 24 gage or heavier sheet metal fastened to the panels with bolts or rivets spaced not more than five inches center to center. The bound panels shall be fastened to the railing by sheet-metal clips spaced not more than five inches center to center.

(v) Diamond or square mesh made of crimped wire fastened into channels, angle or round-iron frames, may also be used as a filler in guards. Size of mesh shall correspond to Table O-12.

(b) Where the design of guards requires filler material of greater area than 12 square feet, additional frame members shall be provided to maintain panel area within this limit.

(c) All joints of framework shall be made equivalent in strength to the material of the frame.

NEW SECTION

WAC 296-306-06413 Disk, shield, and "U" guards.

(1) Disk guards. A disk guard shall consist of a sheet-metal disk not less than No. 22 gage fastened by "U" bolts or rivets to spokes of pulleys, flywheels, or gears. Where possibility of contact with sharp edges of the disk exists, the edge shall be rolled or wired. In all cases the nuts shall be provided with locknuts which shall be placed on the unexposed side of the wheel.

(2) Shield guards.

(a) A shield guard shall consist of a frame filled in with wire mesh, expanded, perforated, or solid sheet metal.

(b) If area of shield does not exceed six square feet the wire mesh or expanded metal may be fastened in a framework of 3/8-inch solid rod, 3/4-inch by 3/4-inch by 1/8-inch angle iron or metal construction of equivalent strength. Metal shields may have edges entirely rolled around a 3/8-inch solid iron rod.

(3) "U" guards. A "U" guard consisting of a flat surface with edge members shall be designed to cover the under surface and lower edge of a belt, multiple chain, or rope drive. It shall be constructed of materials specified in Table O-12, and shall conform to the requirements of WAC 296-306-06415 (3) and (4). Edges shall be smooth and if size of guard requires, the edges shall be reinforced by rolling, wiring, or by binding with angle or flat iron.

NEW SECTION

WAC 296-306-06415 Approved materials. (1) Minimum requirements. The materials and dimensions specified in this section shall apply to all guards, except horizontal overhead belts, rope, cable, or chain guards more than seven feet above floor, or platform. (For the latter, see Table O-13.)

(a) Minimum dimensions of materials for the framework of all guards, except as noted in (a)(iii) of this subsection shall be angle iron 1 inch by 1 inch by 1/8 inch, metal pipe of 3/4-inch inside diameter or metal construction of equivalent strength.

(i) All guards shall be rigidly braced every three feet or fractional part of their height to some fixed part of machinery or building structure. Where guard is exposed to contact with moving equipment additional strength may be necessary.

(ii) The framework for all guards fastened to floor or working platform and without other support or bracing shall consist of 1 1/2-inch by 1 1/2-inch by 1/8-inch angle iron, metal pipe of 1 1/2-inch inside diameter, or metal construction of equivalent strength. All rectangular guards shall have at least four upright frame members each of which shall be carried to the floor and be securely fastened thereto. Cylindrical guards shall have at least three supporting members carried to floor.

(iii) Guards thirty inches or less in height and with a total surface area not in excess of ten square feet may have a frame work of 3/8-inch solid rod, 3/4-inch by 3/4-inch by 1/8-inch angle, or metal construction of equivalent strength. The filling material shall correspond to the requirements of Table O-12.

(b) The specifications given in Table O-12 and (a) of this subsection are minimum requirements; where guards are

exposed to unusual wear, deterioration or impact, heavier material and construction should be used to protect amply against the specific hazards involved.

(2) Wood guards.

(a) Wood guards may be used in the woodworking and chemical industries, in industries where the presence of fumes or where manufacturing conditions would cause the rapid deterioration of metal guards; also in construction work and in locations outdoors where extreme cold or extreme heat make metal guards and railings undesirable. In all other industries, wood guards shall not be used.

(i) Wood shall be sound, tough, and free from any loose knots.

(ii) Guards shall be made of planed lumber not less than one inch rough board measure, and edges and corners rounded off.

(iii) Wood guards shall be securely fastened together with wood screws, hardwood dowel pins, bolts, or rivets.

(iv) While no definite dimensions are given under this heading for framework or filler materials, wood guards shall be equal in strength and rigidity to metal guards specified in subsection (1)(a) and (b) of this section and Table O-12.

(v) For construction of standard wood railing, see subsection (5) of this section.

(3) Guards for horizontal overhead belts.

(a) Guards for horizontal overhead belts shall run the entire length of the belt and follow the line of the pulley to the ceiling or be carried to the nearest wall, thus enclosing the belt effectively. Where belts are so located as to make it impracticable to carry the guard to wall or ceiling, construction of guard shall be such as to enclose completely the top and bottom runs of belt and the face of pulleys.

(b) The guard and all its supporting members shall be securely fastened to wall or ceiling by gimlet-point lag screws or through bolts. In case of masonry construction, expansion bolts shall be used. The use of bolts placed horizontally through floor beams or ceiling rafters is recommended.

(c) Suitable reinforcement shall be provided for the ceiling rafters or overhead floor beams, where such is necessary, to sustain safely the weight and stress likely to be imposed by the guard. The interior surface of all guards, by which is meant the surface of the guard with which a belt will come in contact, shall be smooth and free from all projections of any character, except where construction demands it; protruding shallow roundhead rivets may be used. Overhead belt guards shall be at least one-quarter wider than belt which they protect, except that this clearance need not in any case exceed six inches on each side. Overhead rope drive and block and roller-chain-drive guards shall be not less than six inches wider than the drive on each side. In overhead silent chain-drive guards where the chain is held from lateral displacement on the sprockets, the side clearances required on drives of twenty inch centers or under shall be not less than one-fourth inch from the nearest moving chain part, and on drives of over twenty inch centers a minimum of one-half inch from the nearest moving chain part.

(d) Table O-13 gives the sizes of materials to be used and the general construction specifications of guards for belts ten inches or more in width. No material for overhead belt guards should be smaller than that specified in Table O-13

for belts ten to fourteen inches wide, even if the overhead belt is less than ten inches in width. However, No. 20 gage sheet metal may be used as a filler on guards for belts less than ten inches wide. Expanded metal, because of the sharp edges, should not be used as a filler in horizontal belt guards.

(e) For clearance between guards and belts, ropes or chains of various center to center dimensions between the shafts, see bottom of Table O-13.

(4) Guards for horizontal overhead-rope and chain-drives. Overhead-rope and chain-drive guard construction shall conform to the rules for overhead-belt guard construction of similar width, except that the filler material shall be of the solid type as shown in Table O-13, unless the fire hazard demands the use of open construction. A side guard member of the same solid filling material should be carried up in a vertical position two inches above the level of the lower run of the rope or chain drive and two inches within the periphery of the pulleys which the guard encloses thus forming a trough. These side filler members should be reinforced on the edges with 1 1/2-inch by 1/4-inch flat steel, riveted to the filling material at not greater than eight inch centers; the reinforcing strip should be fastened or bolted to all guard supporting members with at least one 3/8-inch rivet or bolt at each intersection, and the ends should be secured to the ceiling with lag screws or bolts. The filling material shall be fastened to the framework of the guard and the filler supports by 3/16-inch rivets spaced on 4-inch centers. The width of the multiple drive shall be determined by measuring the distance from the outside of the first to the outside of the last rope or chain in the group accommodated by the pulley.

TABLE O-12
TABLE OF STANDARD MATERIALS AND DIMENSIONS

| Material | Clearance from moving part at call points | Largest mesh or opening allowable | Minimum gauge (U.S. Standard) or thickness | Minimum height of guard from floor or platform level |
|-------------------------------------|---|-----------------------------------|--|--|
| | Inches | Inches | Inches | Feet |
| Woven wire----- | Under 2 | 3/8 | No. 16 | 7 |
| | 2-4 | 1/2 | No. 16 | 7 |
| | Under 4 | 1/2 | No. 16 | 7 |
| | 4-15 | 2 | No. 12 | 7 |
| Expanded metal--- | Under 4 | 1/2 | No. 18 | 7 |
| | 4-15 | 2 | No. 13 | 7 |
| Perforated metal- | Under 4 | 1/2 | No. 20 | 7 |
| | 4-15 | 2 | No. 14 | 7 |
| Sheet metal----- | Under 4 | | No. 22 | 7 |
| | 4-15 | | No. 22 | 7 |
| Wood or metal strip crossed-- | Under 4 | 3/8 | Wood 3/4 | |
| | 4-15 | 2 | Metal No. 16 | 7 |
| Wood or metal strip not crossed---- | Under 4 | 1/2 width | Wood 3/4 | |
| | 4-15 | 1 width | Metal No. 16 | 7 |
| | | | Wood 3/4 | |
| Standard rail---- | Min. 15 | | Metal No. 16 | 7 |
| | Max. 20 | | | |

TABLE O-13
HORIZONTAL OVERHEAD BELTS, ROPES, AND CHAINS
7 FEET OR MORE ABOVE FLOOR OR PLATFORM

(TABLE O-13: Part 1--0" to 14")

| | Width | Material |
|-------------------------|--------------------------|-------------|
| | From 0" to 14" inclusive | |
| MEMBERS | | |
| Framework----- | 1 1/2"x1 1/2"x1/4" | Angle iron. |
| Filler (belt guards)--- | 1 1/2"x3/16" | Flat iron. |
| Filler and vertical | | |

| | | |
|----------------------|--------------------|--------------------|
| side member----- | No. 20 A.W.G. | Solid sheet metal. |
| Filler supports----- | 2"x5/16" flat iron | Flat and angle. |
| Guard supports----- | 2"x5/16" | Flat iron. |

FASTENINGS

| | | |
|---|---|-------------------------|
| Filler supports to framework----- | (2) 3/16" | Rivets. |
| Filler flats to supports (belt guards)----- | (1) 5/16" | Flush rivets. |
| Filler to frame and supports (chain guards)----- | 3/16" rivets spaced | |
| Guard supports to frame work----- | (2) 3/6" | Rivets or bolts. |
| Guard and supports to overhead ceiling--- | 1/4"x3 1/2" lag screws or 1/2" bolts | Lag screws or bolts. |

DETAILS--SPACING, ETC.

Width of guards-----One-quarter wider than belt,
rope, or chain drive

Spacing between
filler supports-----20" C. to C

Spacing between filler flats
(belt guards)-----2" apart

Spacing between
guard supports-----36" C. to C

OTHER BELT GUARD
FILLING PERMITTED

| | | |
|---|---------------|----------------------|
| Sheet metal fastened as in chain guards----- | No. 20 A.W.G. | Solid or perforated. |
| Woven wire, 2" mesh----- | No. 12 A.W.G. | |

CLEARANCE FROM OUTSIDE OF BELT, ROPE,
OR CHAIN DRIVE TO GUARD

| | | |
|--|---------------------|-----------|
| Distance center to center of shafts----- | Up to 15' inclusive | Over 40'. |
| Clearance from belt, or chain to guard----- | 16" | 120". |

(TABLE O-13: Part 2--Over 14" to 24")

| | | Width |
|------------------------------|--|----------|
| | | Material |
| Over 14" to 24" inclusive | | |

MEMBERS

| | | |
|---|---------------|--------------------|
| Framework----- | 2"x2"x5/16" | Angle iron. |
| Filler (belt guards)---- | 2"x3/16" | Flat iron. |
| Filler and vertical side member----- | No. 18 A.W.G. | Solid sheet metal. |

| | |
|---------------------------------------|-----------------|
| Filler supports-----2"x3/8" flat iron | Flat and angle. |
| Guard supports-----2"x3/8" | Flat iron. |

FASTENINGS

| | |
|---|----------------------|
| Filler supports to framework----- (2) 3/6" | Rivets. |
| Filler flats to supports (belt guards)----- (1) 5/16" | Flush rivets. |
| Filler to frame and supports (chain guards)----- 8" centers on sides and 4" centers on bottom | |
| Guard supports to framework----- (2) 7/16" | Rivets or bolts. |
| Guard and supports to overhead ceiling---- 5/8"x4" lag screws or 5/8" bolts | Lag screws or bolts. |

DETAILS--SPACING, ETC.

Width of guards-----
 Spacing between
 filler supports-----16" C. to C
 Spacing between
 filler flats
 (belt guards)-----2 1/2" apart
 Spacing between
 guard supports-----36" C. to C

OTHER BELT GUARD
 FILLING PERMITTED

| | |
|--|----------------------|
| Sheet metal fastened as in chain guards-----No. 18 A.W.G. | Solid or perforated. |
| Woven wire, 2" mesh-----No. 10 A.W.G. | |

CLEARANCE FROM OUTSIDE OF BELT, ROPE,
 OR CHAIN DRIVE TO GUARD

| | |
|---|-----------|
| Distance center to center of shafts-----Over 15' to 25' inclusive | Over 40'. |
| Clearance from belt, or chain to guard-----10" | 20". |

(TABLE O-13: Part 3--Over 24")

| | Width |
|----------|----------|
| | Material |
| Over 24" | |

MEMBERS

| | |
|---|--------------------|
| Framework-----3"x3"x3/8" | Angle iron. |
| Filler (belt guards)----2"x5/16" | Flat iron. |
| Filler and vertical side member-----No. A.W.G. | Solid sheet metal. |
| Filler supports-----2 1/2"x2 1/2"x1/4" | |

Guard supports-----angle
 2 1/2"x3/8" Flat and angle.
 Flat iron.

FASTENINGS

Filler supports
 to framework----- (3) 1/2" Rivets.
 Filler flats to
 supports (belt guards)- (2) 3/8" Flush rivets.
 Filler to frame
 and supports (chain guards)-----
 Guard supports
 to frame work----- (2) 5/8" Rivets or bolts.
 Guard and supports
 to overhead ceiling----3/4"x6" lag screws Lag screws or
 or 3/4" bolts. bolts.

DETAILS--SPACING, ETC.

Width of guards-----
 Spacing between
 filler supports-----16" C. to C.
 Spacing between filler
 flats (belt guards)----4" apart
 Spacing between
 guard supports-----36" C. to C.

**OTHER BELT GUARD
 FILLING PERMITTED**

Sheet metal fastened as
 in chain guards-----No. 18 A.W.G. Solid or perforated.
 Woven wire, 2" mesh-----No. 8 A.W.G.

**CLEARANCE FROM OUTSIDE OF BELT, ROPE,
 OR CHAIN DRIVE TO GUARD**

Distance center to
 center of shafts-----Over 25' to 40' Over 40'.
 inclusive
 Clearance from belt,
 or chain to guard-----15" 20".

NEW SECTION

WAC 296-306-06417 Care of equipment. (1)

General. All power-transmission equipment shall be inspected at intervals not exceeding 60 days and be kept in good working condition at all times.

(2) Shafting.

(a) Shafting shall be kept in alignment, free from rust and excess oil or grease.

(b) Where explosives, explosive dusts, flammable vapors or flammable liquids exist, the hazard of static sparks from shafting shall be carefully considered.

(3) Bearings. Bearings shall be kept in alignment and properly adjusted.

(4) Hangers. Hangers shall be inspected to make certain that all supporting bolts and screws are tight and that supports of hanger boxes are adjusted properly.

(5) Pulleys.

(a) Pulleys shall be kept in proper alignment to prevent belts from running off.

(b) One or both pulleys carrying a nonshifting belt should have crowned faces.

(c) Cast-iron pulleys should be tested frequently with a hammer to disclose cracks in rim or spokes. It should be borne in mind that the sound is usually much different if the belt is or is not on the pulley.

(d) Split pulleys should be inspected to ascertain if all bolts holding together the sections of the pulley are tight.

(6) Care of belts.

(a) Quarter-twist belts when installed without an idler can be used on drives running in one direction only. They will run off a pulley when direction of motion is reversed.

(b) Inspection shall be made of belts, lacings, and fasteners and such equipment kept in good repair.

(c) Where possible, dressing should not be applied when belt or rope is in motion; but, if this is necessary, it should be applied where belts or rope leave pulley, not where they approach. The same precautions apply to lubricating chains. In the case of V-belts, belt dressing is neither necessary nor advisable.

(7) Lubrication. The regular oilers shall wear tightfitting clothing and should use cans with long spouts to keep their hands out of danger. Machinery shall be oiled when not in motion, wherever possible.

NEW SECTION

WAC 296-306-067 Power lawnmowers.

NEW SECTION

WAC 296-306-06701 Definitions. (1) Blade tip circle. The path described by the outermost point of the blade as it is rotated about its shaft axis.

(2) Guards. A part or an assembly provided for shielding a hazardous area of a machine.

(3) Catcher assemblies. Parts or combinations of parts which provide a means for collecting grass clippings or debris.

(4) Walk-behind mower. A mower either pushed or self-propelled and normally guided by the operator walking behind the unit.

(5) Operator area, walk-behind mowers. For discharge interference purposes, that area confined within a circle no smaller than 30 inches in diameter, the center of which is located to the rear of the mower on its longitudinal centerline 30 inches behind the nearest blade tip circle.

(6) Power reel mower. A lawn-cutting machine utilizing a power source to rotate one or more helically formed blades about a horizontal axis to provide a shearing action with a stationary cutter bar or bed knife.

(7) Power rotary mower. A lawn-cutting machine utilizing a power source to rotate one or more cutting blades about a vertical axis.

(8) Lowest blade position. The lowest blade position under static conditions.

(9) Riding mower. A powered, self-propelled lawn-cutting vehicle on which the operator rides and controls the machine.

(10) Sulky type mower. Normally, a walk-behind mower which has been converted to a riding mower by the addition of a sulky.

(11) Deadman control. A control designed so that it will automatically interrupt power to a drive when the operator's actuating force is removed.

NEW SECTION

WAC 296-306-06703 General requirements. (1) Power lawnmowers of the walk-behind, riding-rotary types, and reel power lawnmowers designed for use by employees shall meet the design specifications in "American National Standard Safety Specifications for Power Lawnmowers" ANSI B71.1-1968. These specifications do not apply to sulky-type mowers, flail mowers, sickle-bar mowers, or mowers designed for commercial use.

(2) All power-driven chains, belts, and gears shall be so positioned or otherwise guarded to prevent the operator's accidental contact therewith, during normal starting, mounting, and operation of the machine.

(3) A shutoff device shall be provided to stop operation of the motor or engine. This device shall require manual and intentional reactivation to restart the motor or engine.

(4) All positions of the operating controls shall be clearly identified.

(5) The words, "Caution. Be sure the operating control(s) is in neutral before starting the engine," or similar wording shall be clearly visible at an engine starting control point on self-propelled mowers.

NEW SECTION

WAC 296-306-06705 Walk-behind and riding rotary mowers. (1) The mower blade shall be enclosed except on the bottom and the enclosure shall extend to or below the lowest cutting point of the blade in the lowest blade position.

(2) Guards which must be removed to install a catcher assembly shall comply with the following:

(a) Warning instructions shall be affixed to the mower near the opening stating that the mower shall not be used without either the catcher assembly or the guard in place.

(b) The catcher assembly or the guard shall be shipped and sold as part of the mower.

(c) The instruction manual shall state that the mower shall not be used without either the catcher assembly or the guard in place.

(d) The catcher assembly, when properly and completely installed, shall not create a condition which violates the limits given for the guarded opening.

(3) Openings in the blade enclosure, intended for the discharge of grass, shall be limited to a maximum vertical angle of the opening of 30°. Measurements shall be taken from the lowest blade position.

(4) The total effective opening area of the grass discharge opening(s) shall not exceed 1,000 square degrees on units having a width of cut less than 27 1/2 inches, or 2,000 square degrees on units having a width of cut 27 1/2 inches or over.

(5) The word "caution" or stronger wording, shall be placed on the mower at or near each discharge opening.

(6) Blade(s) shall stop rotating from the manufacturer's specified maximum speed within 15 seconds after disclutching, or shutting off power.

(7) In a multipiece blade, the means of fastening the cutting members to the body of the blade or disc shall be so designed that they will not become worn to a hazardous condition before the cutting members themselves are worn beyond use.

(8) The maximum tip speed of any blade shall be 19,000 feet per minute.

NEW SECTION

WAC 296-306-06707 Walk-behind rotary mowers.

(1) The horizontal angle of the opening(s) in the blade enclosure, intended for the discharge of grass, shall not contact the operator area.

(2) There shall be one of the following at all openings in the blade enclosure intended for the discharge of grass:

(a) A minimum unobstructed horizontal distance of 3 inches from the end of the discharge chute to the blade tip circle.

(b) A rigid bar fastened across the discharge opening, secured to prevent removal without the use of tools. The bottom of the bar shall be no higher than the bottom edge of the blade enclosure.

(3) The highest point(s) on the front of the blade enclosure, except discharge openings, shall be such that any line extending a maximum of 15° downward from the horizontal toward the blade shaft axis (axes) shall not intersect the horizontal plane within the blade tip circle. The highest point(s) on the blade enclosure front, except discharge-openings, shall not exceed 1 and 1/4 inches above the lowest cutting point of the blade in the lowest blade position. Mowers with a swingover handle are to be considered as having no front in the blade enclosure and therefore shall comply with WAC 296-306-06705(1).

(4) The mower handle shall be fastened to the mower so as to prevent loss of control by unintentional uncoupling while in operation.

(5) A positive upstop or latch shall be provided for the mower handle in the normal operating position(s). The upstop shall not be subject to unintentional disengagement during normal operation of the mower. The upstop or latch shall not allow the center or the handle grips to come closer than 17 inches horizontally behind the closest path of the mower blade(s) unless manually disengaged.

(6) A swing-over handle, which complies with the above requirements, will be permitted.

(7) Wheel drive disengaging controls, except deadman controls, shall move opposite to the direction of the vehicle motion in order to disengage the drive. Deadman controls shall comply with WAC 296-306-06701(11) and may operate in any direction to disengage the drive.

NEW SECTION

WAC 296-306-06709 Riding rotary mowers. (1) The highest point(s) of all openings in the blade enclosure, front shall be limited by a vertical angle of opening of 15° and a maximum distance of 1 1/4 inches above the lowest cutting point of the blade in the lowest blade position.

(2) Opening(s) shall be placed so that grass or debris will not discharge directly toward any part of an operator seated in a normal operator position.

(3) There shall be one of the following at all openings in the blade enclosure intended for the discharge of grass:

(a) A minimum unobstructed horizontal distance of 6 inches from the end of the discharge chute to the blade tip circle.

(b) A rigid bar fastened across the discharge opening, secured to prevent removal without the use of tools. The bottom of the bar shall be no higher than the bottom edge of the blade enclosure.

(4) Mowers shall be provided with stops to prevent jacking or locking of the steering mechanism.

(5) Vehicle stopping means shall be provided.

(6) Hand-operated wheel drive disengaging controls shall move opposite to the direction of vehicle motion in order to disengage the drive. Foot-operated wheel drive disengaging controls shall be depressed to disengage the drive. Deadman controls, both hand and foot operated, shall comply with WAC 296-306-06701(11) and may operate in any direction to disengage the drive.

NEW SECTION

WAC 296-306-068 Jacks.

NEW SECTION

WAC 296-306-06801 Jack definitions. (1) Jack. A jack is an appliance for lifting and lowering or moving horizontally a load by application of a pushing force.

Note: Jacks may be of the following types: Lever and ratchet, screw and hydraulic.

(2) Rating. The rating of a jack is the maximum working load for which it is designed to lift safely that load throughout its specified amount of travel.

Note: To raise the rated load of a jack, the point of application of the load, the applied force, and the length of lever arm should be those designated by the manufacturer for the particular jack considered.

NEW SECTION

WAC 296-306-06803 Loading and marking. (1) The operator shall make sure that the jack used has a rating sufficient to lift and sustain the load.

(2) The rated load shall be legibly and permanently marked in a prominent location on the jack by casting, stamping, or other suitable means.

NEW SECTION

WAC 296-306-06805 Operation and maintenance.

(1) In the absence of a firm foundation, the base of the jack shall be blocked. If there is a possibility of slippage of the cap, a block shall be placed in between the cap and the load.

(2) The operator shall watch the stop indicator, which shall be kept clean, in order to determine the limit of travel. The indicated limit shall not be overrun.

(3) After the load has been raised, it shall immediately be cribbed, blocked, or otherwise secured.

(4) Hydraulic jacks exposed to freezing temperatures shall be supplied with an adequate antifreeze liquid.

(5) All jacks shall be properly lubricated at regular intervals. The lubricating instructions of the manufacturer should be followed, and only lubricants recommended by him should be used.

(6) Each jack shall be thoroughly inspected at times which depend upon the service conditions. Inspections shall be not less frequent than the following:

(a) For constant or intermittent use at one locality, once every 6 months;

(b) For jacks sent out of shop for special work, when sent out and when returned;

(c) For a jack subjected to abnormal load or shock, immediately before and immediately thereafter.

(7) Repair or replacement parts shall be examined for possible defects.

(8) Jacks which are out of order shall be tagged accordingly, and shall not be used until repairs are made.

AMENDATORY SECTION (Amending Order 75-2, filed 1/24/75)

WAC 296-306-070 (~~(Farm shops)~~) **Reserved.** (~~(Farm shops shall be exempt from these standards when the following conditions are met:~~

~~(1) When the shop equipment is used solely by the owner or others not covered by WISHA.~~

~~(2) When employees are not permitted in the shop while shop equipment is being operated.)~~

NEW SECTION

WAC 296-306-081 **Hand and portable powered tools and equipment—General.**

NEW SECTION

WAC 296-306-08101 **General requirements.** Each employer shall be responsible for the safe condition of tools and equipment used by employees, including tools and equipment which may be furnished by employees.

NEW SECTION

WAC 296-306-08103 **Compressed air used for cleaning.** Compressed air shall not be used for cleaning purposes except where reduced to less than 30 p.s.i. and then only with effective chip guarding and personal protective equipment.

NEW SECTION

WAC 296-306-08105 **Compressed air tools.** (1) In the use of compressed air tools, care should be used to prevent the tool from being shot from the gun.

(2) When momentarily out of use the gun should be laid in such position that the tool cannot fly out if the pressure is accidentally released. When not in use, all tools should be removed from the gun.

(3) In disconnecting a compressed air tool from the air line, care should be exercised first to shut off the pressure and then to operate the tool to exhaust the pressure remaining in the hose.

(4) Compressed air hose or guns shall not be pointed at or brought into contact with the body of any person.

NEW SECTION

WAC 296-306-082 **Guarding of portable powered tools.**

NEW SECTION

WAC 296-306-08201 **Portable powered tools.** (1) Portable circular saws.

(a) All portable, power-driven circular saws having a blade diameter greater than 2 in. shall be equipped with guards above and below the base plate or shoe. The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts. The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return to covering position.

(b) (a) of this subsection does not apply to circular saws used in the meat industry for meat cutting purposes.

(2) Switches and controls.

(a) All hand-held powered circular saws having a blade diameter-greater than 2 inches, electric, hydraulic or pneumatic chain saws, and percussion tools without positive accessory holding means shall be equipped with a constant pressure switch or control that will shut off the power when the pressure is released. All hand-held gasoline powered chain saws shall be equipped with a constant pressure throttle control that will shut off the power to the saw chain when the pressure is released.

(b) All hand-held powered drills, tappers, fastener drivers, horizontal, vertical, and angle grinders with wheels greater than 2 inches in diameter, disc sanders with discs greater than 2 inches in diameter, belt sanders, reciprocating saws, saber, scroll, and jig saws with blade shanks greater than a nominal one-fourth inch, and other similarly operating powered tools shall be equipped with a constant pressure switch or control and may have a lock-on control provided that turnoff can be accomplished by a single motion of the same finger or fingers that turn it on.

(c) All other hand-held powered tools, such as, but not limited to, platen sanders, grinders with wheels 2 inches in diameter or less, disc sanders with discs 2 inches in diameter or less, routers, planers, laminate trimmers, nibblers, shears, saber, scroll, and jig saws with blade shanks a nominal one-fourth of an inch wide or less, may be equipped with either a positive "on-off" control, or other controls as described by (a) and (b) of this subsection.

(i) Saber, scroll, and jig saws with nonstandard blade holders may use blades with shanks which are nonuniform in width, provided the narrowest portion of the blade shank is an integral part in mounting the blade.

(ii) Blade shank width shall be measured at the narrowest portion of the blade shank when saber, scroll, and jig saws have nonstandard blade holders.

(iii) "Nominal" in this section means +0.05 inch.

(d) The operating control on hand-held power tools shall be so located as to minimize the possibility of its accidental operation, if such accidental operation would constitute a hazard to employees.

(e) This paragraph does not apply to concrete vibrators, concrete breakers, powered tampers, jack hammers, rock drills, garden appliances, household and kitchen appliances, personal care appliances, medical or dental equipment, or to fixed machinery.

(3) Portable belt sanding machines. Belt sanding machines shall be provided with guards at each nip point where the sanding belt runs onto a pulley. These guards shall effectively prevent the hands or fingers of the operator from coming in contact with the nip points. The unused run of the sanding belt shall be guarded against accidental contact.

(4) Cracked saws. All cracked saws shall be removed from service.

(5) Grounding. Portable electric powered tools shall meet the electrical requirements of WAC 296-24-956.

NEW SECTION

WAC 296-306-083 Pneumatic powered tools and hose.

NEW SECTION

WAC 296-306-08301 Portable tools. (1) The operating trigger on portable hand-operated utilization equipment shall be so located as to minimize the possibility of its accidental operation and shall be arranged to close the air inlet valve automatically when the pressure of the operator's hand is removed.

(2) A tool retainer shall be installed on each piece of utilization equipment which, without such a retainer, may eject the tool.

NEW SECTION

WAC 296-306-08307 Airhose. Hose and hose connections used for conducting compressed air to utilization equipment shall be designed for the pressure and service to which they are subjected.

NEW SECTION

WAC 296-306-084 Portable abrasive wheels.

NEW SECTION

WAC 296-306-08401 Abrasive wheel definitions. (1) Mounted wheels. Mounted wheels, usually 2-inch diameter or smaller, and of various shapes, may be either organic or inorganic bonded abrasive wheels. They are secured to plain or threaded steel mandrels.

(2) Tuck pointing. Removal, by grinding, of cement, mortar, or other nonmetallic jointing material.

(3) Tuck pointing wheels. Tuck pointing wheels, usually Type 1, reinforced organic bonded wheels have diameter, thickness and hole size dimension. They are subject to the same limitations of use and mounting as Type 1 wheels defined in WAC 296-306-08401(10).

LIMITATION: Wheels used for tuck pointing should be reinforced, organic bonded.

(4) Portable grinding. A grinding operation where the grinding machine is designed to be hand held and may be easily moved from one location to another.

(5) Organic bonded wheels. Organic wheels are wheels which are bonded by means of an organic material such as resin, rubber, shellac, or other similar bonding agent.

(6) Safety guard. A safety guard is an enclosure designed to restrain the pieces of the grinding wheel and

furnish all possible protection in the event that the wheel is broken in operation.

(7) Reinforced wheels. The term "reinforced" as applied to grinding wheels shall define a class of organic wheels which contain strengthening fabric or filament. The term "reinforced" does not cover wheels using such mechanical additions as steel rings, steel cup backs or wire or tape winding.

(8) Type 11 flaring cup wheels. Type 11 flaring cup wheels have double diameter dimensions D and J, and in addition have thickness, hole size, rim and back thickness dimensions. Grinding is always performed on rim face, W dimension. Type 11 wheels are subject to all limitations of use and mounting listed for Type 6 straight sided cup wheels definition in WAC 296-306-08401(9).

LIMITATION: Minimum back thickness, E dimension, should not be less than one-fourth T dimension. In addition when unthreaded hole wheels are specified the inside flat, K dimension, shall be large enough to accommodate a suitable flange.

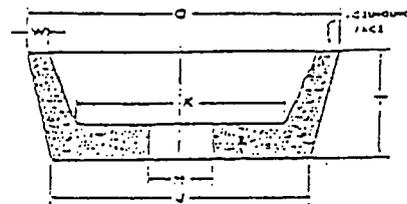


Figure P-1

Type 11—Flaring-cup wheel side grinding wheel having a wall flared or tapered outward from the back.

Wall thickness at the back is normally greater than at the grinding face (W).

(9) Type 6 straight cup wheels. Type 6 cup wheels have diameter, thickness, hole size, rim thickness, and back thickness dimensions. Grinding is always performed on rim face, W dimension.

LIMITATION: Minimum back thickness, E dimension, should not be less than one-fourth T dimension. In addition, when unthreaded hole wheels are specified, the inside flat, K dimension, must be large enough to accommodate a suitable flange.

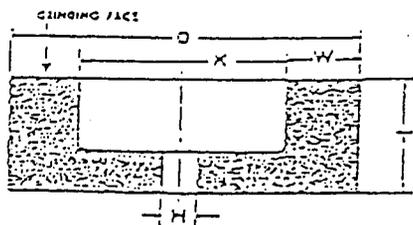


Figure P-2

Type 6—Straight-cup wheel

Side grinding wheel having a diameter, thickness and hole with one side straight or flat and the opposite side recessed.

This type, however, differs from Type 5 in that the grinding is performed on the wall of the abrasive created by difference between the diameter of the recess and the outside diameter of the wheel. Therefore, the wall dimension "W" takes precedence over the diameter of the recess as an essential intermediate dimension to describe this shape type.

(10) Type 1 straight wheels. Type 1 straight wheels have a diameter, thickness, and hole size dimensions and should be used only on the periphery. Type 1 wheels shall be mounted between flanges.

LIMITATION: Hole dimension (H) should not be greater than two-thirds of wheel diameter dimension (D) for precision, cylindrical, centerless, or surface grinding applications. Maximum hole size for all other application should not exceed one-half wheel diameter.

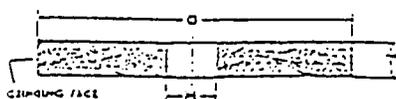


Figure P-3

Type 1—Straight wheel

Peripheral grinding wheel having a diameter, thickness and hole.

NEW SECTION

WAC 296-306-08403 General requirements. (1) All abrasive wheels shall be used only on machines provided with safety guards as defined in the following sections through WAC 296-306-08409.

EXCEPTIONS: This requirement shall not apply to the following classes of wheels and conditions.

(a) Wheels used for internal work while within the work being ground.

(b) Mounted wheels used in portable operations 2 inches and smaller in diameter.

(c) Types 16, 17, 18, 18R, and 19 cones and plugs and threaded hole pot balls as illustrated and described by 1.4.11 of ANSI B 7.1-1970 Safety Code for the Use, Care and Protection of Abrasive Wheels, where the work offers protection.

(2) The safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard.

(a) Exception: Safety guards on all operations where the work provides a suitable measure of protection to the operator, may be so constructed that the spindle end, nut, and outer flange are exposed; and where the nature of the work is such as to entirely cover the side of the wheel, the side covers of the guard may be omitted.

(b) Exception: The spindle end, nut, and outer flange may be exposed on portable machines designed for, and used with, type 6, 11, 27, and 28 abrasive wheels, cutting off wheels, and tuck pointing wheels.

(c) Exception: The spindle end, nut, and outer flange may be exposed on machines designed as portable saws.

(3) Cup wheels (Types 6 and 11) shall be guarded by:

(a) Safety guards as specified in WAC 296-306-08403; or

(b) Special "revolving cup guards" which mount behind the wheel and turn with it. They shall be made of steel or other material with adequate strength and shall enclose the wheel sides upward from the back for one-third of the wheel thickness. The mounting features shall conform with all regulations. (See WAC 296-306-08409.) It is necessary to maintain clearance between the wheel side and the guard. The clearance shall not exceed one-sixteenth inch.

NEW SECTION

WAC 296-306-08405 Vertical portable grinders.

Safety guards used on machines known as right angle head or vertical portable grinders shall have a maximum exposure angle of 180°, and the guard shall be located so as to be between the operator and the wheel during use. Adjustment of guard shall be such that pieces of an accidentally broken wheel will be deflected away from the operator. (See Figure P-4.)

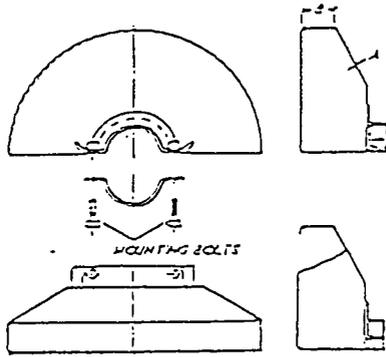


Figure No. P-4

NEW SECTION

WAC 296-306-08407 Other portable grinders. The maximum angular exposure of the grinding wheel periphery and sides for safety guards used on other portable grinding machines shall not exceed 180° and the top half of the wheel shall be enclosed at all times. (See Figures P-5 and P-6.)

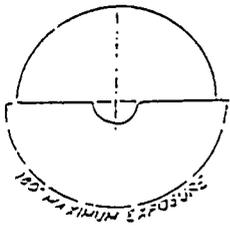


Figure No. P-5

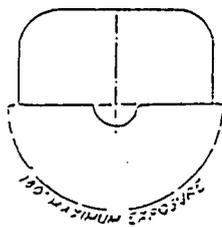


Figure No. P-6

Figure No. P-6

NEW SECTION

WAC 296-306-08409 Mounting and inspection of abrasive wheels. Mounting and inspection of abrasive wheels. (1) Immediately before mounting, all wheels shall be closely inspected and sounded by the user (ring test) to make sure they have not been damaged in transit, storage, or otherwise. The spindle speed of the machine shall be checked before mounting of the wheel to be certain that it does not exceed the maximum operating speed marked on the wheel. Wheels should be tapped gently; if they sound cracked (dead), they shall not be used.

Note: Wheels should be tapped gently with a light nonmetallic implement, such as the handle of a screwdriver for light wheels, or a wooden mallet for heavier wheels. This is known as the "ring test."

(2) Grinding wheels shall fit freely on the spindle and remain free under all grinding conditions. The machine spindle shall be made to nominal (standard) size plus zero minus .002 inch, and the wheel hole shall be made suitably oversize to assure safety clearance under the conditions of operating heat and pressure.

Note: A controlled clearance between the wheel hole and the machine spindle (or wheel sleeves or adapters) is essential to avoid excessive pressure from mounting and spindle expansion.

(3) All contact surfaces of wheels, blotters, and flanges shall be flat and free of foreign matter.

(4) When a bushing is used in the wheel hole it shall not exceed the width of the wheel and shall not contact the flanges.

(5) For requirements for the use of flanges and blotters see WAC 296-24-18007.

Note: Excluded machinery. Natural sandstone wheels and metal, wooden, cloth, or paper discs, having a layer of abrasive on the surface are not covered by this section.

AMENDATORY SECTION (Amending Order 75-2, filed 1/24/75)

WAC 296-306-105 Orchard ladders. (1) ~~Orchard ladders shall be maintained in good condition at all times. Joints between steps and side rails shall be tight. All hardware and fittings shall be securely attached, and the movable parts shall operate freely, without binding or undue play.~~

~~(2) Ladders shall be inspected prior to being used. Those ladders which have developed defects shall be withdrawn from service for repair or discard.~~

~~(3) Rungs shall be kept reasonably free of any substance which would make them hazardous.~~

~~(4) Proper instruction in the use of orchard ladders shall be given each employee at the beginning of employment.)~~

Construction of orchard ladders.

(a) Orchard ladders longer than 16' shall not be used.

(b) The minimum dimensions of the parts of orchard ladders shall not be less than the following when made of group 2 or group 3 woods. (See Table S-2 for wood groups.)

| | Length 6 to 10 ft. | | Length 12 to 16 ft. | |
|------------|--------------------|----------------|---------------------|----------------|
| | Thickness (inches) | Depth (inches) | Thickness (inches) | Depth (inches) |
| Side Rails | 2 5/32 | 2 5/8 | 2 5/32 | 2 3/4 |
| Back leg | 1 1/2 | 1 1/2 | 1 5/8 | 1 5/8 |
| Steps | 2 5/32 | 2 5/8 | 2 5/32 | 2 5/8 |
| Top | 2 5/32 | 5 | 2 5/32 | 5 |

Note: The minimum thickness of side rails provides for the cutting of a groove 1/8" in depth with a tolerance of ±1/32". The thickness of the side rail shall be increased when grooves of greater depth are used.

(c) Steps shall be closely fitted into grooves in the side rails 1/8" in depth and secured with at least two 6d nails or equivalent; or they shall be closely fitted into metal brackets of equivalent strength, which in turn shall be firmly secured to the side rails.

(i) Each step shall be reinforced by:

(A) A steel rod not less than 0.160" in diameter, which shall pass through metal washers of sufficient size to prevent pressing into the side rails, and through a truss block which shall be fitted between the rod and the center of each step; or

(B) A metal angle brace on each end firmly secured to the steps and side rails; or

(C) Construction of equivalent strength and safety.

(ii) Where the rod reinforcement construction is used, the bottom step shall be provided further with a metal angle

brace on each end which shall be securely attached to the bottom step and side rails.

(iii) All steps 27" or more in length shall be provided with a metal angle brace at each end securely attached to the step and rail.

(d) Width and spread. The minimum width between side rails at the top step, inside to inside, shall be not less than 9 1/2". From top to bottom the side rails shall spread at least an average of 2 1/2" for each foot of ladder length.

(e) Top. All orchard ladders shall have a top with wood or metal brackets or fittings tightly secured to the top, side rails, and back leg without excessive play or wear at the joints.

(f) Aluminum ladders shall be constructed out of 6061-T6 aluminum alloy or equivalent.

(g) Steps on metal ladders shall be corrugated, knurled, dimpled, or otherwise treated to minimize the possibility of slipping.

Group 4

- Aspen
- Bashwood
- Buckeye
- Butternut
- Incense Cedar
- Western Red Cedar
- Black Cottonwood
- White Fir
- Hackberry

- Eastern Hemlock
- Holly
- Soft Maple
- Idaho White Pine
- Northern White Pine
- Ponderosa Pine
- Sugar Pine

**TABLE S-2
GROUPING OF WOODS**

Group 1

- White Ash
- Beech
- Birch
- Rock Elm
- Hickory

- Locust
- Hard Maple
- Red Oak
- White Oak
- Pecan
- Persimmon

Group 2

- Douglas Fir (coast region)
- Western Larch
- Southern Yellow Pine

Group 3

- Red Alder
- Oregon
- Ash
- Pumpkin Ash
- Alaska Cedar
- Port Orford Cedar
- Cypress
- Soft Elm
- Douglas Fir (Rocky Mtn. Region)
- Noble Fir

- Gum
- West Coast Hemlock
- Magnolia
- Oregon Maple
- Norway Pine
- Poplar
- Redwood
- Eastern Spruce
- Sitka Spruce
- Sycamore
- Tamarack
- Tupelo

(2) Training and instruction on the use of ladders.

(a) At the beginning of employment, employers shall provide orientation and training on the proper use of ladders including how to set a ladder and properly dismount with a full load.

(b) The employer shall instruct employees to not use steps designated by the manufacturer as unsafe to use.

(c) In absence of manufacturer's instructions, employers shall instruct employees to not stand on the top two steps of the ladder.

(d) Employers shall instruct employees to not step off the ladder onto branches of trees except onto the main crotch of the tree.

(e) Employers shall instruct employees to not overreach while standing on the ladder to prevent ladder upset.

(3) Care and use of orchard ladders.

(a) Employers shall not require or direct employees to stand on the top two steps of the orchard ladder.

(b) Orchard ladders shall be maintained in good condition at all times. Joints between steps and side rails shall be tight. All hardware and fittings shall be securely attached, and the moveable parts shall operate freely without binding or undue play.

(c) Ladders shall be inspected prior to being used. Those ladders which have developed defects shall be withdrawn from service for repair or discard.

(d) Rungs shall be kept reasonably free of any substance which would make them hazardous.

AMENDATORY SECTION (Amending Order 75-2, filed 1/24/75)

WAC 296-306-115 Bins, bunkers, hoppers, tanks, pits and trenches. (1) No employee shall enter any bin, bunker, hopper or similar area when there is a danger that loose materials (such as chips, sand, grain, gravel, sawdust, etc.) may collapse around the worker, unless the worker wears a safety belt with a lifeline attached and is attended by a helper.

Note: Silage pits are exempt from this section.

(2) When employees are required to work in a trench or a pit 4 feet or more in depth, the trench or the pit shall be shored or shall be sloped to the angle of repose as shown in the following table:

- ~~((Solid rock, shale or cemented sand and gravel—~~
- ~~Vertical— (90°)~~
- ~~Compacted gravels 1/2:1 (63°)~~
- ~~Average soils 1:1 (45°)~~

~~Compacted sharp sand 1 1/2:1 (34°)
 Rounded, loose sand or gravel 2:1 (27°)
 Clay, silt, loam shoring required~~

~~Note: Silage pits are exempt from this section.))~~

TABLE 1
 MAXIMUM ALLOWABLE SLOPES

| SOIL OR ROCK TYPE | MAXIMUM ALLOWABLE SLOPES (H:V) ⁽¹⁾ FOR EXCAVATIONS LESS THAN 20 FEET DEEP ⁽²⁾ |
|--|---|
| STABLE ROCK TYPE A (21) TYPE B TYPE C | VERTICAL (90°) 3/4 : 1 (53°) 1:1 (45°) 1 1/2 : 1 (34°) |

NOTES:

- Numbers shown in parentheses next to maximum allowable slopes are angles expressed in degrees from the horizontal. Angles have been rounded off.
- A short-cut maximum allowable slope of 1/2H:1V (53°) is allowed in excavations in Type A soil that are 12 feet (3.67 m) or less in depth. Short-cut maximum allowable slopes for excavations greater than 12 feet (3.67 m) in depth shall be 3/4H:1V (33°).
- Sloping or benching for excavations greater than 20 feet deep shall be designed by a registered professional engineer.

(3) Requirements—Classification of soil and rock deposits.

(a) Each soil and rock deposit shall be classified by a competent person as Stable Rock, Type A, B, or C according to the definitions set forth in this appendix.

(b) Basis of classification. The classification of the deposits shall be made based on the results of at least one visual and at least one manual analysis. Such analyses shall be conducted by a competent person using tests in recognized methods of soil classification and testing such as those adopted by the American Society for Testing Materials, or the U.S. Department of Agriculture textural classification system.

(4) Definitions:

(a) Stable rock. Natural solid mineral matter that can be excavated with vertical sides and remain intact while exposed.

(b) Type A. Cohesive soils with an unconfined compressive strength of 1.5 ton per square foot (tsf) or greater. Examples of cohesive soils are clay, silty clay, sandy clay, clay loam and, sometimes, silty clay loam and sandy clay loam. Cemented soils such as caliche and hardpan are also considered Type A. No soil is Type A if:

- (i) The soil is fissured; or
- (ii) The soil is subject to vibration from heavy traffic, pile driving, or similar effects; or
- (iii) The soil has been previously disturbed; or
- (iv) The soil is part of a sloped, layered system where the layers dip into the excavation on a slope of 4 horizontal to 1 vertical (4H:1V) or greater; or
- (v) The material is subject to other factors that would require it to be classified as a less stable material.

(c) Type B.

(i) Cohesive soil with an unconfined compressive strength greater than 0.5 tsf but less than 1.5 tsf; or

(ii) Granular cohesionless soils including angular gravel (similar to crushed rock), silt, silt loam, sand loam and, sometimes, silty clay loam and sandy clay loam; or

(iii) Previously disturbed soils except those that would otherwise be classified as Type C soil; or

(iv) Soil that meets the unconfined compressive strength or cementation requirements for Type A, but is fissured or subject to vibration; or

(v) Dry rock that is not stable; or

(vi) A sloped, layered system where the layers dip into the excavation on a slope less than 4 horizontal to 1 vertical (4H:1V), but only if the material would otherwise be classified as Type B.

(d) Type C.

(i) Cohesive soils with an unconfined compressive strength of 0.5 tsf or less; or

(ii) Granular soils including gravel, sand, and loamy sand; or

(iii) Submerged soil or soil from which water is freely seeping; or

(iv) Submerged rock that is not stable; or

(v) Material in a sloped, layered system where the layers dip into the excavation on a slope of 4 horizontal to 1 vertical (4H:1V) or steeper.

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)

WAC 296-306-145 Electrical. ((General requirements.

(1) Main disconnects. To avoid accidental starts of machinery during maintenance or clean up, the main disconnect(s) of machines shall first be locked out or disconnected from the power source.

Note: (Temporary) All 15- and 20-ampere receptacle outlets on single-phase circuits may have approved ground-fault circuit protection.

EXCEPTION: For branch circuit extensions only in existing installations which do not have a grounding conductor in the branch circuit, the grounding conductor of a grounding-type receptacle outlet may be grounded to a metal cold-water pipe near the equipment.

(2) Electric wire fences shall be controlled by a U.L. approved control box which regulates both voltage and amperage.

(3) Whenever work is performed near outside energized electrical conductors, employees and equipment shall be kept at least ten feet away from such conductors.

Note: Special precautionary instructions shall be given to employees handling portable metal irrigation pipe near energized circuits.

(4) After October 25, 1976, the following additional rules shall apply for electrical power sources:

(a) All circuit protection devices, including those which are an integral part of a motor, shall be of the manual reset type, except where:

(i) The employer can establish that because of the nature of the operation, distances involved, and the amount of time normally spent by employees in the area of the affected equipment, use of the manual reset device would be infeasible;

(ii) There is an electrical disconnect switch available to the employee within 15 feet of the equipment upon which maintenance or service is being performed; and

~~(iii) A sign is prominently posted near each hazardous component which warns the employee that unless the electrical disconnect switch is utilized, the motor could automatically reset while the employee is working on the hazardous component.)~~ This section addresses electrical safety requirements that are necessary for the practical safeguarding of employees in their work places.

NEW SECTION

WAC 296-306-14501 General requirements. (1) Approval. The conductors and equipment required or permitted by this section shall be acceptable only if approved.

(2) Examination, installation, and use of equipment.

(a) Examination. Electrical equipment shall be free from recognized hazards that are likely to cause death or serious physical harm to employees. Safety of equipment shall be determined using the following considerations:

(i) Suitability for installation and use in conformity with the provisions of this subpart. Suitability of equipment for an identified purpose may be evidenced by listing or labeling for that identified purpose.

(ii) Mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection thus provided.

(iii) Electrical insulation.

(iv) Heating effects under conditions of use.

(v) Arcing effects.

(vi) Classification by type, size, voltage, current capacity, specific use.

(vii) Other factors which contribute to the practical safeguarding of employees using or likely to come in contact with the equipment.

(b) Installation and use. Listed or labeled equipment shall be used or installed in accordance with any instructions included in the listing or labeling.

(3) Splices. Conductors shall be spliced or joined with splicing devices suitable for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices shall first be so spliced or joined as to be mechanically and electrically secure without solder and then soldered. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device suitable for the purpose.

(4) Arcing parts. Parts of electric equipment which in ordinary operation produce arcs, sparks, flames, or molten metal shall be enclosed or separated and isolated from all combustible material.

(5) Marking. Electrical equipment may not be used unless the manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product may be identified is placed on the equipment. Other markings shall be provided giving voltage, current, wattage, or other ratings as necessary. The marking shall be of sufficient durability to withstand the environment involved.

(6) Identification of disconnecting means and circuits. Each disconnecting means required by this subpart for motors and appliances shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is

evident. Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. These markings shall be of sufficient durability to withstand the environment involved.

(7) 600 volts, nominal, or less.

(a) Working space about electric equipment. Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

(i) Working clearances. Except as required or permitted elsewhere in this chapter, the dimension of the working space in the direction of access to live parts operating at 600 volts or less and likely to require examination, adjustment, servicing, or maintenance while alive may not be less than indicated in Table S-1. In addition to the dimensions shown in Table S-1, workspace may not be less than 30 inches wide in front of the electric equipment. Distances shall be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. Concrete, brick, or tile walls are considered to be grounded. Working space is not required in back of assemblies such as dead-front switchboards or motor control centers where there are no renewable or adjustable parts such as fuses or switches on the back and where all connections are accessible from locations other than the back.

TABLE S-1--Working clearances

| Nominal voltage to ground | Minimum clear distance for condition ² (ft) | | |
|---------------------------|--|-------|-----|
| | (a) | (b) | (c) |
| 0-150 | 13 | 13 | 3 |
| 151-600 | 13 | 3-1/2 | 4 |

¹ Minimum clear distances may be 2 feet 6 inches for installations built prior to effective date of this section.

² Conditions (a), (b), (c), are as follows: (a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating material. Insulated wire or insulated busbars operating at not over 300 volts are not considered live parts. (b) Exposed live parts on one side and grounded parts on the other side (c) Exposed live parts on both sides of the workspace (not guarded as provided in condition (a)) with the operator between.

(ii) Clear spaces. Working space required by this subpart may not be used for storage. When normally enclosed live parts are exposed for inspection or servicing, the working space, if in a passageway or general open space, shall be suitably guarded.

(iii) Access and entrance to working space. At least one entrance of sufficient area shall be provided to give access to the working space about electric equipment.

(iv) Front working space. Where there are live parts normally exposed on the front of switchboards or motor control centers, the working space in front of such equipment may not be less than 3 feet.

(v) Illumination. Illumination shall be provided for all working spaces about service equipment, switchboards, panelboards, and motor control centers installed indoors.

(vi) Headroom. The minimum headroom of working spaces about service equipment, switchboards, panelboards, or motor control centers shall be 6 feet 3 inches.

Note: As used in this section, a motor control center is an assembly of one or more enclosed sections having a common power bus and principally containing motor control units.

(b) Guarding of live parts.

(i) Except as required or permitted elsewhere in this section, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by approved cabinets or other forms of approved enclosures, or by any of the following means:

(A) By location in a room, vault, or similar enclosure that is accessible only to qualified persons.

(B) By suitable permanent, substantial partitions or screens so arranged that only qualified persons will have access to the space within reach of the live parts. Any openings in such partitions or screens shall be so sized and located that persons are not likely to come into accidental

contact with live parts or to bring conducting objects into contact with them.

(C) By location on a suitable balcony, gallery, or platform so elevated and arranged as to exclude unqualified persons.

(D) By elevation of 8 feet or more above the floor or other working surface.

(ii) In locations where electric equipment would be exposed to physical damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

(iii) Entrances to rooms and other guarded locations containing exposed live parts shall be marked with conspicuous warning signs forbidding unqualified persons to enter.

(8) Main disconnects. To avoid accidental starts of machinery during maintenance or clean-up, the main disconnect(s) of machines shall first be locked out from the power source.

Note: *(Temporary) All 15- and 20- ampere receptacle outlets on single-phase circuits may have approved ground-fault circuit protection.

Exception: *For branch-circuit extensions only in existing installations which do not have a grounding conductor in the branch-circuit, the grounding conductor of a grounding-type receptacle outlet may be grounded to a metal cold-water pipe near the equipment.

(9) Electric wire fences shall be controlled by a U.L. approved control box which regulates both voltage and amperage.

(10) Whenever work is performed near outside energized electrical conductors, employees and equipment shall be kept at least ten feet away from such conductors.

Note: *Special precautionary instructions shall be given to employees handling portable metal irrigation pipe near energized circuits.

(11) After October 25, 1976, the following additional rule shall apply for electrical power sources: All circuit protection devices, including those which are an integral part of a motor, shall be of the manual reset type, except where:

(a) The employer can establish that because of the nature of the operation, distances involved, and the amount of time normally spent by employees in the area of the affected equipment, use of the manual reset device would be infeasible;

(b) There is an electrical disconnect switch available to the employee within 15 feet of the equipment upon which maintenance or service is being performed; and

(c) A sign is prominently posted near each hazardous component which warns the employee that unless the electrical disconnect switch is utilized, the motor could automatically reset while the employee is working on the hazardous component.

NEW SECTION

WAC 296-306-14503 Wiring design and protection.

(1) Use and identification of grounded and grounding conductors.

(a) Identification of conductors. A conductor used as a grounded conductor shall be identifiable and distinguishable from all other conductors. A conductor used as an equipment grounding conductor shall be identifiable and distinguishable from all other conductors.

(b) Polarity of connections. No grounded conductor may be attached to any terminal or lead so as to reverse designated polarity.

(c) Use of grounding terminals and devices. A grounding terminal or grounding-type device on a receptacle, cord connector, or attachment plug may not be used for purposes other than grounding.

(2) Outlet devices. Outlet devices shall have an ampere rating not less than the load to be served.

(3) Outside conductors, 600 volts, nominal, or less. (a), (b), (c), and (d) of this subsection apply to branch circuit, feeder, and service conductors rated 600 volts, nominal, or less and run outdoors as open conductors. (e) of this subsection applies to lamps installed under such conductors.

(a) Conductors on poles. Conductors supported on poles shall provide a horizontal climbing space not less than the following:

(i) Power conductors below communication conductors—30 inches.

(ii) Power conductors alone or above communication conductors: 300 volts or less—24 inches; more than 300 volts—30 inches.

(iii) Communication conductors below power conductors with power conductors 300 volts or less—24 inches; more than 300 volts—30 inches.

(b) Clearance from ground. Open conductors shall conform to the following minimum clearances:

(i) 10 feet—above finished grade, sidewalks, or from any platform or projection from which they might be reached.

(ii) 12 feet—over areas subject to vehicular traffic other than truck traffic.

(iii) 15 feet—over areas other than those specified in item (b)(iv) of this subsection that are subject to truck traffic.

(iv) 18 feet—over public streets, alleys, roads, and driveways.

(c) Clearance from building openings. Conductors shall have a clearance of at least 3 feet from windows, doors, porches, fire escapes, or similar locations. Conductors run above the top level of a window are considered to be out of reach from that window and, therefore, do not have to be 3 feet away.

(d) Clearance over roofs. Conductors shall have a clearance of not less than 8 feet from the highest point of roofs over which they pass, except that:

(i) Where the voltage between conductors is 300 volts or less and the roof has a slope of not less than 4 inches in 12, the clearance from the roofs shall be at least 3 feet; or

(ii) Where the voltage between conductors is 300 volts or less and the conductors do not pass over more than 4 feet of the overhang portion of the roof and they are terminated at a through-the-roof raceway or approved support, the clearance from the roofs shall be at least 18 inches.

(e) Location of outdoor lamps. Lamps for outdoor lighting shall be located below all live conductors, transformers, or other electric equipment, unless such equipment is controlled by a disconnecting means that can be locked in the open position or unless adequate clearances or other safeguards are provided for relamping operations.

(4)(a) Services.

(b) Disconnecting means.

(i) General. Means shall be provided to disconnect all conductors in a building or other structure from the service-entrance conductors. The disconnecting means shall plainly indicate whether it is in the open or closed position and shall be installed at a readily accessible location nearest the point of entrance of the service-entrance conductors.

(ii) Simultaneous opening of poles. Each service disconnecting means shall simultaneously disconnect all ungrounded conductors.

(5)(a) Overcurrent protection.

(b) 600 volts, nominal, or less. The following requirements apply to overcurrent protection of circuits rated 600 volts, nominal, or less.

(i) Protection of conductors and equipment. Conductors and equipment shall be protected from overcurrent in accordance with their ability to safely conduct current.

(ii) Grounded conductors. Except for motor running overload protection, overcurrent devices may not interrupt the continuity of the grounded conductor unless all conductors of the circuit are opened simultaneously.

(iii) Disconnection of fuses and thermal cutouts. Except for service fuses, all cartridge fuses which are accessible to other than qualified persons and all fuses and thermal cutouts on circuits over 150 volts to ground shall be provided with disconnecting means. This disconnecting means shall be installed so that the fuse or thermal cutout can be disconnected from its supply without disrupting service to equipment and circuits unrelated to those protected by the overcurrent device.

(iv) Location in or on premises. Overcurrent devices shall be readily accessible to each employee or authorized building management personnel. These overcurrent devices may not be located where they will be exposed to physical damage nor in the vicinity of easily ignitable material.

(v) Arcing or suddenly moving parts. Fuses and circuit breakers shall be so located or shielded that employees will not be burned or otherwise injured by their operation.

(vi) Circuit breakers.

(A) Circuit breakers shall clearly indicate whether they are in the open (off) or closed (on) position.

(B) Where circuit breaker handles on switchboards are operated vertically rather than horizontally or rotationally, the up position of the handle shall be the closed (on) position. (See WAC 296-24-95603 (2)(c).)

(C) If used as switches in 120-volt, fluorescent lighting circuits, circuit breakers shall be approved for the purpose and marked "SWD." (See WAC 296-24-95603 (2)(c).)

(6) Grounding. (a) through (g) of this subsection contain grounding requirements for systems, circuits, and equipment.

(a) Systems to be grounded. The following systems which supply premises wiring shall be grounded:

(i) All 3-wire DC systems shall have their neutral conductor grounded.

(ii) Two-wire DC systems operating at over 50 volts through 300 volts between conductors shall be grounded unless:

(A) They supply only industrial equipment in limited areas and are equipped with a ground detector; or

(B) They are rectifier-derived from an AC system complying with (a)(iii), (iv), and (v) of this subsection; or

(C) They are fire-protective signaling circuits having a maximum current of 0.030 amperes.

(iii) AC circuits of less than 50 volts shall be grounded if they are installed as overhead conductors outside of buildings or if they are supplied by transformers and the transformer primary supply system is ungrounded or exceeds 150 volts to ground.

(iv) AC systems of 50 volts to 1000 volts shall be grounded under any of the following conditions, unless exempted by (a)(v) of this subsection:

(A) If the system can be so grounded that the maximum voltage to ground on the ungrounded conductors does not exceed 150 volts;

(B) If the system is nominally rated 480Y/277 volt, 3-phase, 4-wire in which the neutral is used as a circuit conductor;

(C) If the system is nominally rated 240/120 volt, 3-phase, 4-wire in which the midpoint of one phase is used as a circuit conductor; or

(D) If a service conductor is uninsulated.

(v) AC systems of 50 volts to 1000 volts are not required to be grounded under any of the following conditions:

(A) If the system is used exclusively to supply industrial electric furnaces for melting, refining, tempering, and the like.

(B) If the system is separately derived and is used exclusively for rectifiers supplying only adjustable speed industrial drives.

(C) If the system is separately derived and is supplied by a transformer that has a primary voltage rating less than 1000 volts, provided all of the following conditions are met:

(I) The system is used exclusively for control circuits;

(II) The conditions of maintenance and supervision assure that only qualified persons will service the installation;

(III) Continuity of control power is required; and

(IV) Ground detectors are installed on the control system.

(D) If the system is an isolated power system that supplies circuits in health care facilities.

(b) Conductors to be grounded. For AC premises wiring systems the identified conductor shall be grounded.

(c) Grounding connections.

(i) For a grounded system, a grounding electrode conductor shall be used to connect both the equipment grounding conductor and the grounded circuit conductor to the grounding electrode. Both the equipment grounding conductor and the grounding electrode conductor shall be connected to the grounded circuit conductor on the supply side of the service disconnecting means, or on the supply side of the system disconnecting means or overcurrent devices if the system is separately derived.

(ii) For an ungrounded service-supplied system, the equipment grounding conductor shall be connected to the grounding electrode conductor at the service equipment. For an ungrounded separately derived system, the equipment grounding conductor shall be connected to the grounding electrode conductor at, or ahead of, the system disconnecting means or overcurrent devices.

(iii) On extensions of existing branch circuits which do not have an equipment grounding conductor, grounding-type receptacles may be grounded to a grounded cold water pipe near the equipment.

(d) Grounding path. The path to ground from circuits, equipment, and enclosures shall be permanent and continuous.

(e) Supports, enclosures, and equipment to be grounded.

(i) Supports and enclosures for conductors. Metal cable trays, metal raceways, and metal enclosures for conductors shall be grounded, except that:

(A) Metal enclosures such as sleeves that are used to protect cable assemblies from physical damage need not be grounded; or

(B) Metal enclosures for conductors added to existing installations of open wire, knob-and-tube wiring, and nonmetallic-sheathed cable need not be grounded if all of the following conditions are met:

(I) Runs are less than 25 feet;

(II) Enclosures are free from probable contact with ground, grounded metal, metal laths, or other conductive materials; and

(III) Enclosures are guarded against employee contact.

(ii) Service equipment enclosures. Metal enclosures for service equipment shall be grounded.

(iii) Frames of ranges and clothes dryers. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and metal outlet or junction boxes which are part of the circuit for these appliances shall be grounded.

(iv) Fixed equipment. Exposed noncurrent-carrying metal parts of fixed equipment which may become energized shall be grounded under any of the following conditions:

(A) If within 8 feet vertically or 5 feet horizontally of ground or grounded metal objects and subject to employee contact.

(B) If located in a wet or damp location and not isolated.

(C) If in electrical contact with metal.

(D) If in a hazardous (classified) location.

(E) If supplied by a metal-clad, metal-sheathed, or grounded metal raceway wiring method.

(F) If equipment operates with any terminal at over 150 volts to the ground; however, the following need not be grounded:

(I) Enclosures for switches or circuit breakers used for other than service equipment and accessible to qualified persons only;

(II) Metal frames of electrically heated appliances which are permanently and effectively insulated from ground; and

(III) The cases of distribution apparatus such as transformers and capacitors mounted on wooden poles at a height exceeding 8 feet above ground or grade level.

(v) Equipment connected by cord and plug. Under any of the conditions described in (e)(v)(A) through (e)(v)(C) of this subsection, exposed noncurrent-carrying metal parts of cord-connected and plug-connected equipment which may become energized shall be grounded.

(A) If in hazardous (classified) locations (see WAC 296-306-14507.)

(B) If operated at over 150 volts to ground, except for guarded motors and metal frames of electrically heated appliances if the appliance frames are permanently and effectively insulated from ground.

(C) If the equipment is of the following types:

(I) Refrigerators, freezers, and air conditioners;

(II) Clothes-washing, clothes-drying and dishwashing machines, sump pumps, and electrical aquarium equipment;

(III) Hand-held motor-operated tools;

(IV) Motor-operated appliances of the following types: Hedge clippers, lawn mowers, snow blowers, and wet scrubbers;

(V) Cord-connected and plug-connected appliances used in damp or wet locations or by employees standing on the ground or on metal floors or working inside of metal tanks or boilers;

(VI) Portable and mobile x-ray and associated equipment;

(VII) Tools likely to be used in wet and conductive locations; and

(VIII) Portable hand lamps. Tools likely to be used in wet and conductive locations need not be grounded if supplied through an isolating transformer with an ungrounded secondary of not over 50 volts. Listed or labeled portable tools and appliances protected by an approved system of double insulation, or its equivalent, need not be grounded. If such a system is employed, the equipment shall be distinctively marked to indicate that the tool or appliance utilizes an approved system of double insulation.

(vi) Nonelectrical equipment. The metal parts of the following nonelectrical equipment shall be grounded: Frames and tracks of electrically operated cranes; frames of nonelectrically driven elevator cars to which electric conductors are attached; hand operated metal shifting ropes or cables of electric elevators, and metal partitions, grill work, and similar metal enclosures around equipment of over 750 volts between conductors.

(f) Methods of grounding fixed equipment.

(i) Noncurrent-carrying metal parts of fixed equipment, if required to be grounded by this section, shall be grounded by an equipment grounding conductor which is contained within the same raceway, cable, or cord, or runs with or encloses the circuit conductors. For DC circuits only, the equipment grounding conductor may be run separately from the circuit conductors.

(ii) Electric equipment is considered to be effectively grounded if it is secured to, and in electrical contact with, a metal rack or structure that is provided for its support and the metal rack or structure is grounded by the method specified for the noncurrent-carrying metal parts of fixed equipment in (f)(i) of this subsection. For installations made before May 30, 1982, only, electric equipment is also considered to be effectively grounded if it is secured to, and in metallic contact with, the grounded structural metal frame of a building. Metal car frames supported by metal hoisting cables attached to or running over metal sheaves or drums of grounded elevator machines are also considered to be effectively grounded.

NEW SECTION

WAC 206-306-14505 Wiring methods, components, and equipment for general use. (1) Wiring methods. The provisions of this section do not apply to the conductors that are an integral part of factory-assembled equipment.

(a) General requirements.

(i) Electrical continuity of metal raceways and enclosures. Metal raceways, cable armor, and other metal enclosures for conductors shall be metallically joined together into a continuous electric conductor and shall be so connected to all boxes, fittings, and cabinets as to provide effective electrical continuity.

(ii) Wiring in ducts. No wiring systems of any type shall be installed in ducts used to transport dust, loose stock or flammable vapors. No wiring system of any type may be installed in any duct used for vapor removal or for ventilation of commercial-type cooking equipment, or in any shaft containing only such ducts.

(b) Temporary wiring. Temporary electrical power and lighting wiring methods may be of a class less than would be required for a permanent installation. Except as specifically modified in this paragraph, all other requirements of this subpart for permanent wiring shall apply to temporary wiring installations.

(i) Uses permitted, 600 volts, nominal or less. Temporary electrical power and lighting installations 600 volts, nominal, or less may be used only:

(A) During and for remodeling, maintenance, repair, or demolition of buildings, structures, or equipment, and similar activities;

(B) For experimental or development work; and

(ii) General requirements for temporary wiring.

(A) Feeders shall originate in an approved distribution center. The conductors shall be run as multiconductor cord or cable assemblies, or, where not subject to physical damage, they may be run as open conductors on insulators not more than 10 feet apart.

(B) Branch circuits shall originate in an approved power outlet or panelboard. Conductors shall be multiconductor cord or cable assemblies or open conductors. If run as open conductors they shall be fastened at ceiling height every 10 feet. No branch-circuit conductor may be laid on the floor. Each branch circuit that supplies receptacles or fixed equipment shall contain a separate equipment grounding conductor if run as open conductors.

(C) Receptacles shall be of the grounding type. Unless installed in a complete metallic raceway, each branch circuit

shall contain a separate equipment grounding conductor and all receptacles shall be electrically connected to the grounding conductor.

(D) No bare conductors nor earth returns may be used for the wiring of any temporary circuit.

(E) Suitable disconnecting switches or plug connectors shall be installed to permit the disconnection of all ungrounded conductors of each temporary circuit.

(F) Lamps for general illumination shall be protected from accidental contact or breakage. Protection shall be provided by elevation of at least 7 feet from normal working surface or by a suitable fixture or lampholder with a guard.

(G) Flexible cords and cables shall be protected from accidental damage. Sharp corners and projections shall be avoided. Where passing through doorways or other pinch points, flexible cords and cables shall be provided with protection to avoid damage.

(d) Open wiring on insulators.

(i) Uses permitted. Open wiring on insulators is only permitted on systems of 600 volts, nominal, or less for industrial or agricultural establishments and for services.

(ii) Conductor supports. Conductors shall be rigidly supported on noncombustible, nonabsorbent insulating materials and may not contact any other objects.

(iii) Flexible nonmetallic tubing. In dry locations where not exposed to severe physical damage, conductors may be separately enclosed in flexible nonmetallic tubing. The tubing shall be in continuous lengths not exceeding 15 feet and secured to the surface by straps at intervals not exceeding 4 feet 6 inches.

(iv) Through walls, floors, wood cross members, etc. Open conductors shall be separated from contact with walls, floors, and wood cross members, or partitions through which they pass by tubes or bushings of noncombustible, nonabsorbent insulating material. If the bushing is shorter than the hole, a waterproof sleeve of nonconductive material shall be inserted in the hole and an insulating bushing slipped into the sleeve at each end in such a manner as to keep the conductors absolutely out of contact with the sleeve. Each conductor shall be carried through a separate tube or sleeve.

(v) Protection from physical damage. Conductors within 7 feet from the floor are considered exposed to physical damage. Where open conductors cross ceiling joints and wall studs and are exposed to physical damage, they shall be protected.

(2) Cabinets, boxes, and fittings.

(a) Conductors entering boxes, cabinets, or fittings. Conductors entering boxes, cabinets, or fittings shall be protected from abrasion, and openings through which conductors enter shall be effectively closed. Unused openings in cabinets, boxes, and fittings shall also be effectively closed.

(b) Covers and canopies. All pull boxes, junction boxes, and fittings shall be provided with covers approved for the purpose. If metal covers are used they shall be grounded. In completed installations each outlet box shall have a cover, faceplate, or fixture canopy. Covers of outlet boxes having holes through which flexible cord pendants pass shall be provided with bushings designed for the purpose or shall have smooth, well-rounded surfaces on which the cords may bear.

(3) Switches.

(a) Knife switches. Single-throw knife switches shall be so connected that the blades are dead when the switch is in the open position. Single-throw knife switches shall be so placed that gravity will not tend to close them. Single-throw knife switches approved for use in the inverted position shall be provided with a locking device that will ensure that the blades remain in the open position when so set. Double-throw knife switches may be mounted so that the throw will be either vertical or horizontal. However, if the throw is vertical a locking device shall be provided to ensure that the blades remain in the open position when so set.

(b) Faceplates for flush-mounted snap switches. Flush snap switches that are mounted in ungrounded metal boxes and located within reach of conducting floors or other conducting surfaces shall be provided with faceplates of nonconducting, noncombustible material.

(4) Switchboards and panelboards. Switchboards that have any exposed live parts shall be located in permanently dry locations and accessible only to qualified persons. Panelboards shall be mounted in cabinets, cutout boxes, or enclosures approved for the purpose and shall be dead front. However, panelboards other than the dead front externally-operable type are permitted where accessible only to qualified persons. Exposed blades of knife switches shall be dead when open.

(5) Enclosures for damp or wet locations.

(a) Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations shall be installed so as to prevent moisture or water from entering and accumulating within the enclosures. In wet locations the enclosures shall be weatherproof.

(b) Switches, circuit breakers, and switchboards installed in wet locations shall be enclosed in weatherproof enclosures.

(6) Conductors for general wiring. All conductors used for general wiring shall be insulated unless otherwise permitted in this section. The conductor insulation shall be of a type that is approved for the voltage, operating temperature, and location of use. Insulated conductors shall be distinguishable by appropriate color or other suitable means as being grounded conductors, ungrounded conductors, or equipment grounding conductors.

(7) Flexible cords and cables.

(a) Use of flexible cords and cables.

(i) Flexible cords and cables shall be approved and suitable for conditions of use and location. Flexible cords and cables shall be used only for:

(A) Pendants;

(B) Wiring of fixtures;

(C) Connection of portable lamps or appliances;

(D) Elevator cables;

(E) Wiring of cranes and hoists;

(F) Connection of stationary equipment to facilitate their frequent interchange;

(G) Prevention of the transmission of noise or vibration;

(H) Appliances where the fastening means and mechanical connections are designed to permit removal for maintenance and repair; or

(I) Data processing cables approved as a part of the data processing system.

(ii) If used as permitted in (a)(i)(C), (a)(i)(F) or (a)(i)(H) of this subsection, the flexible cord shall be equipped with an attachment plug and shall be energized from an approved receptacle outlet.

(iii) Unless specifically permitted in (a)(i) of this subsection, flexible cords and cables may not be used:

(A) As a substitute for the fixed wiring of a structure;

(B) Where run through holes in walls, ceilings, or floors;

(C) Where run through doorways, windows, or similar openings;

(D) Where attached to building surfaces; or

(E) Where concealed behind building walls, ceilings, or floors.

(iv) Flexible cords used in show windows and showcases shall be Type S, SO, SJ, SJO, ST, STO, SJT, SJTO, or AFS except for the wiring of chain-supported lighting fixtures and supply cords for portable lamps and other merchandise being displayed or exhibited.

(b) Identification, splices, and terminations.

(i) A conductor of a flexible cord or cable that is used as a grounded conductor or an equipment grounding conductor shall be distinguishable from other conductors. Types SJ, SJO, SJT, SJTO, S, SO, ST, and STO shall be durably marked on the surface with the type designation, size, and number of conductors.

(ii) Flexible cords shall be used only in continuous lengths without splice or tap. Hard service flexible cords No. 12 or larger may be repaired if spliced so that the splice retains the insulation, outer sheath properties, and usage characteristics of the cord being spliced.

(iii) Flexible cords shall be connected to devices and fittings so that strain relief is provided which will prevent pull from being directly transmitted to joints or terminal screws.

(8) Fixture wires.

(a) General. Fixture wires shall be approved for the voltage, temperature, and location of use. A fixture wire which is used as a grounded conductor shall be identified.

(b) Uses permitted. Fixture wires may be used:

(i) For installation in lighting fixtures and in similar equipment where enclosed or protected and not subject to bending or twisting in use; or

(ii) For connecting lighting fixtures to the branch-circuit conductors supplying the fixtures.

(c) Uses not permitted. Fixture wires may not be used as branch-circuit conductors except as permitted for Class 1 power limited circuits.

(9) Equipment for general use.

(a) Lighting fixtures, lampholders, lamps, and receptacles.

(i) Fixtures, lampholders, lamps, rosettes, and receptacles may have no live parts normally exposed to employee contact. However, rosettes and cleat-type lampholders and receptacles located at least 8 feet above the floor may have exposed parts.

(ii) Handlamps of the portable type supplied through flexible cords shall be equipped with a handle of molded composition or other material approved for the purpose, and a substantial guard shall be attached to the lampholder or the handle.

(iii) Lampholders of the screw-shell type shall be installed for use as lampholders only. Lampholders installed in wet or damp locations shall be of the weatherproof type.

(iv) Fixtures installed in wet or damp locations shall be approved for the purpose and shall be so constructed or installed that water cannot enter or accumulate in wireways, lampholders, or other electrical parts.

(b) Receptacles, cord connectors, and attachment plugs (caps).

(i) Receptacles, cord connectors, and attachment plugs shall be constructed so that no receptacle or cord connector will accept an attachment plug with a different voltage or current rating than that for which the device is intended. However, a 20-ampere T-slot receptacle or cord connector may accept a 15-ampere attachment plug of the same voltage rating.

(ii) A receptacle installed in a wet or damp location shall be suitable for the location.

(c) Appliances.

(i) Appliances, other than those in which the current-carrying parts at high temperatures are necessarily exposed, may have no live parts normally exposed to employee contact.

(ii) A means shall be provided to disconnect each appliance.

(iii) Each appliance shall be marked with its rating in volts and amperes or volts and watts.

(d) Motors. This paragraph applies to motors, motor circuits, and controllers.

(i) In sight from. If specified that one piece of equipment shall be "in sight from" another piece of equipment, one shall be visible and not more than 50 feet from the other.

(ii) Disconnecting means.

(A) A disconnecting means shall be located in sight from the controller location. However, a single disconnecting means may be located adjacent to a group of coordinated controllers mounted adjacent to each other or a multimotor continuous process machine. The controller disconnecting means for motor branch circuits over 600 volts, nominal, may be out of sight of the controller, if the controller is marked with a warning label giving the location and identification of the disconnecting means which is to be locked in the open position.

(B) The disconnecting means shall disconnect the motor and the controller from all ungrounded supply conductors and shall be so designed that no pole can be operated independently.

(C) If a motor and the driven machinery are not in sight from the controller location, the installation shall comply with one of the following conditions:

(I) The controller disconnecting means shall be capable of being locked in the open position.

(II) A manually operable switch that will disconnect the motor from its source of supply shall be placed in sight from the motor location.

(D) The disconnecting means shall plainly indicate whether it is in the open (off) or closed (on) position.

(E) The disconnecting means shall be readily accessible. If more than one disconnect is provided for the same equipment, only one need be readily accessible.

(F) An individual disconnecting means shall be provided for each motor, but a single disconnecting means may be used for a group of motors under any one of the following conditions:

(I) If a number of motors drive special parts of a single machine or piece of apparatus, such as a metal or woodworking machine, crane, or hoist;

(II) If a group of motors is under the protection of one set of branch-circuit protective devices; or

(III) If a group of motors is in a single room in sight from the location of the disconnecting means.

(iii) Motor overload, short-circuit, and ground-fault protection. Motors, motor-control apparatus, and motor branch-circuit conductors shall be protected against overheating due to motor overloads or failure to start, and against short-circuits or ground faults. These provisions shall not require overload protection that will stop a motor where a shutdown is likely to introduce additional or increased hazards, as in the case of fire pumps, or where continued operation of a motor is necessary for a safe shutdown of equipment or process and motor overload sensing devices are connected to a supervised alarm.

(iv) Protection of live parts—all voltages.

(A) Stationary motors having commutators, collectors, and brush rigging located inside of motor end brackets and not conductively connected to supply circuits operating at more than 150 volts to ground need not have such parts guarded. Exposed live parts of motors and controllers operating at 50 volts or more between terminals shall be guarded against accidental contact by any of the following:

(I) By installation in a room or enclosure that is accessible only to qualified persons;

(II) By installation on a suitable balcony, gallery, or platform, so elevated and arranged as to exclude unqualified persons; or

(III) By elevation 8 feet or more above the floor.

(B) Where live parts of motors or controllers operating at over 150 volts to ground are guarded against accidental contact only by location, and where adjustment or other attendance may be necessary during the operation of the apparatus, suitable insulating mats or platforms shall be provided so that the attendant cannot readily touch live parts unless standing on the mats or platforms.

(e) Transformers.

(i) The following paragraphs cover the installation of all transformers except the following:

(A) Current transformers;

(B) Dry-type transformers installed as a component part of other apparatus;

(C) Transformers which are an integral part of an x-ray, high frequency, or electrostatic-coating apparatus;

(D) Transformers used with Class 2 and Class 3 circuits, sign and outline lighting, electric discharge lighting, and power-limited fire-protective signalling circuits; and

(E) Liquid-filled or dry-type transformers used for research, development, or testing, where effective safeguard arrangements are provided.

(ii) The operating voltage of exposed live parts of transformer installations shall be indicated by warning signs or visible markings on the equipment or structure.

(iii) Dry-type, high fire point liquid-insulated, and askarel-insulated transformers installed indoors and rated over 35kV shall be in a vault.

(iv) If they present a fire hazard to employees, oil-insulated transformers installed indoors shall be in a vault.

(v) Combustible material, combustible buildings and parts of buildings, fire escapes, and door and window openings shall be safeguarded from fires which may originate in oil-insulated transformers attached to or adjacent to a building or combustible material.

(vi) Transformer vaults shall be constructed so as to contain fire and combustible liquids within the vault and to prevent unauthorized access. Locks and latches shall be so arranged that a vault door can be readily opened from the inside.

(vii) Any pipe or duct system foreign to the vault installation may not enter or pass through a transformer vault.

(viii) Materials may not be stored in transformer vaults.

(f) Capacitors.

(i) All capacitors, except surge capacitors or capacitors included as a component part of other apparatus, shall be provided with an automatic means of draining the stored charge after the capacitor is disconnected from its source of supply.

(ii) Capacitors rated over 600 volts, nominal, shall comply with the following additional requirements:

(A) Isolating or disconnecting switches (with no interrupting rating) shall be interlocked with the load interrupting device or shall be provided with prominently displayed caution signs to prevent switching load current.

(B) For series capacitors (see WAC 296-24-95603 (2)(c)), the proper switching shall be assured by use of at least one of the following:

(I) Mechanically sequenced isolating and bypass switches;

(II) Interlocks; or

(III) Switching procedure prominently displayed at the switching location.

(g) Storage batteries. Provisions shall be made for sufficient diffusion and ventilation of gases from storage batteries to prevent the accumulation of explosive mixtures.

NEW SECTION

WAC 296-306-14507 Hazardous (classified) locations. (1) Scope. This section covers the requirements for electric equipment and wiring in locations which are classified depending on the properties of the flammable vapors, liquids or gases, or combustible dusts or fibers which may be present therein and the likelihood that a flammable combustible concentration or quantity is present. Hazardous (classified) locations may be found in occupancies such as, but not limited to, the following: Aircraft hangars, gasoline dispensing and storage or other volatile flammable liquids, paint-finishing, agricultural or other facilities where excessive combustible dusts may be present. Each room, section or area shall be considered individually in determining its classification. These hazardous (classified) locations are assigned six designations as follows:

| | |
|------------|------------|
| Class I, | Division 1 |
| Class I, | Division 2 |
| Class II, | Division 1 |
| Class II, | Division 2 |
| Class III, | Division 1 |
| Class III, | Division 2 |

For definitions of these locations see WAC 296-24-95601(1). All applicable requirements in this subpart shall apply to hazardous (classified) locations, unless modified by provisions of this section.

(2) Electrical installations. Equipment, wiring methods, and installations of equipment in hazardous (classified) locations shall be intrinsically safe, or approved for the hazardous (classified) location, or safe for the hazardous (classified) location. Requirements for each of these options are as follows:

(a) Intrinsically safe. Equipment and associated wiring approved as intrinsically safe shall be permitted in any hazardous (classified) location for which it is approved.

(b) Approved for the hazardous (classified) location.

(i) Equipment shall be approved not only for the class of location but also for the ignitable or combustible properties of the specific gas, vapor, dust, or fiber that will be present.

Note: NFPA 70, the National Electrical Code, lists or defines hazardous gases, vapors, and dusts by "groups" characterized by their ignitable or combustible properties.

(ii) Equipment shall be marked to show the class, group, and operating temperature or temperature range, based on operation in a 40 degrees C ambient, for which it is approved. The temperature marking may not exceed the ignition temperature of the specific gas or vapor to be encountered. However, the following provisions modify this marking requirement for specific equipment:

(A) Equipment of the nonheat-producing type, such as junction boxes, conduit, and fittings, and equipment of the heat-producing type having a maximum temperature not more than 100 degrees C (212 degrees F) need not have a marked operating temperature or temperature range.

(B) Fixed lighting fixtures marked for use in Class I, Division 2 locations only, need not be marked to indicate the group.

(C) Fixed general-purpose equipment in Class I locations, other than lighting fixtures, which is acceptable for use in Class I, Division 2 locations need not be marked with the class, group, division, or operating temperature.

(D) Fixed dust-tight equipment, other than lighting fixtures, which is acceptable for use in Class II, Division 2 and Class III locations need not be marked with the class, group, division, or operating temperature.

(c) Safe for the hazardous (classified) location. Equipment which is safe for the location shall be of a type and design which the employer demonstrates will provide protection from the hazards arising from the combustibility and flammability of vapors, liquids, gases, dusts, or fibers.

Note: The National Electrical Code, NFPA 70, contains guidelines for determining the type and design of equipment and installations which will meet this requirement. The guidelines of this document address electric wiring, equipment, and systems installed in hazardous (classified) locations and contain specific provisions for the following: Wiring methods, wiring

connections; conductor insulation, flexible cords, sealing and drainage, transformers, capacitors, switches, circuit breakers, fuses, motor controllers, receptacles, attachment plugs, meters, relays, instruments, resistors, generators, motors, lighting fixtures, storage battery charging equipment, electric cranes, electric hoists and similar equipment, utilization equipment, signaling systems, alarm systems, remote control systems, local loud speaker and communication systems, ventilation piping, live parts, lighting surge protection, and grounding.

Compliance with these guidelines will constitute one means, but not the only means, of compliance with this subsection.

(3) Conduits. All conduits shall be threaded and shall be made wrench-tight. Where it is impractical to make a threaded joint tight, a bonding jumper shall be utilized.

(4) Equipment in Division 2 locations. Equipment that has been approved for a Division 1 location may be installed in a Division 2 location of the same class and group. General-purpose equipment or equipment in general-purpose enclosures may be installed in Division 2 locations if the equipment does not constitute a source of ignition under normal operating conditions.

(5) Motors and generators. Motors and generators shall conform to the following: Class I, Division 1. In Class I, Division 1 locations, motors, generators and other rotating electric machinery shall be:

(a) Approved for Class I, Division 1 locations (explosion-proof); or

(b) Of the totally enclosed type supplied with positive-pressure ventilation from a source of clean air with discharge to a safe area, so arranged to prevent energizing of the machine until ventilation has been established and the enclosure has been purged with at least 10 volumes of air, and also arranged to automatically deenergize the equipment when the air supply fails; or

(c) Of the totally enclosed inert-gas-filled type supplied with a suitable reliable source of inert gas for pressuring the enclosure, with devices provided to ensure a positive pressure in the enclosure and arranged to automatically deenergize the equipment when the gas supply fails; or

(d) Of a type designed to be submerged in a liquid which is flammable only when vaporized and mixed with air, or in a gas or vapor at a pressure greater than atmospheric and which is flammable only when mixed with air; and the machine is so arranged to prevent energizing it until it has been purged with the liquid or gas to exclude air, and also arranged to automatically deenergize the equipment when the supply of liquid, or gas or vapor fails or the pressure is reduced to atmospheric.

Totally enclosed motors of types (b) and (c) shall have no external surface with an operating temperature in degrees Celsius in excess of eighty percent of the ignition temperature of the gas or vapor involved, as determined by ASTM test procedure (Designation: D-2155-69). Appropriate devices shall be provided to detect any increase in temperature of the motor beyond design limits and automatically deenergize the equipment or provide an adequate alarm. Auxiliary equipment shall be of a type approved for the location in which it is installed.

(6) Emergency power systems.

(a) Scope. The provisions for emergency systems apply to circuits, systems, and equipment intended to supply power

for illumination and special loads, in the event of failure of the normal supply.

(b) Wiring methods. Emergency circuit wiring shall be kept entirely independent of all other wiring and equipment and may not enter the same raceway, cable, box, or cabinet as other wiring except either where common circuit elements suitable for the purpose are required, or for transferring power from the normal to the emergency source.

(c) Emergency illumination. Where emergency lighting is necessary, the system shall be so arranged that the failure of any individual lighting element, such as the burning out of a light bulb, cannot leave any space in total darkness.

(7) Class 1, Class 2, and Class 3 remote control, signaling, and power-limited circuits.

(a) Classification. Class 1, Class 2, or Class 3 remote control, signaling, or power-limited circuits are characterized by their usage and electrical power limitation which differentiates them from light and power circuits. These circuits are classified in accordance with their respective voltage and power limitations as summarized in (a)(i) through (iii) of this subsection.

(i) Class 1 circuits.

(A) A Class 1 power-limited circuit is supplied from a source having a rated output of not more than 30 volts and 1000 volt-amperes.

(B) A Class 1 remote control circuit or a Class 1 signaling circuit has a voltage which does not exceed 600 volts; however, the power output of the source need not be limited.

(ii) Class 2 and Class 3 circuits.

(A) Power for Class 2 and Class 3 circuits is limited either inherently (in which no overcurrent protection is required) or by a combination of a power source and overcurrent protection.

(B) The maximum circuit voltage is 150 volts AC or DC for a Class 2 inherently limited power source, and 100 volts AC or DC for a Class 3 inherently limited power source.

(C) The maximum circuit voltage is 30 volts AC and 60 volts DC for a Class 2 power source limited by overcurrent protection, and 150 volts AC or DC for a Class 3 power source limited by overcurrent protection.

(iii) The maximum circuit voltages in (a)(i) and (ii) of this subsection apply to sinusoidal AC or continuous DC power sources, and where wet contact occurrence is not likely.

(b) Marking. A Class 2 or Class 3 power supply unit shall be durably marked where plainly visible to indicate the class of supply and its electrical rating. (See WAC 296-24-95603 (2)(c).)

(8) Fire protective signaling systems. (See WAC 296-24-95603 (2)(c).)

(a) Classifications. Fire protective signaling circuits shall be classified either as nonpower limited or power limited.

(b) Power sources. The power sources for use with fire protective signaling circuits shall be either power limited or nonlimited as follows:

(i) The power supply of nonpower-limited fire protective signaling circuits shall have an output voltage not in excess of 600 volts.

(ii) The power for power-limited fire protective signaling circuits shall be either inherently limited, in which no overcurrent protection is required, or limited by a combination of power source and overcurrent protection.

(c) Nonpower-limited conductor location. Nonpower-limited fire protective signaling circuits and Class 1 circuits may occupy the same enclosure, cable, or raceway provided all conductors are insulated for maximum voltage of any conductor within the enclosure, cable or raceway. Power supply and fire protective signaling circuit conductors are permitted in the same enclosure, cable, or raceway only if connected to the same equipment.

(d) Power-limited conductor location. Where open conductors are installed, power-limited fire protective signaling circuits shall be separated at least 2 inches from conductors of any light, power, Class 1, and nonpower-limited fire protective signaling circuits unless a special and equally protective method of conductor separation is employed. Cables and conductors of two or more power-limited fire protective signaling circuits or Class 3 circuits are permitted in the same cable, enclosure, or raceway. Conductors of one or more Class 2 circuits are permitted within the same cable, enclosure, or raceway with conductors of power-limited fire protective signaling circuits provided that the insulation of Class 2 circuit conductors in the cable, enclosure, or raceway is at least that needed for the power-limited fire protective signaling circuits.

(e) Identification. Fire protective signaling circuits shall be identified at terminal and junction locations in a manner which will prevent unintentional interference with the signaling circuit during testing and servicing. Power-limited fire protective signaling circuits shall be durably marked as such where plainly visible at terminations.

(9) Communications systems.

(a) Scope. These provisions for communication systems apply to such systems as central-station-connected and noncentral-station-connected telephone circuits, radio and television receiving and transmitting equipment, including community antenna television and radio distribution systems, telegraph, district messenger, and outside wiring for fire and burglar alarm, and similar central station systems. These installations need not comply with the provisions of WAC 296-24-95605 through 296-24-95615(4) except WAC 296-306-14503 (3)(a) and 296-306-14507(2).

(b) Protective devices.

(i) Communication circuits so located as to be exposed to accidental contact with light or power conductors operating at over 300 volts shall have each circuit so exposed provided with a protector approved for the purpose.

(ii) Each conductor of a lead-in from an outdoor antenna shall be provided with an antenna discharge unit or other suitable means that will drain static charges from the antenna system.

(c) Conductor location.

(i) Outside of buildings.

(A) Receiving distribution lead-in or aerial-drop cables attached to buildings and lead-in conductors to radio transmitters shall be so installed as to avoid the possibility of accidental contact with electric light or power conductors.

(B) The clearance between lead-in conductors and any lightning protection conductors may not be less than 6 feet.

(ii) On poles. Where practicable, communication conductors on poles shall be located below the light or power conductors. Communications conductors may not be attached to a crossarm that carries light or power conductors.

(iii) Inside of buildings. Indoor antennas, lead-ins, and other communication conductors attached as open conductors to the inside of buildings shall be located at least 2 inches from conductors of any light or power or Class 1 circuits unless a special and equally protective method of conductor separation, approved for the purpose, is employed.

(d) Equipment location. Outdoor metal structures supporting antennas, as well as self-supporting antennas such as vertical rods or dipole structures, shall be located as far away from overhead conductors of electric light and power circuits of over 150 volts to ground as necessary to avoid the possibility of the antenna or structure falling into or making accidental contact with such circuits.

(e) Grounding.

(i) Lead-in conductors. If exposed to contact with electric light and power conductors, the metal sheath of aerial cables entering buildings shall be grounded or shall be interrupted close to the entrance to the building by an insulating joint or equivalent device. Where protective devices are used, they shall be grounded in an approved manner.

(ii) Antenna structures. Masts and metal structures supporting antennas shall be permanently and effectively grounded without splice or connection in the grounding conductor.

(iii) Equipment enclosures. Transmitters shall be enclosed in a metal frame or grill or separated from the operating space by a barrier, all metallic parts of which are effectively connected to ground. All external metal handles and controls accessible to the operating personnel shall be effectively grounded. Unpowered equipment and enclosures shall be considered grounded where connected to an attached coaxial cable with an effectively grounded metallic shield.

NEW SECTION

WAC 296-306-14509 Working on or near exposed energized parts. (1) Application. This section applies to work performed on exposed live parts (involving either direct contact or contact by means of tools or materials) or near enough to them for employees to be exposed to any hazard they present.

(2) Work on energized equipment. Only qualified persons shall work on electric circuit parts of equipment that have not been deenergized under the procedures of WAC 296-306-147(2). Such persons shall be capable of working safely on energized circuits and shall be familiar with the proper use of special precautionary techniques, personal protective equipment, insulating and shielding materials, and insulated tools.

(3) General requirements - high voltage lines.

(a) Minimum clearance.

(i) No work shall be performed, no material shall be piled, stored or otherwise handled, no scaffolding, commercial signs, or structures shall be erected or dismantled, nor any tools, machinery or equipment operated within the specified minimum distances from any energized high voltage electrical conductor capable of energizing the

material or equipment; except where the electrical distribution and transmission lines have been deenergized and visibly grounded at point of work, or where insulating barriers not a part of or an attachment to the equipment have been erected, to prevent physical contact with the lines, equipment shall be operated proximate to, under, over, by, or near powerlines only in accordance with the following:

(ii) For lines rated 50 kv. or below, minimum clearance between the lines and any part of the equipment or load shall be 10 feet.

(iii) For lines rated over 50 kv. minimum, clearance between the lines and any part of the equipment or load shall be 10 feet plus 0.4 inch for each 1 kv. over 50 kv., or twice the length of the line insulator but never less than 10 feet.

(b) Overhead electric lines. Where overhead electric conductors are encountered in proximity to a work area, the employer shall be responsible for:

(i) Ascertaining the voltage and minimum clearance distance required, and

(ii) Maintaining the minimum clearance distance, and

(iii) Ensuring that the requirements of subsection (1) of this section are complied with.

(c) Not covered: Employees working under chapters 296-32 and 296-45 WAC.

(4) Low voltage lines. When work is being carried out in proximity to energized electrical service conductors operating at 750 volts or less, such work shall be performed in a manner to prevent contact by any worker with the energized conductors.

NEW SECTION

WAC 296-306-146 Definitions applicable to WAC 296-306-145 through 296-306-148. Unless the context indicates otherwise, words used in this section shall have the meaning given.

(1) Acceptable. An installation or equipment is acceptable to the director of labor and industries, and approved within the meaning of this section:

(a) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

(b) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

(c) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(2) Accepted. An installation is "accepted" if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

(3) Accessible. (As applied to wiring methods.) Capable of being removed or exposed without damaging the building structure of finish, or not permanently closed in by the structure or finish of the building. (See "concealed" and "exposed.")

(4) Accessible. (As applied to equipment.) Admitting close approach; not guarded by locked doors, elevation, or other effective means. (See "readily accessible.")

(5) Ampacity. Current-carrying capacity of electric conductors expressed in amperes.

(6) Appliances. Utilization equipment, generally other than industrial, normally built in standardized sizes or types, which is installed or connected as a unit to perform one or more functions such as clothes washing, air conditioning, food mixing, deep frying, etc.

(7) Approved. Acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of "acceptable" indicates what is acceptable to the director and therefore approved within the meaning of this section.

(8) Approved for the purpose. Approved for a specific purpose, environment, or application described in a particular standard requirement.

Suitability of equipment or materials for a specific purpose, environment or application may be determined by a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation as part of its listing and labeling program. (See "labeled" or "listed.")

(9) Armored cable. Type AC armored cable is a fabricated assembly of insulated conductors in a flexible metallic enclosure.

(10) Askarel. A generic term for a group of nonflammable synthetic chlorinated hydrocarbons used as electrical insulating media. Askarels of various compositional types are used. Under arcing conditions the gases produced, while consisting predominantly of noncombustible hydrogen chloride, can include varying amounts of combustible gases depending upon the askarel type.

(11) Attachment plug (plug cap) (cap). A device which, by insertion in a receptacle, establishes connection between the conductors of the attached flexible cord and the conductors connected permanently to the receptacle.

(12) Automatic. Self-acting, operating by its own mechanism when actuated by some impersonal influence, as, for example, a change in current strength, pressure, temperature, or mechanical configuration.

(13) Bare conductor, see "conductor."

(14) Bonding. The permanent joining of metallic parts to form an electrically conductive path which will assure electrical continuity and the capacity to conduct safely any current likely to be imposed.

(15) Bonding jumper. A reliable conductor to assure the required electrical conductivity between metal parts required to be electrically connected.

(16) Branch circuit. The circuit conductors between the final overcurrent device protecting the circuit and the outlet(s).

(17) Cablebus. Cablebus is an approved assembly of insulated conductors with fittings and conductor terminations

in a completely enclosed, ventilated, protective metal housing.

(18) Center pivot irrigation machine. A center pivot irrigation machine is a multimotored irrigation machine which revolves around a central pivot and employs alignment switches or similar devices to control individual motors.

(19) Certified. Equipment is "certified" if it:

(a) Has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner; or

(b) Is of a kind whose production is periodically inspected by a nationally recognized testing laboratory; and

(c) It bears a label, tag, or other record of certification.

(20) Circuit breaker.

(a) (600 volts nominal, or less.) A device designed to open and close a circuit by nonautomatic means and to open the circuit automatically on a predetermined overcurrent without injury to itself when properly applied within its rating.

(b) (Over 600 volts, nominal.) A switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit.

(21) Class I locations. Class I locations are those in which flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures. Class I locations include the following:

(a) Class I, Division 1. A Class I, Division 1 location is a location:

(i) In which hazardous concentrations of flammable gases or vapors may exist under normal operating conditions; or

(ii) In which hazardous concentrations of such gases or vapors may exist frequently because of repair or maintenance operations or because of leakage; or

(iii) In which breakdown or faulty operation of equipment or processes might release hazardous concentrations of flammable gases or vapors, and might also cause simultaneous failure of electric equipment.

Note: This classification usually includes locations where volatile flammable liquids or liquefied flammable gases are transferred from one container to another; interiors of spray booths and areas in the vicinity of spraying and painting operations where volatile flammable solvents are used; locations containing open tanks or vats of volatile flammable liquids; drying rooms or compartments for the evaporation of flammable solvents; locations containing fat and oil extraction equipment using volatile flammable solvents; portions of cleaning and dyeing plants where flammable liquids are used; gas generator rooms and other portions of gas manufacturing plants where flammable gas may escape; inadequately ventilated pump rooms for flammable gas or for volatile flammable liquids; the interiors of refrigerators and freezers in which volatile flammable materials are stored in open, lightly stoppered, or easily ruptured containers; and all other locations where ignitable concentrations of flammable vapors or gases are likely to occur in the course of normal operations.

(b) Class I, Division 2. A Class I, Division 2 location is a location:

(i) In which volatile flammable liquids or flammable gases are handled, processed, or used, but in which the hazardous liquids, vapors, or gases will normally be confined within closed containers or closed systems from which they

can escape only in case of accidental rupture or breakdown of such containers or systems, or in case of abnormal operation of equipment; or

(ii) In which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation, and which might become hazardous through failure or abnormal operations of the ventilating equipment; or

(iii) That is adjacent to a Class I, Division 1 location, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clean air, and effective safeguards against ventilation failure are provided.

Note: This classification usually includes locations where volatile flammable liquids or flammable gases or vapors are used, but which would become hazardous only in case of an accident or of some unusual operating condition. The quantity of flammable material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the record of the industry or business with respect to explosions or fires are all factors that merit consideration in determining the classification and extent of each location.

Piping without valves, checks, meters, and similar devices would not ordinarily introduce a hazardous condition even though used for flammable liquids or gases. Locations used for the storage of flammable liquids or a liquefied or compressed gases in sealed containers would not normally be considered hazardous unless also subject to other hazardous conditions.

Electrical conduits and their associated enclosures separated from process fluids by a single seal or barrier are classed as a Division 2 location if the outside of the conduit and enclosures is a nonhazardous location.

(22) Class II locations. Class II locations are those that are hazardous because of the presence of combustible dust. Class II locations include the following:

(a) Class II, Division 1. A Class II, Division 1 location is a location:

(i) In which combustible dust is or may be in suspension in the air under normal operating conditions, in quantities sufficient to produce explosives or ignitable mixtures; or

(ii) Where mechanical failure or abnormal operation of machinery or equipment might cause such explosive or ignitable mixtures to be produced, and might also provide a source of ignition through simultaneous failure of electric equipment, operation of protection devices, or from other causes; or

(iii) In which combustible dusts of an electrically conductive nature may be present.

Note: This classification may include areas of grain handling and processing plants, starch plants, sugar-pulverizing plants, malting plants, hay-grinding plants, coal pulverizing plants, areas where metal dusts and powders are produced or processed, and other similar locations which contain dust producing machinery and equipment (except where the equipment is dust-tight or vented to the outside). These areas would have combustible dust in the air, under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures. Combustible dusts which are electrically nonconductive include dusts produced in the handling and processing of grain and grain products, pulverized sugar and cocoa, dried egg and milk powders, pulverized spices, starch and pastes, potato and woodflour, oil meal from beans and seed, dried hay, and other organic

materials which may produce combustible dusts when processed or handled. Dusts containing magnesium or aluminum are particularly hazardous and the use of extreme caution is necessary to avoid ignition and explosion.

(b) Class II, Division 2. A Class II, Division 2 location is a location in which:

(i) Combustible dust will not normally be in suspension in the air in quantities sufficient to produce explosive or ignitable mixtures; and dust accumulations are normally insufficient to interfere with the normal operation of electrical equipment or other apparatus; or

(ii) Dust may be in suspension in the air as a result of infrequent malfunctioning of handling or processing equipment, and dust accumulations resulting therefrom may be ignitable by abnormal operation or failure of electrical equipment or other apparatus.

Note: This classification includes locations where dangerous concentrations of suspended dust would not be likely but where dust accumulations might form on or in the vicinity of electric equipment. These areas may contain equipment from which appreciable quantities of dust would escape under abnormal operating conditions or be adjacent to a Class II Division 1 location, as described above, into which an explosive or ignitable concentration of dust may be put into suspension under abnormal operating conditions.

(23) Class III locations. Class III locations are those that are hazardous because of the presence of easily ignitable fibers or flyings but in which such fibers or flyings are not likely to be in suspension in the air in quantities sufficient to produce ignitable mixtures. Class III locations include the following:

(a) Class III, Division 1. A Class III, Division 1 location is a location in which easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.

Note: Such locations usually include some parts of rayon, cotton, and other textile mills; combustible fiber manufacturing and processing plants; cotton gins and cottonseed mills; flax-processing plants; clothing manufacturing plants; woodworking plants, and establishments; and industries involving similar hazardous processes or conditions.

Easily ignitable fibers and flyings include rayon, cotton (including cotton linters and cotton waste), sisal or henequen, istle, jute, hemp, tow, cocoa fiber, oakum, baled waste kapok, Spanish moss, excelsior, and other materials of similar nature.

(b) Class III, Division 2. A Class III, Division 2 location is a location in which easily ignitable fibers are stored or handled, except in process of manufacture.

(24) Concealed. Rendered inaccessible by the structure or finish of the building. Wires in concealed raceways are considered concealed, even though they may become accessible by withdrawing them. (See "accessible. (As applied to wiring methods.)")

(25) Conductor.

(a) Bare. A conductor having no covering or electrical insulation whatsoever.

(b) Covered. A conductor encased within material of composition or thickness that is not recognized as electrical insulation.

(c) Insulated. A conductor encased within material of composition and thickness that is recognized as electrical insulation.

(26) Conduit body. A separate portion of a conduit or tubing system that provides access through a removable cover(s) to the interior of the system at a junction of two or more sections of the system or at a terminal point of the system. Boxes such as FS and FD or larger cast or sheet metal boxes are not classified as conduit bodies.

(27) Controller. A device or group of devices that serves to govern, in some predetermined manner, the electric power delivered to the apparatus to which it is connected.

(28) Cooking unit, counter-mounted. A cooking appliance designed for mounting in or on a counter and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "oven, wall-mounted.")

(29) Device. A unit of an electrical system which is intended to carry but not utilize electric energy.

(30) Dielectric heating. Dielectric heating is the heating of a nominally insulating material due to its own dielectric losses when the material is placed in a varying electric field.

(31) Disconnecting means. A device, or group of devices, or other means by which the conductors of a circuit can be disconnected from their source of supply.

(32) Enclosed. Surrounded by a case, housing, fence or walls which will prevent persons from accidentally contacting energized parts.

(33) Enclosure. The case or housing of apparatus, or the fence or walls surrounding an installation to prevent personnel from accidentally contacting energized parts, or to protect the equipment from physical damage.

(34) Explosion-proof apparatus. Apparatus enclosed in a case that is capable of withstanding an explosion of a specified gas or vapor which may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and which operates at such an external temperature that it will not ignite a surrounding flammable atmosphere.

(35) Exposed. (As applied to live parts.) Capable of being inadvertently touched or approached nearer than a safe distance by a person. It is applied to parts not suitably guarded, isolated, or insulated.

(36) Feeder. All circuit conductors between the service equipment, or the generator switchboard of an isolated plant, and the final branch-circuit overcurrent device.

(37) Fitting. An accessory such as a locknut, bushing, or other part of a wiring system that is intended primarily to perform a mechanical rather than an electrical function.

(38) Fuse. (Over 600 volts, nominal.) An overcurrent protective device with a circuit opening fusible part that is heated and severed by the passage of overcurrent through it. A fuse comprises all the parts that form a unit capable of performing the prescribed functions. It may or may not be the complete device necessary to connect it into an electrical circuit.

(39) Ground. A conducting connection, whether intentional or accidental, between an electrical circuit or equipment and the earth, or to some conducting body that serves in place of the earth.

(40) Grounding conductor. A conductor used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

(41) Grounding conductor, equipment. The conductor used to connect the noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

(42) Ground-fault circuit-interrupter. A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

(43) Guarded. Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of approach to a point of danger or contact by persons or objects.

(44) Irrigation machine. An irrigation machine is an electrically driven or controlled machine, with one or more motors, not hand portable, and used primarily to transport and distribute water for agricultural purposes.

(45) Isolated. Not readily accessible to persons unless special means for access are used.

(46) Isolated power system. A system comprising an isolating transformer or its equivalent, a line isolation monitor, and its ungrounded circuit conductors.

(47) Labeled. Equipment is "labeled" if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which:

(a) Makes periodic inspections of the production of such equipment; and

(b) Whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

(48) Lighting outlet. An outlet intended for the direct connection of a lampholder, a lighting fixture, or a pendant cord terminating in a lampholder.

(49) Line-clearance tree trimming. The pruning, trimming, repairing, maintaining, removing, or clearing of trees or cutting of brush that is within 10 feet of electric supply lines and equipment.

(50) Listed. Equipment is "listed" if it is of a kind mentioned in a list which:

(a) Is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment; and

(b) States such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner.

(51) Location.

(a) Damp location. Partially protected locations under canopies, marquees, roofed open porches, and like locations, and interior locations subject to moderate degrees of moisture, such as some basements, some barns, and some cold-storage warehouses.

(b) Dry location. A location not normally subject to dampness or wetness. A location classified as dry may be temporarily subject to dampness or wetness, as in the case of a building under construction.

(c) Wet location. Installations underground or in concrete slabs or masonry in direct contact with the earth, and locations subject to saturation with water or other

liquids, such as vehicle-washing areas, and locations exposed to weather and unprotected.

(52) Metal-clad cable. Type MC cable is a factory assembly of one or more conductors, each individually insulated and enclosed in a metallic sheath of interlocking tape, or a smooth or corrugated tube.

(53) Mineral-insulated metal-sheathed cable. Type MI mineral-insulated metal-sheathed cable is a factory assembly of one or more conductors insulated with a highly compressed refractory mineral insulation and enclosed in a liquidtight and gastight continuous copper sheath.

(54) Nonmetallic-sheathed cable. Nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors having an outer sheath of moisture resistant, flame-retardant, nonmetallic material. Nonmetallic sheathed cable is manufactured in the following types:

(a) Type NM. The overall covering has a flame-retardant and moisture-resistant finish.

(b) Type NMC. The overall covering is flame-retardant, moisture-resistant, fungus-resistant, and corrosion-resistant.

(55) Oven, wall-mounted. An oven for cooking purposes designed for mounting in or on a wall or other surface and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "cooking unit, counter-mounted.")

(56) Overcurrent. Any current in excess of the rated current of equipment or the ampacity of a conductor. It may result from overload (see definition), short circuit, or ground fault. A current in excess of rating may be accommodated by certain equipment and conductors for a given set of conditions. Hence the rules for overcurrent protection are specific for particular situations.

(57) Overload. Operation of equipment in excess of normal, full load rating, or of a conductor in excess of rated ampacity which, when it persists for a sufficient length of time, would cause damage or dangerous overheating. A fault, such as a short circuit or ground fault, is not an overload. (See "overcurrent.")

(58) Panelboard. A single panel or group of panel units designed for assembly in the form of a single panel; including buses, automatic overcurrent devices, and with or without switches for the control of light, heat, or power circuits; designed to be placed in a cabinet or cutout box placed in or against a wall or partition and accessible only from the front. (See "switchboard.")

(59) Qualified person. One familiar with the construction and operation of the equipment and the hazards involved.

Note 1: Whether an employee is considered to be a "qualified person" will depend upon various circumstances in the workplace. It is possible and, in fact, likely for an individual to be considered "qualified" with regard to certain equipment in the workplace, but "unqualified" as to other equipment. (See WAC 296-24-970 for training requirements that specifically apply to qualified persons.)

Note 2: An employee who is undergoing on-the-job training and who, in the course of such training, has demonstrated an ability to perform duties safely at his or her level of training and who is under the direct supervision of a qualified person is considered to be a qualified person for the performance of those duties.

(60) Raceway. A channel designed expressly for holding wires, cables, or busbars, with additional functions

as permitted in this subpart. Raceways may be of metal or insulating material, and the term includes rigid metal conduit, rigid nonmetallic conduit, intermediate metal conduit, liquidtight flexible metal conduit, flexible metallic tubing, flexible metal conduit, electrical metallic tubing, underfloor raceways, cellular concrete floor raceways, cellular metal floor raceways, surface raceways, wireways, and busways.

(61) Readily accessible. Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See "accessible.")

(62) Receptacle. A receptacle is a contact device installed at the outlet for the connection of a single attachment plug. A single receptacle is a single contact device with no other contact device on the same yoke. A multiple receptacle is a single device containing two or more receptacles.

(63) Separately derived system. A premises wiring system whose power is derived from generator, transformer, or converter winding and has no direct electrical connection, including a solidly connected grounded circuit conductor, to supply conductors originating in another system.

(64) Service. The conductors and equipment for delivering energy from the electricity supply system to the wiring system of the premises served.

(65) Service cable. Service conductors made up in the form of a cable.

(66) Service conductors. The supply conductors that extend from the street main or from transformers to the service equipment of the premises supplied.

(67) Service drop. The overhead service conductors from the last pole or other aerial support to and including the splices, if any, connecting to the service-entrance conductors at the building or other structure.

(68) Service-entrance cable. Service-entrance cable is a single conductor or multiconductor assembly provided with or without an overall covering, primarily used for services and of the following types:

(a) Type SE, having a flame-retardant, moisture-resistant covering, but not required to have inherent protection against mechanical abuse.

(b) Type USE, recognized for underground use, having a moisture-resistant covering, but not required to have a flame-retardant covering or inherent protection against mechanical abuse. Single-conductor cables having an insulation specifically approved for the purpose do not require an outer covering.

(69) Service-entrance conductors, overhead system. The service conductors between the terminals of the service equipment and a point usually outside the building, clear of building walls, where joined by tap or splice to the service drop.

(70) Service entrance conductors, underground system. The service conductors between the terminals of the service equipment and the point of connection to the service lateral. Where service equipment is located outside the building walls, there may be no service-entrance conductors, or they may be entirely outside the building.

(71) Service equipment. The necessary equipment, usually consisting of a circuit breaker or switch and fuses,

and their accessories, located near the point of entrance of supply conductors to a building or other structure, or an otherwise defined area, and intended to constitute the main control and means of cutoff of the supply.

(72) Service raceway. The raceway that encloses the service-entrance conductors.

(73) Shielded nonmetallic-sheathed cable. Type SNM, shielded nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors in an extruded core of moisture-resistant, flame-resistant nonmetallic material, covered with an overlapping spiral metal tape and wire shield and jacketed with an extruded moisture-resistant, flame-resistant, oil-resistant, corrosion-resistant, fungus-resistant, and sunlight-resistant nonmetallic material.

(74) Switches.

(a) General-use switch. A switch intended for use in general distribution and branch circuits. It is rated in amperes, and it is capable of interrupting its rated current at its rated voltage.

(b) General-use snap switch. A form of general-use switch so constructed that it can be installed in flush device boxes or on outlet box covers, or otherwise used in conjunction with wiring systems recognized by this subpart.

(c) Isolating switch. A switch intended for isolating an electric circuit from the source of power. It has no interrupting rating, and it is intended to be operated only after the circuit has been opened by some other means.

(d) Motor-circuit switch. A switch, rated in horsepower, capable of interrupting the maximum operating overload current of a motor of the same horsepower rating as the switch at the rated voltage.

(75) Ventilated. Provided with a means to permit circulation of air sufficient to remove an excess of heat, fumes, or vapors.

(76) Volatile flammable liquid. A flammable liquid having a flash point below 38 degrees C (100 degrees F) or whose temperature is above its flash point.

(77) Voltage, nominal. A nominal value assigned to a circuit or system for the purpose of conveniently designating its voltage class (as 120/240, 480Y/277, 600, etc.). The actual voltage at which a circuit operates can vary from the nominal within a range that permits satisfactory operation of equipment.

(78) Voltage to ground. For grounded circuits, the voltage between the given conductor and that point or conductor of the circuit that is grounded; for undergrounded circuits, the greatest voltage between the given conductor and any other conductor of the circuit.

(79) Watertight. So constructed that moisture will not enter the enclosure.

(80) Weatherproof. So constructed or protected that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

NEW SECTION

WAC 296-306-147 Selection and use of work practices. (1) General. Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.

(a) Deenergized parts. Live parts to which an employee may be exposed shall be deenergized before the employee works on or near them, unless the employer can demonstrate that deenergizing introduces additional or increased hazards or is infeasible due to equipment design or operational limitations. Live parts that operate at less than 50 volts to ground need not be deenergized if there will be no increased exposure to electrical burns or to explosion due to electric arcs.

Note 1: Examples of increased or additional hazards include interruptions of life support equipment, deactivation of emergency alarm systems, shutdown of hazardous location ventilation equipment, or removal of illumination for an area.

Note 2: Examples of work that may be performed on or near energized circuit parts because of infeasibility due to equipment design or operational limitations include testing of electric circuits that can only be performed with the circuit energized and work on circuits that form an integral part of a continuous industrial process in a chemical plant that would otherwise need to be completely shutdown in order to permit work on one circuit or piece of equipment.

Note 3: Work on or near deenergized parts is covered by subsection (2) of this section.

(b) Energized parts. If the exposed live parts are not deenergized (i.e., for reasons of increased or additional hazards or infeasibility), other safety-related work practices shall be used to protect employees who may be exposed to the electrical hazards involved. Such work practices shall protect employees against contact with energized circuit parts directly with any part of their body or indirectly through some other conductive object. The work practices that are used shall be suitable for the conditions under which the work is to be performed and for the voltage level of the exposed electric conductors or circuit parts. Specific work practice requirements are detailed in WAC 296-306-14509.

(2) Working on or near exposed deenergized parts.

(a) Application. This subsection applies to work on exposed deenergized parts or near enough to them to expose the employee to any electrical hazard they present. Conductors and parts of electric equipment that have been deenergized but have not been locked out or tagged according to this subsection shall be treated as energized parts, and WAC 296-306-14509 applies to work on or near them.

(b) Lockout and tagging. While any employee is exposed to contact with parts of fixed electric equipment or circuits which have been deenergized, the circuits energizing the parts shall be locked out or tagged or both according to the requirements of this section. The requirements shall be followed in the order in which they are presented (i.e., (b)(i) of this subsection first, then (b)(ii) of this subsection).

Note 1: As used in this section, fixed equipment refers to equipment fastened in connected by permanent wiring methods.

Note 2: Lockout and tagging procedures that comply with Chapter 296-24 WAC Part A-4 will also be deemed to comply with (b) of this subsection provided that:

1. The procedures address the electrical safety hazards covered by this subpart; and
2. The procedures also incorporate the requirements of (b)(iii)(D) and (b)(iv)(B) of this subsection.

(i) Procedures. The employer shall maintain a written copy of the procedures outlined in (b) of this subsection and shall make it available for inspection by employees and by the director and his or her authorized representative.

Note: The written procedures may be in the form of a copy of subsection (2) of this section.

(ii) Deenergizing equipment.

(A) Safe procedures for deenergizing circuits and equipment shall be determined before circuits or equipment are deenergized.

(B) The circuits and equipment to be worked on shall be disconnected from all electric energy sources. Control circuit devices, such as push buttons, selector switches, and interlocks, shall not be used as the sole means for deenergizing circuits or equipment. Interlocks for electric equipment shall not be used as a substitute for lockout and tagging procedures.

(C) Stored electric energy which might endanger personnel shall be released. Capacitors shall be discharged and high capacitance elements shall be short-circuited and grounded, if the stored electric energy might endanger personnel.

Note: If the capacitors or associated equipment are handled in meeting this requirement, they shall be treated as energized.

(D) Stored nonelectrical energy in devices that could reenergize electric circuit parts shall be blocked or relieved to the extent that the circuit parts could not be accidentally energized by the device.

(iii) Application of locks and tags.

(A) A lock and a tag shall be placed on each disconnecting means used to deenergize circuits and equipment on which work is to be performed, except as provided in (b)(iii)(C) and (b)(iii)(E) of this subsection. The lock shall be attached to prevent persons from operating the disconnecting means unless they resort to undue force or the use of tools.

(B) Each tag shall contain a statement prohibiting unauthorized operation of the disconnecting means and removal of the tag.

(C) If a lock cannot be applied, or if the employer can demonstrate that tagging procedures will provide a level of safety equivalent to that obtained by the use of a lock, a tag may be used without a lock.

(D) A tag used without a lock, as permitted by (b)(iii)(C) of this subsection, shall be supplemented by at least one additional safety measure that provides a level of safety equivalent to that obtained by the use of a lock. Examples of additional safety measures include the removal of an isolating circuit element, blocking of a controlling switch, or opening of an extra disconnecting device.

(E) A lock may be placed without a tag only under the following conditions:

(I) Only one circuit or piece of equipment is deenergized; and

(II) The lockout period does not extend beyond the work shifts; and

(III) Employees exposed to the hazards associated with reenergizing the circuit or equipment are familiar with this procedure.

(iv) Verification of deenergized condition. The requirements of this paragraph shall be met before any circuits or equipment can be considered and worked as deenergized.

(A) A qualified person shall operate the equipment operating controls or otherwise verify that the equipment cannot be restarted.

(B) A qualified person shall use test equipment to test the circuit elements and electrical parts of equipment to which employees will be exposed and shall verify that the circuit elements and equipment parts are deenergized. The test shall also determine if any energized conditions exist as a result of inadvertently induced voltage or unrelated voltage backfeed even though specific parts of the circuit have been deenergized and presumed to be safe. If the circuit to be tested is over 600 volts, nominal, the test equipment shall be checked for proper operation immediately before and immediately after this test.

(v) Reenergizing equipment. These requirements shall be met, in the order given, before circuits or equipment are reenergized, even temporarily.

(A) A qualified person shall conduct tests and visual inspections, as necessary, to verify that all tools, electrical jumpers, shorts, grounds, and other such devices have been removed, so that the circuits and equipment can be safely energized.

(B) Employees exposed to the hazards associated with reenergizing the circuit or equipment shall be warned to stay clear of circuits and equipment.

(C) Each lock and tag shall be removed by the employee who applied it or under his or her direct supervision. However, if this employee is absent from the work place, then the lock or tag may be removed by a qualified person designated to perform this task provided that:

(I) The employer ensures that the employee who applied the lock or tag is not available at the work place; and

(II) The employer ensures that the employee is aware that the lock or tag has been removed before he or she resumes work at that work place.

(D) There shall be a visual determination that all employees are clear of the circuits and equipment.

NEW SECTION

WAC 296-306-148 Personal protective equipment for electrical applications. (1) Use of protective equipment.

(a) Personal protective equipment.

(i) Employees working in the areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed.

Note: Personal protective equipment requirements are contained in chapter 296-24-WAC Part A-2.

(ii) Protective equipment shall be maintained in a safe, reliable condition and shall be periodically inspected or tested, as required by chapter 296-24 WAC Part A-2.

(iii) If the insulating capability of protective equipment may be subject to damage during use, the insulating material shall be protected. (For example, an outer covering of leather is sometimes used for the protection of rubber insulating material.)

(iv) Employees shall wear nonconductive head protection wherever there is a danger of head injury from electric shock or burns due to contact with exposed energized parts.

(v) Employees shall wear protective equipment for the eyes or face wherever there is danger of injury to the eyes or face from electrical arcs or flashes or from flying objects resulting from electrical explosion.

(b) General protective equipment and tools.

(i) When working near exposed energized conductors or circuit parts, each employee shall use insulated tools or handling equipment if the tools or handling equipment might make contact with such conductors or parts. If the insulating capability of insulated tools or handling equipment is subject to damage, the insulating material shall be protected.

(A) Fuse handling equipment, insulated for the circuit voltage, shall be used to remove or install fuses when the fuse terminals are energized.

(B) Ropes and handlines used near exposed energized parts shall be nonconductive.

(ii) Protective shields, protective barriers, or insulating materials shall be used to protect each employee from shock, burns, or other electrically related injuries while that employee is working near exposed energized parts which might be accidentally contacted or where dangerous electric heating or arcing might occur. When normally enclosed live parts are exposed for maintenance or repair, they shall be guarded to protect unqualified persons from contact with the live parts.

(2) Altering techniques. The following altering techniques shall be used to warn and protect employees from hazards which could cause injury due to electric shock, burns, or failure of electric equipment parts.

(a) Safety signs and tags. Safety signs, safety symbols, or accident prevention tags shall be used where necessary to warn employees about electrical hazards which may endanger them, as required by chapter 296-24 WAC Part B-2.

(b) Barricades. Barricades shall be used in conjunction with safety signs where it is necessary to prevent or limit employee access to work areas exposing employees to uninsulated energized conductors or circuit parts. Conductive barricades may not be used where they might cause an electrical contact hazard.

(c) Attendants. If signs and barricades do not provide sufficient warning and protection from electrical hazards, an attendant shall be stationed to warn and protect employees.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-306-165 General requirements for all agricultural equipment. (1) Definitions.

(a) "Agricultural equipment" means equipment used in production or handling of agricultural products.

(b) "Agricultural field equipment" means tractors, self-propelled implements, implements and combinations thereof used in agricultural operations.

(c) "Agricultural tractor" means a two-wheel or four-wheel drive type vehicle, or a track vehicle, of more than twenty net engine horsepower (continuous brake power rating per Society of Automotive Engineers (SAE) J816b - or the power recommended by the manufacturer for satisfactory operation under the manufacturer specified continuous duty conditions), designed to furnish the power to pull, carry, propel, or drive implements that are designed for agriculture. All self-propelled implements are excluded.

(d) "Augers" means screw conveyors and related accessories designed primarily for conveying agricultural materials on farms.

(e) "Constant-running drives" means those drives which continue to rotate when the engine is running. (With all clutches disengaged.)

(f) "Farm field equipment" means tractors or implements, including self-propelled implements, or any combination thereof used in agricultural operations.

(g) "Farmstead equipment" means agricultural equipment normally used in a stationary manner. This includes, but is not limited to, materials handling equipment and accessories for such equipment whether or not the equipment is an integral part of a building.

(h) "Guarding by location" means a component may be considered guarded by location when, because of its location, it does not present a hazard during operation or maintenance. A component seven feet or more above a working surface is considered guarded by location.

(i) "Ground-drive equipment" means equipment using power supplied by its pulled wheels to move gears, chains, sprockets, belts, pulleys, augers, tines, etc.

(j) "Low profile tractor" means a wheel or track equipped vehicle possessing the following characteristics:

(i) The front wheel spacing is equal to the rear wheel spacing, as measured from the centerline of each right wheel to the centerline of the corresponding left wheel.

(ii) The clearance from the bottom of the tractor chassis to the ground does not exceed eighteen inches.

(iii) The highest point of the hood does not exceed sixty inches, and

(iv) The tractor is designed so that the operator straddles the transmission when seated.

(k) A "guard" or "shield" is a barrier which insures that no part of an employee may come into contact with a hazard created by a moving machinery part.

(l) "Power take-off shafts" are the shafts and knuckles between the tractor, or other power source, and the first gear set, pulley, sprocket, or other components on power take-off shaft driven equipment.

(2) Immediate priority shall be given to guarding of power take-off drives on all tractors and equipment. These must be guarded no later than January 1, 1976.

(3) All other power transmission components must be guarded on all equipment manufactured on or after January 1, 1976.

(4) If unguarded power transmission components on older field equipment show evidence that they were once guarded, the guards shall be replaced by January 1, 1976.

(5) The manufacturer's instruction manual, if published by the manufacturer and currently available, shall be the source of information for the safe operation and maintenance of field equipment.

(6) The employer shall establish a written program consisting of an energy control procedure, employee training, and periodic inspections to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, start up, or release of stored energy could occur and cause injury, the machine, equipment, system, or process shall be isolated, and rendered inoperative. Whenever major replacement, repair, renovation, relocation, or modification of machines or equipment is performed, and whenever new machines or equipment are installed, energy isolating devices for such machines or equipment shall be designed to accept a lockout device.

(7) Operating instructions. At the time of initial assignment and at least annually thereafter, the employer shall instruct every employee in the safe operation and servicing of all covered equipment with which he is or will be involved, including at least the following safe operating practices:

(a) Keep all guards in place when the machine is in operation;

(b) Passengers, other than persons required for instruction or machine operation shall not be permitted to ride on equipment unless a passenger seat or other protective device is provided.

(c) Stop engine, disconnect the power source, and wait for all machine movement to stop before servicing, adjusting, cleaning, or unclogging the equipment, except where the machine must be running to be properly serviced or maintained, in which case the employer shall instruct employees as to all steps and procedures which are necessary to safely service or maintain the equipment;

(d) Make sure everyone is clear of machinery before starting the engine, engaging power, or operating the machine;

(e) Lock out electrical power before performing maintenance or service on farmstead equipment.

~~((7))~~ (8) Methods of guarding. Except as otherwise provided in this chapter, each employer shall protect employees from coming into contact with moving machinery parts as follows:

(a) Through the installation and use of a guard or shield or guarding by location;

(b) Whenever a guard or shield or guarding by location is infeasible, by using a guardrail or fence.

~~((8))~~ (9) Strength and design of guards.

(a) Where guards are used to provide the protection required by this section, they shall be designed and located to prevent inadvertent contact with the hazard being guarded.

(b) Unless otherwise specified, each guard and its supports shall be capable of withstanding the force that a

two hundred fifty pound individual, leaning on or falling against the guard, would exert upon that guard.

(c) Guards shall be free from burrs, sharp edges, and sharp corners, and shall be securely fastened to the equipment or building.

~~((9))~~ (10) Guarding by railings. Guardrails or fences shall be capable of preventing employees from inadvertently entering the hazardous area.

~~((10))~~ (11) Servicing and maintenance. Whenever a moving machinery part presents a hazard during servicing or maintenance, the engine shall be stopped, the power source disconnected, and all machine movement stopped before servicing or maintenance is performed, except where the employer can establish that:

(a) The equipment must be running to be properly serviced or maintained;

(b) The equipment cannot be serviced or maintained while a guard or guards are in place; and

(c) The servicing or maintenance is safely performed.

~~((11))~~ (12) Shields, guards and access doors that will prevent accidental contact with rotating machine parts on constant-running drives shall be in place when the machine is running. This requirement shall not apply to combines where such guards could create fire hazards.

~~((12))~~ (13) A guard or shield on stationary equipment shall be provided at the mesh point or pinch point where the chain or belt contacts the sprocket or pulley. Revolving shafts shall be guarded by a standard safeguard unless guarded by location. Shafts that protrude less than one-half the outside diameter of the shaft are exempt from this section.

~~((13))~~ (14) Projections, such as exposed bolts, keys, or set screws on sprockets, sheaves or pulleys on stationary equipment shall be shielded unless guarded by location.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-306-200 Rollover protective structures (ROPS) for tractors used in agricultural operations. (1) Scope. Agricultural tractors manufactured after October 25, 1976, shall meet the requirements in this section.

Note: The promulgation of specific standards for rollover protective structures for rubber-tired skid-steer equipment is reserved pending promulgation of specific standards to cover such equipment. ROPS requirements contained in this section do not apply to rubber-tired skid-steer equipment used in agricultural operations.

(2) Rollover protective structure. A rollover protective structure (ROPS) shall be provided by the employer for each tractor operated by an employee. Except as provided in subsection (6) of this section, ROPS used on wheel-type tractors shall meet the test and performance requirements of WAC 296-306-250 through 296-306-25023 and ROPS used on track-type tractors shall meet the test and performance requirements of WAC 296-306-260 through 296-306-270. (See ROPS Design and Testing Criteria Addendum.)

(3) Seatbelts.

(a) Where ROPS are required by this section, the employer shall:

(i) Provide each tractor with a seatbelt which meets the requirements of this subsection;

(ii) Require that each employee uses such seatbelt while the tractor is moving; and

(iii) Require that each employee tightens the seatbelt sufficiently to confine the employee to the protected area provided by the ROPS.

(b) Each seatbelt shall meet the requirements set forth in ~~((Society of Automotive Engineers Standard SAE J4C, 1965))~~ ANSI/SAE J800 April 1986 Motor Vehicle Seat Belt Assemblies,* except as noted hereafter:

(i) Where a suspended seat is used, the seatbelt shall be fastened to the movable portion of the seat to accommodate a ride motion of the operator.

(ii) The seatbelt anchorage shall be capable of withstanding tensile loading as required by WAC 296-306-275 (1) and (2).

(iii) The seatbelt webbing material shall have a resistance to acids, alkalis, mildew, aging, moisture and sunlight equal to or better than that of untreated polyester fiber.

(4) Protection from spillage. Batteries, fuel tanks, oil reservoirs and coolant systems shall be constructed and located or sealed to assure that spillage will not occur which may come in contact with the operator in the event of an upset.

(5) Protection from sharp surfaces. All sharp edges and corners at the operator's station shall be designed to minimize operator injury in the event of an upset.

(6) Exempted uses. Subsections (2) and (3) of this section do not apply to the following uses:

(a) "Low profile" tractors while they are used in orchards, vineyards or hop yards where the vertical clearance requirements would substantially interfere with normal operations, and while their use is incidental to the work performed therein.

(b) "Low profile" tractors while used inside a farm building or greenhouse in which the vertical clearance is insufficient to allow a ROPS equipped tractor to operate, and while their use is incidental to the work performed therein.

(c) Tractors while used with mounted equipment which is incompatible with ROPS (e.g., cornpickers, cotton strippers, vegetable pickers and fruit harvesters.)

(d) Track-type agricultural tractors whose overall width (as measured between the outside edges of the tracks) is at least three times the height of their rated center of gravity, and whose rated maximum speed in either forward or reverse is not greater than seven miles per hour, when used only for tillage or harvesting operations and while their use is incidental thereto, and which:

(i) Does not involve operating on slopes in excess of forty percent from horizontal; and

(ii) Does not involve operating on piled crop products or residue, as for example, silage in stacks or pits, and

(iii) Does not involve operating in close proximity to irrigation ditches, streams or other excavations more than two feet deep which contain slopes of more than forty percent from horizontal; and

(iv) Does not involve construction-type operation, such as bulldozing, grading or land clearing.

(7) Remounting. Where ROPS are removed for any reason, they shall be remounted so as to meet the requirements of this subsection.

(8) Labeling. Each ROPS shall have a label, permanently affixed to the structure, which states:

(a) Manufacturer's or fabricator's name and address;

(b) ROPS model number, if any;

(c) Tractor makes, models, or series numbers that the structure is designed to fit; and

(d) That the ROPS model was tested in accordance with the requirements of this section.

(9) Operating instructions. Every employee who operates an agricultural tractor shall be informed of the operating practices contained in Exhibit A of this section and of any other practices dictated by the work environment. Such information shall be provided at the time of initial assignment and at least annually thereafter.

*Copies may be obtained from the ~~((Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096))~~ American National Standards Institute, 11 West 42nd Street, New York, N.Y. 10036.

EXHIBIT A

EMPLOYEE OPERATING INSTRUCTIONS

1. Securely fasten your seat belt if the tractor has a ROPS.
2. Where possible, avoid operating the tractor near ditches, embankments and holes.
3. Reduce speed when turning, crossing slopes and on rough, slick or muddy surfaces.
4. Stay off slopes too steep for safe operation.
5. Watch where you are going, especially at row ends, on roads and around trees.
6. Passengers, other than persons required for instruction or machine operation, shall not be permitted to ride on equipment unless a passenger seat or other protective device is provided.
7. Operate the tractor smoothly—no jerky turns, starts, or stops.
8. Hitch only to the drawbar and hitch points recommended by tractor manufacturers.
9. When tractor is stopped, set brakes securely and use park lock if available.

((Note: See Number LI 414 28.))

(10) Training.

(a) Every employee who operates an agriculture tractor shall be trained specifically in the operation of the tractor to be used. Such training shall include an orientation of the operator to the topographical features of the land where the tractor will be operated. Training shall emphasize safe operating practices to avoid roll-over.

(b) The tractor training program shall be described in the written accident prevention programs required by WAC 296-306-035(7).

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)

WAC 296-306-26001 Minimum performance criteria for rollover protective structures for designated scrapers, loaders, dozers, graders, and crawler tractors. (1) Definitions. For purposes of this section, "vehicle weight" means the manufacturer's maximum weight of the prime mover for rubber-tired self-propelled scrapers. For other types of equipment to which this section applies, "vehicle

weight" means the manufacturer's maximum recommended weight of the vehicle plus the heaviest attachment.

(2) General.

(a) This section prescribes minimum performance criteria for rollover protective structures (ROPS) for rubber-tired self-propelled scrapers; rubber-tired front-end loaders and rubber-tired dozers; crawler tractors, and crawler-type loaders, and motor graders. The vehicle and ROPS as a system shall have the structural characteristics prescribed in subsection (7) of this section for each type of machine described in this subsection.

(3) The static laboratory test prescribed herein will determine the adequacy of the structures used to protect the operator under the following conditions:

(a) For rubber-tired self-propelled scrapers, rubber-tired front-end loaders, and rubber-tired dozers: Operating between 0 and 10 miles per hour over hard clay where rollover would be limited to a maximum roll angle of 360° down a slope of 30° maximum.

(b) For motor graders: Operating between 0 and 10 miles per hour over hard clay where rollover would be limited to 360° down a slope of 30° maximum.

(c) For crawler tractors and crawler-type loaders: Operating between 0 and 10 miles per hour over hard clay where rollover would be limited to a maximum roll angle of 360° down a slope of 45°.

(4) Facilities and apparatus.

(a) The following material is necessary:

(i) Material, equipment, and tiedown means adequate to ensure that the ROPS and its vehicle frame absorb the applied energy.

(ii) Equipment necessary to measure and apply loads to the ROPS. Adequate means to measure deflection and lengths should also be provided.

(iii) Recommended, but not mandatory, types of test setups are illustrated in Figure ((V-4)) C-17 for all types of equipment to which this section applies; and in Figure ((V-2)) C-18 for rubber-tired self-propelled scrapers; Figure ((V-3)) C-19 for rubber-tired front-end loaders, rubber-tired dozers, and motor graders; and Figure ((V-4)) C-20 for crawler tractors and crawler-type loaders.

(b) Table V-1 contains a listing of the required apparatus for all types of equipment described in subsection (2)(a) of this section.

TABLE V-1

| Means to measure | Accuracy |
|-----------------------------------|------------------------------|
| Deflection of ROPS, inches..... | ± 5% of deflection measured. |
| Vehicle weight, pounds..... | ± 5% of the weight measured. |
| Force applied to frame, pounds... | ± 5% of force measured. |
| Dimensions of critical zone,..... | ± 0.5 in. inches. |

(5) Vehicle condition. The ROPS to be tested must be attached to the vehicle structure in the same manner as it will be attached during vehicle use. A totally assembled vehicle is not required. However, the vehicle structure and frame which support the ROPS must represent the actual vehicle installation. All normally detachable windows, panels, or nonstructural fittings shall be removed so that they do not contribute to the strength of the ROPS.

(6) Test procedure. The test procedure shall include the following, in the sequence indicated:

(a) Energy absorbing capabilities of ROPS shall be verified when loaded laterally by incrementally applying a distributed load to the longitudinal outside top member of the ROPS, as shown in Figure ((V-1, V-2 or V-3)) C-17, C-18 or C-19 as applicable. The distributed load must be applied so as to result in approximately uniform deflection of the ROPS. The load increments should correspond with approximately 0.5 in. ROPS deflection increment in the direction of the load application, measured at the ROPS top edge. Should the operator's seat be offcenter, the load shall be applied on the offcenter side. For each applied load increment, the total load (lb.) versus corresponding deflection

(in.) shall be plotted, and the area under the load-deflection curve shall be calculated. This area is equal to the energy (in.-lb.) absorbed by the ROPS. For a typical load-deflection curve and calculation method, see Figure ((V-5)) C-21.

Incremental loading shall be continued until the ROPS has absorbed the amount of energy and the minimum applied load specified under subsection (7) of this section has been reached or surpassed.

(b) To cover the possibility of the vehicle coming to rest on its top, the support capability shall be verified by applying a distributed vertical load to the top of the ROPS so as to result in approximately uniform deflection (see Figure ((V-4)) C-17). The load magnitude is specified in subsection (6)(b)(iii) of this section.

(c) The low temperature impact strength of the material used in the ROPS shall be verified by suitable material tests or material certification (see subsection (7)(b)(iv) of this section).

(7) Performance requirements.

(a) General performance requirements.

(i) No repairs or straightening of any member shall be carried out between each prescribed test.

(ii) During each test, no part of the ROPS shall enter the critical zone as detailed in SAE J397 (1969). Deformation of the ROPS shall not allow the plane of the ground to enter this zone.

(b) Specific performance requirements.

(i) The energy requirement for purposes of meeting the requirements of subsection (6)(a) of this section is to be determined by referring to the plot of the energy versus weight of vehicle (see Figure ((V-6)) C-22 for rubber-tired self-propelled scrapers; Figure ((V-7)) C-23 for rubber-tired front-end loaders and rubber-tired dozers; Figure ((V-8)) C-24 for crawler tractors and crawler-type loaders; and Figure ((V-9)) C-25 for motor graders. For purposes of this section force and weight are measured as pounds (lb.); energy (U) is measured as inch-pounds).

(ii) The applied load must attain at least a value which is determined by multiplying the vehicle weight by the corresponding factor shown in Figure ((V-10)) C-26 for rubber-tired self-propelled scrapers; in Figure ((V-11)) C-27 for rubber-tired front-end loaders and rubber-tired dozers; in Figure ((V-12)) C-28 for crawler tractors and crawler-type loaders; and in Figure ((V-13)) C-29 for motor graders.

(iii) The load magnitude for purposes of compliance with subsection (6)(b) of this section is equal to the vehicle weight. The test of load magnitude shall only be made after the requirements of subdivision (b)(i) of this subsection are met.

(iv) Material used in the ROPS must have the capability of performing at zero degrees Fahrenheit, or exhibit Charpy V notch impact strength of 8 foot-pounds at minus 20° Fahrenheit. This is a standard Charpy specimen as described in American Society of Testing and Materials A 370, Methods and Definitions for Mechanical Testing of Steel Products. The purpose of this requirement is to reduce the tendency of brittle fracture associated with dynamic loading, low temperature operation, and stress raisers which cannot be entirely avoided on welded structures.

(8) Source of standard. This standard is derived from, and restates, the following Society of Automotive Engineers Recommended Practices: SAE J320a, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired, Self-Propelled Scrapers; SAE J394, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired Front-End Loaders and Rubber-Tired Dozers; SAE J395, Minimum Performance Criteria for Roll-Over Protective Structure for Crawler Tractors and Crawler-Type Loaders; and SAE J396, Minimum Performance Criteria for Roll-Over Protective Structure for Motor Gradings. These recommended practices shall be resorted to in the event that questions of interpretation arise. The recommended practices appear in the 1971 SAE Handbook, which may be examined in each of the district offices of the division of industrial safety and health of the department of labor and industries.

AMENDATORY SECTION (Amending Order 91-01, filed 5/20/91, effective 6/20/91)

WAC 296-306-265 Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in agriculture.

(1) Definitions applicable to this section.

(a) SAE J333a, Operator Protection for Wheel-Type Agricultural and Industrial Tractors (July 1970) defines "agricultural tractor" as a "wheel-type vehicle of more than 20 engine horsepower designed to furnish the power to pull, carry, propel, or drive implements that are designed for agricultural usage." Since this chapter applies only to agricultural work, the following definition of "agricultural tractor" is adopted for purposes of this part: "Agricultural tractor" means a wheel-type vehicle of more than 20 engine horsepower, which is designed to furnish the power to pull, propel, or drive implements.

(b) "Industrial tractor" means that class of wheeled type tractor of more than 20 engine horsepower (other than rubber-tired loaders and dozers described in WAC 296-306-26001), used in operations such as landscaping, construction services, loading, digging, grounds keeping, and highway maintenance.

(c) The following symbols, terms, and explanations apply to this section:

Eis = Energy input to be absorbed during side loading. $E_{is} = 723 + 0.4 W$ ft.-lb. ($E'_{is} = 100 + 0.12 W$, m.-kg).

Eir = Energy input to be absorbed during rear loading. $E_{ir} = 0.47 W$ ft. - lb. ($E'_{ir} = 0.14 W$, m. - kg).

W = Tractor weight as prescribed in WAC 296-306-265 (5)(a) and (5)(c) in lb. (W' , kg).

L = Static load, lb. (kg.).

D = Deflection under L, in. (mm.).

L-D = Static load-deflection diagram.

Lm-Dm = Modified static load-deflection diagram (Figure ((V-20)) C-30). To account for increase in strength due to increase in strain rate, raise L in plastic range to $L \times K$.

K = Increase in yield strength induced by higher rate of loading (1.3 for hot rolled low carbon steel 1010-1030). Low carbon is preferable; however, if higher carbon or other material is used, K must be determined in the laboratory. Refer to Charles H. Norris, et al., Structural Design for Dynamic Loads (1959), p. 3.

Lmax = Maximum observed static load.

Load

Limit = Point on L-D curve where observed static load is 0.8 Lmax (refer to Figure ((V-19)) C-5).

Eu = Strain energy absorbed by the frame, ft.-lb. (m. - kg) area under Lm-Dm curve.

FER = Factor of energy ratio, $FER = E_u/E_{is}$; also = E_u/E_{ir} .

Pb = Maximum observed force in mounting connection under static load, L, lb. (kg.).

FSB = Design margin for mounting connection $FSB = (P_u/P_b) - 1$.

H = Vertical height of lift of 4,410 lb. (2,000 kg.) weight, in. (H' , mm.). The weight shall be pulled back so that the height of its center of gravity above the point of impact is defined as follows: $H = 4.92 + 0.00190 W$ or ($H' = 125 = 0.107 W'$) (Figure ((V-24)) C-7).

(d) Source of standard. The standard in this section is derived from, and restates, Society of Automotive Engineers Standard J334a (July 1970), Protective Frame Test Proce-

dures and Performance Requirements. This standard shall be resorted to in the event that questions of interpretation arise. The standard appears in the 1971 SAE handbook.

(2) General.

(a) The purpose of this section is to set forth requirements for frames for the protection of operators of wheel-type agricultural and industrial tractors to minimize the possibility of operator injury resulting from accidental upsets during normal operation. With respect to agricultural and industrial tractors, the provisions of WAC 296-306-260 and 296-306-270 for rubber-tired dozers and rubber-tired loaders may be utilized in lieu of the requirements of this section.

(b) The protective frame which is the subject of this standard is a structure mounted to the tractor that extends above the operator's seat and conforms generally to Figure ((V-15)) C-10.

(c) If an overhead weather shield is attached to the protective frame, it may be in place during tests: *Provided*, That it does not contribute to the strength of the protective frame. If such an overhead weather shield is attached, it must meet the requirements of subsection (10) of this section.

(d) For overhead protection requirements, see WAC 296-306-270.

(e) If protective enclosures are used on wheel-type agricultural and industrial tractors, they shall meet the requirements of Society of Automotive Engineers Standard J168 (July 1970), Protective Enclosures, Test Procedures, and Performance Requirements.

(3) Applicability. The requirements of this section apply to wheel-type agricultural tractors used in agriculture work and to wheel-type industrial tractors used in construction type work. See subsection (1) of this section for definitions of agricultural tractors and industrial tractors.

(4) Performance requirements.

(a) Either a laboratory test or a field test is required in order to determine the performance requirements set forth in subsection (10) of this section.

(b) A laboratory test may be either static or dynamic. The laboratory test must be under conditions of repeatable and controlled loading in order to permit analysis of the protective frame.

(c) A field upset test, if used, shall be conducted under reasonably controlled conditions, both rearward and sideways, to verify the effectiveness of the protective frame under actual dynamic conditions.

(5) Test procedure—General.

(a) The tractor used shall be the tractor with the greatest weight on which the protective frame is to be used.

(b) A new protective frame and mounting connections of the same design shall be used for each test procedure.

(c) Instantaneous and permanent frame deformation shall be measured and recorded for each segment of the test.

(d) Dimensions relative to the seat shall be determined with the seat unloaded and adjusted to its highest and most rearward latched position provided for a seated operator.

(e) If the seat is offset, the frame loading shall be on the side with the least space between the centerline of the seat and the upright.

(f) The low temperature impact strength of the material used in the protective structure shall be verified by suitable

material tests or material certifications in accordance with WAC 296-306-26001 (7)(b)(iv).

(6) Test procedure for vehicle overturn.

(a) Vehicle weight. The weight of the tractor, for purposes of this section, includes the protective frame, all fuels, and other components required for normal use of the tractor. Ballast must be added if necessary to achieve a minimum total weight of 130 lb. (59 kg.) per maximum power takeoff horsepower at rated engine speed. The weight of the front end must be at least 33 lb. (15 kg.) per maximum power takeoff horsepower. In case power takeoff horsepower is unavailable, 95 percent of net engine flywheel horsepower shall be used.

(b) Agricultural tractors shall be tested at the weight set forth in subdivision (a) of this subsection.

(c) Industrial tractors shall be tested with items of integral or mounted equipment and ballast that are sold as standard equipment or approved by the vehicle manufacturer for use with the vehicle where the protective frame is expected to provide protection for the operator with such equipment installed. The total vehicle weight and front end weight as tested shall not be less than the weights established in subdivision (a) of this subsection.

(d) The test shall be conducted on a dry, firm soil bank as illustrated in Figure ((V-16)) C-2. The soil in the impact area shall have an average cone index in the 0.6 in. (153 mm.) layer not less than 150 according to American Society of Agricultural Engineers Recommendations ASAE R313, Soil Cone Penetrometer. The path of travel of the vehicle shall be $12^\circ \pm 2^\circ$ to the top edge of the bank.

(e) The upper edge of the bank shall be equipped with an 18 in. (457 mm.) high ramp as described in Figure ((V-16)) C-2 to assist in tipping the vehicle.

(f) The front and rear wheel tread settings, where adjustable, shall be at the position nearest to halfway between the minimum and maximum settings obtainable on the vehicle. Where only two settings are obtainable, the minimum setting shall be used.

(g) Vehicle overturn test—Sideways and rearward.

(i) The tractor shall be driven under its own power along the specified path of travel at a minimum speed of 10 m.p.h. (16 km./hr.) or maximum vehicle speed if under 10 m.p.h. (16 km./hr.) up the ramp as described in subdivision (e) of this subsection to induce sideways overturn.

(ii) Rear upset shall be induced by engine power with the tractor operating in gear to obtain 3-5 m.p.h. (4.8-8 km./hr.) at maximum governed engine r.p.m. preferably by driving forward directly up a minimum slope of two vertical to one horizontal. The engine clutch may be used to aid in inducing the upset.

(7) Other test procedures. When the field upset test is not used to determine ROPS performance, either the static test or the dynamic test, contained in subsection (8) or (9) of this section, shall be made.

(8) Static test.

(a) Test conditions.

(i) The laboratory mounting base shall include that part of the tractor chassis to which the protective frame is attached including the mounting parts.

(ii) The protective frame shall be instrumented with the necessary equipment to obtain the required load deflection

data at the locations and directions specified in Figure ((V-17, V-18, and V-19)) C-3, C-4, and C-5.

(iii) The protective frame and mounting connections shall be instrumented with the necessary recording equipment to obtain the required load-deflection data to be used in calculating FSB (see subsection (1)(c) of this section). The gauges shall be placed on mounting connections before the installation load is applied.

(b) Test procedure.

(i) The side load application shall be at the upper extremity of the frame upright at a 90° angle to the centerline of the vehicle. The side load "L" shall be applied according to Figure ((V-17)) C-3. "L" and "D" shall be recorded simultaneously. The test shall be stopped when:

(A) The strain energy absorbed by the frame is equal to the required input energy (Eis) or

(B) Deflection of the frame exceeds the allowable deflection, or

(C) The frame load limit occurs before the allowable deflection is reached in the side load.

(ii) The L-D diagram, as shown by means of a typical example in Figure ((V-20)) C-6, shall be constructed, using the data obtained in accordance with item (i) of this subdivision.

(iii) The modified Lm-Dm diagram shall be constructed according to item (ii) of this subdivision and according to Figure ((V-21)) C-6. The strain energy absorbed by the frame (Eu) shall than [then] be determined.

(iv) Eis, FER, and FSB shall be calculated.

(v) The test procedure shall be repeated on the same frame utilizing L (rear input; see Figure ((V-19)) C-5) and Eir. Rear load application shall be uniformly distributed along a maximum projected dimension of 27 in. (686 mm.) and a maximum area of 160 sq. in. (1,032 sq. cm.) normal to the direction of load application. The load shall be applied to the upper extremity of the frame at the point which is midway between the centerline of the seat and the inside of the frame upright.

(9) Dynamic test.

(a) Test conditions.

(i) The protective frame and tractor shall meet the requirements of subsection (6)(b) or (c) of this section, as appropriate.

(ii) The dynamic loading shall be produced by use of a 4,410 lb. (2,000 kg.) weight acting as a pendulum. The impact face of the weight shall be 27 plus or minus 1 in. by 27 plus or minus 1 in. (686 + or - 25 mm.) and shall be constructed so that its center of gravity is within 1 in. (25.4 mm.) of its geometric center. The weight shall be suspended from a pivot point 18-22 ft. (5.5-6.7 m.) above the point of impact on the frame and shall be conveniently and safely adjustable for height. (See Figure ((V-21)) C-6.)

(iii) For each phase of testing, the tractor shall be restrained from moving when the dynamic load is applied. The restraining members shall be of 0.5-0.63 in. (12.5-16 mm.) steel cable and points of attaching restraining members shall be located an appropriate distance behind the rear axle and in front of the front axle to provide a 15°-30° angle between a restraining cable and the horizontal. The restraining member shall either be in the plane in which the center gravity of the pendulum will swing or more than one

restraining cable shall give a resultant force in this plane. (See Figure ((V-22)) C-8.)

(iv) The wheel tread setting shall comply with the requirements of subsection (6)(f) of this section. The tires shall have no liquid ballast and shall be inflated to the maximum operating pressure recommended by the tire manufacturer. With specified tire inflation, the restraining cables shall be tightened to provide tire deflection of 6-8 percent of nominal tire section width. After the vehicle is properly restrained, a wooden beam 6 x 6 in. (15 x 15 cm.) shall be driven tightly against the appropriate wheels and clamped. For the test to the side, an additional wooden beam shall be placed as a prop against the wheel nearest the operator's station and shall be secured to the floor so that it is held tightly against the wheel rim during impact. The length of this beam shall be chosen so that when it is positioned against the wheel rim it is at an angle of 25°-40° to the horizontal. It shall have a length 20-25 times its depth and a width two to three times its depth. (See Figures ((V-22 and V-23)) C-8 and C-9.)

(v) Means shall be provided indicating the maximum instantaneous deflection along the line of impact. A simple friction device is illustrated in Figure ((V-23)) C-9.

(vi) No repair or adjustments may be carried out during the test.

(vii) If any cables, props, or blocking shift or break during the test, the test shall be repeated.

(b) Test procedure.

(i) General. The frame shall be evaluated by imposing dynamic loading to rear followed by a load to the side on the same frame. The pendulum dropped from the height (see definition "H" in subsection (1)(c) of this section) imposes the dynamic load. The position of the pendulum shall be so selected that the initial point of impact on the frame shall be in line with the arc of travel of the center of gravity of the pendulum. A quick release mechanism should be used but, if used, shall not influence the attitude of the block.

(ii) Impact at rear. The tractor shall be properly restrained according to subdivisions (a)(iii) and (iv) of this section. The tractor shall be positioned with respect to the pivot point of the pendulum such that the pendulum is 20° from the vertical prior to impact, as shown in Figure ((V-22)) C-8. The impact shall be applied to the upper extremity of the frame at the point which is midway between the centerline of the seat and the inside of the frame upright of a new frame.

(iii) Impact at side. The block and restraining shall conform to subdivisions (a)(iii) and (iv) of this subsection. The point of impact shall be that structural member of the protective frame likely to hit the ground first in a sideways accidental upset. The side impact shall be applied to the side opposite that used for rear impact.

(10) Performance requirements.

(a) General.

(i) The frame, overhead weather shield, fenders, or other parts in the operator area may be deformed but shall not shatter or leave sharp edges exposed to the operator, or violate dimensions as shown in Figures ((V-16 and V-17)) C-2 and C-3 as follows:

- D = 2 in. (51 mm.) inside of frame upright to vertical centerline of seat.
 E = 30 in. (762 mm.).
 F = Not less than 0 in. and not more than 12 in. (305 mm.), measured at centerline front of seat backrest to crossbar along the line of load application as shown in Figure ((V-17)) C-3.
 G = 24 in. (610 mm.).

(ii) The material and design combination used in the protective structure must be such that the structure can meet all prescribed performance tests at zero degrees Fahrenheit in accordance with WAC 296-306-26001 (7)(b)(iv).

(b) Vehicle overturn performance requirements. The requirements of this subsection (10) must be met in both side and rear overturns.

(c) Static test performance requirements. Design factors shall be incorporated in each design to withstand an overturn test as prescribed in this subsection (10). The structural requirements will be generally met if FER is greater than 1 and FSB is greater than K-1 in both side and rear loadings.

(d) Dynamic test performance requirements. Design factors shall be incorporated in each design to withstand the overturn test prescribed in this subsection (10). The structural requirements will be generally met if the dimensions in this subsection (10) are adhered to in both side and rear loads.

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)

WAC 296-306-270 Overhead protection for operators of agricultural and industrial tractors. (1) General.

(a) Purpose. When overhead protection is provided on wheel-type agricultural and industrial tractors, the overhead protection shall be designed and installed according to the requirements contained in this section. The provisions of WAC 296-306-26001 for rubber-tired dozers and rubber-tired loaders may be used in lieu of the standards contained in this section. The purpose of the standard is to minimize the possibility of operator injury resulting from overhead hazards such as flying and falling objects, and at the same time to minimize the possibility of operator injury from the cover itself in the event of accidental upset.

(b) Applicability. This section applies to wheel-type agricultural tractors used in construction work and to wheel-type industrial tractors used in agriculture work. See WAC 296-306-265 (1) and (3).

(c) All equipment used in site clearing operations shall be equipped with rollover guards meeting the requirements of this chapter. In addition, rider-operated equipment shall be equipped with an overhead and rear canopy guard meeting the following requirements:

(i) The overhead covering on this canopy structure shall be of not less than 1/8-inch steel plate or 1/4-inch woven wire mesh with openings no greater than 1 inch, or equivalent.

(ii) The opening in the rear of the canopy structure shall be covered with not less than 1/4-inch woven wire mesh with openings no greater than 1 inch.

(2) Overhead protection. When overhead protection is installed on wheel-type agricultural or industrial tractors used in agriculture work, it shall meet the requirements of this

subsection. The overhead protection may be constructed of a solid material. If grid or mesh is used, the largest permissible opening shall be such that the maximum circle which can be inscribed between the elements of the grid or mesh is 1.5 in. (38 mm.) in diameter. The overhead protection shall not be installed in such a way as to become a hazard in the case of upset.

(3) Test procedures—General.

(a) The requirements of WAC 296-306-265 (5), (6) and (7) shall be met.

(b) Static and dynamic rear load application shall be uniformly distributed along a maximum projected dimension of 27 in. (686 mm.) and a maximum area of 160 in.² (1,032 cm.²) normal direction of load application. The load shall be applied to the upper extremity of the frame at the point which is midway between the centerline of the seat and the inside of the frame upright.

(c) The static and dynamic side load application shall be uniformly distributed along a maximum projected dimension of 27 in. (686 mm.) and a maximum area of 160 in.² (1,032 cm.²) normal to the direction of load application. The direction of load application is the same as in WAC 296-306-265 (8) and (9). To simulate the characteristics of the structure during an upset, the center of load application may be located from a point 24 in. (610 mm.) (K) forward to 12 in. (305 mm.) (K) forward to 12 in. (305 mm.) (L) rearward of the front of the seat backrest to best utilize the structural strength. See Figure ((V-25)) C-31.

(4) Drop test procedures.

(a) The same frame shall be subjected to the drop test following either the static or dynamic test.

(b) A solid steel sphere or material of equivalent spherical dimension weighing 100 lb. (45.4 kg.) shall be dropped once from a height 10 ft. (3,048 mm.) above the overhead cover.

(c) The point of impact shall be on the overhead cover at a point within the zone of protection as shown in Figure ((V-26)) C-32, which is furthest removed from major structural members.

(5) Crush test procedures.

(a) The same frame shall be subjected to the crush test following the drop test and static or dynamic test.

(b) The test load shall be applied as shown in Figure ((V-27)) C-33 with the seat positioned as specified in WAC 296-306-265 (5)(d). Loading cylinders shall be pivotally mounted at both ends. Loads applied by each cylinder shall be equal within 2 percent, and the sum of the loads of the two cylinders shall be two times the tractor weight as set forth in WAC 296-306-265 (6)(a). The maximum width of the beam illustrated in Figure ((V-27)) C-33 shall be 6 in. (152 mm.).

(6) Performance requirements.

(a) General. The performance requirements set forth in WAC 296-306-265 (10)(b), (c) and (d) shall be met.

(b) Drop test performance requirements.

(i) Instantaneous deformation due to impact of the sphere shall not enter the protected zone as illustrated in Figures ((V-25, V-26, and V-28)) C-31, C-32, and C-34.

(ii) In addition to the dimensions set forth in WAC 296-306-265 (10)(a)(i) the following dimensions apply to Figure ((V-28)) C-34:

H = 17.5 in. (444 mm.).
J = 2 in. (50.8 mm.) measured from the outer periphery of the steering wheel.

(c) Crush test performance requirements. The protected zone as described in Figure ((V-28)) C-34 must not be violated.

(7) Source of standard. This standard is derived from, and restates, the portions of Society of Automotive Engineers Standard J167 which pertain to overhead protection requirements. The full title of the SAE standard is: Protective Frame with Overhead Protection—Test Procedures and Performance Requirements. The SAE standard shall be resorted to in the event that questions of interpretation arise. The SAE standard appears in the 1971 SAE Handbook.

AMENDATORY SECTION (Amending Order 91-01, filed 5/20/91, effective 6/20/91)

WAC 296-306-27095 Exhibit B—Figures ((V-4)) C-17 through ((V-28)) C-34.

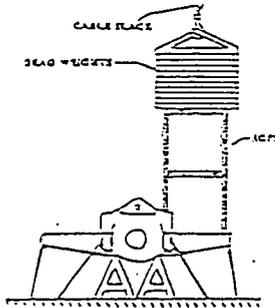


Figure ((V-4)) C-17
Vertical loading setup for all types of equipment described in WAC 296-306-26001(2).

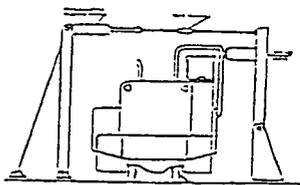


Figure ((V-2)) C-18
Test setup for rubber-tired self-propelled scrapers.

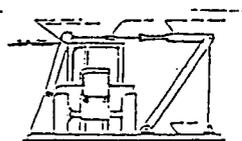


Figure ((V-3)) C-19
Test setup for rubber-tired front-end loaders, rubber-tired dozers, and motor graders.

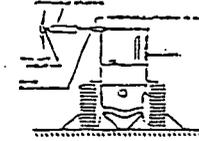


Figure ((V-4)) C-20
Side-loading setup for crawler tractors and crawler loaders.

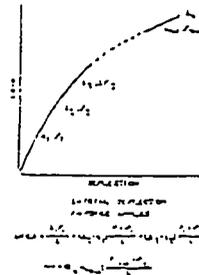


Figure ((V-5)) C-21
Determination of energy area under force deflection curve for all types of ROPS equipment defined in WAC 296-306-26001(2).

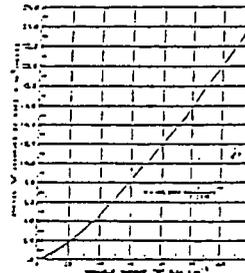


Figure ((V-6)) C-22
Energy absorbed versus vehicle weight.

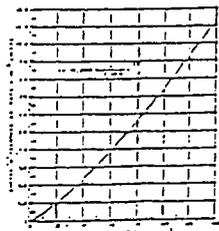


Figure ((V-7)) C-23
Energy absorbed versus vehicle weight.

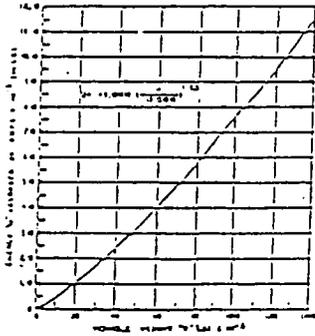


Figure ((V-8)) C-24
Energy absorbed versus vehicle weight.

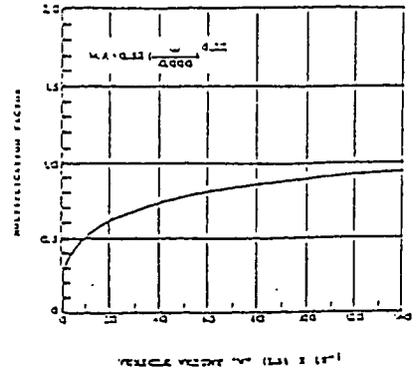


Figure ((V-11)) C-27
Minimum horizontal load factor for rubber-tired loaders and dozers.

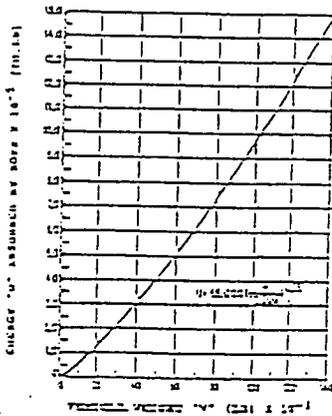


Figure ((V-9)) C-25
Energy absorbed versus vehicle weight.

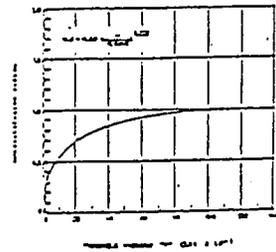


Figure ((V-12)) C-28
Minimum horizontal load factor for crawler tractors and crawler-type loaders.

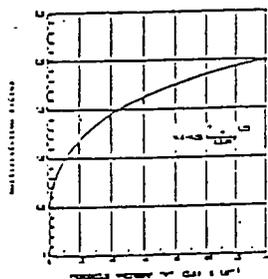


Figure ((V-10)) C-26
Minimum horizontal load factor for self-propelled scrapers.

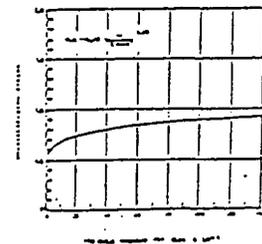


Figure ((V-13)) C-29
Minimum horizontal load factor for motor graders.

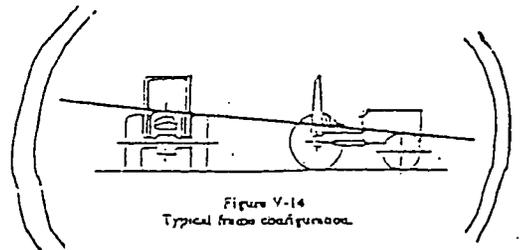


Figure V-14
Typical frame configuration.

Figure V-14
Typical frame configuration.

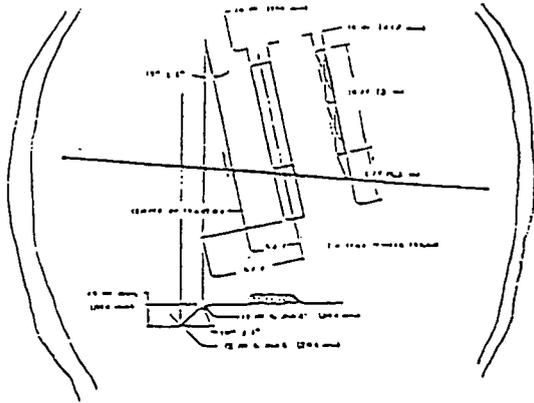


Figure V-15
Bank and ramp configuration for side overturn testing.

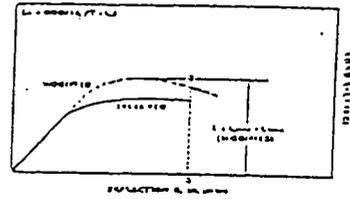


Figure ((V-20)) C-30
Typical modified L_m - D_m diagram.

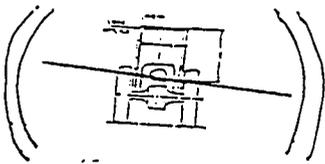


Figure V-16
Side load application.

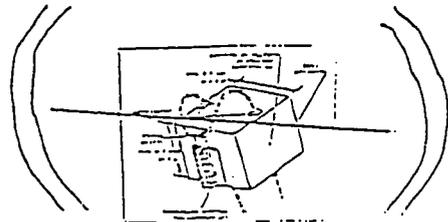


Figure V-21
Pendulum.

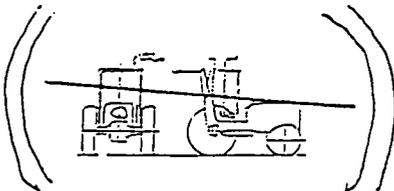


Figure V-17
Rear load application.

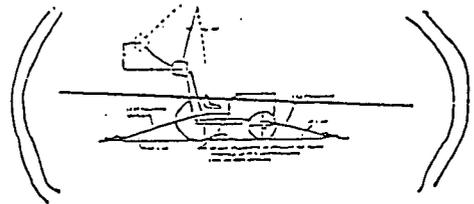


Figure V-22
Method of impact from rear.

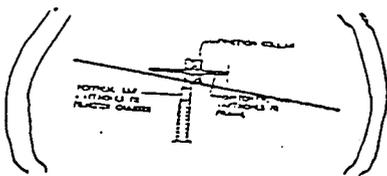


Figure V-18
Method of measuring instantaneous deflection.

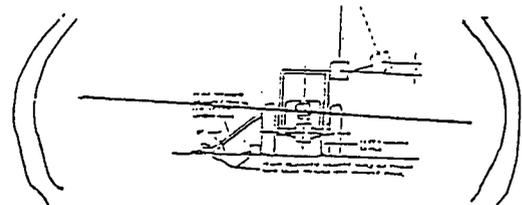


Figure V-23
Method of impact from side.

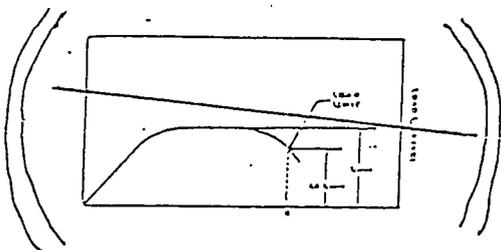


Figure V-19
Typical L-D diagram.))

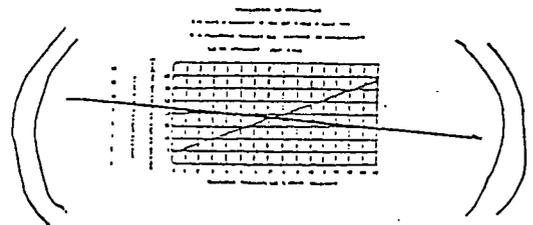


Figure V-24
Impact energy and corresponding lift height of 4,410 lb.
(2,000 kg.) weight.))

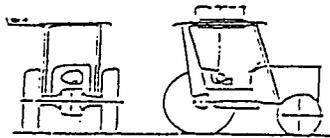


Figure ((V-25)) C-31
Location for side load.

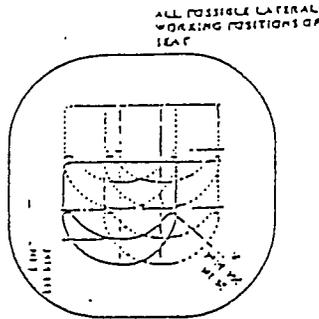


Figure ((V-26)) C-32
Zone of protection for drop test.



Figure ((V-27)) C-33
Method of load application for crush test.

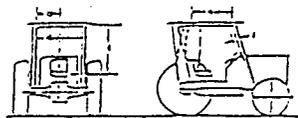


Figure ((V-28)) C-34
Protected zone during crush and drop tests.

NEW SECTION

WAC 296-306-330 Emergency washing facilities for pesticide handlers. (1) Definitions.

(a) "Directly handling" means opening or pouring pesticide containers, mixing, loading or transferring pesticides or pesticide solutions or washing or cleaning pesticide containers or tanks containing pesticides.

(b) "Emergency washing facilities" means emergency showers, eyewashes, eye/face washes, running water hoses, or containers of water to be used in the case of pesticide spills, splashes, or sprays onto the skin, eyes, or normal work clothing of employees directly handling pesticides.

(c) "Emergency eyewash" means a device to irrigate and flush the eyes. It shall deliver not less than 1.5 liters (0.4 gallons) per minute for at least fifteen minutes.

(2) Facilities required.

(a) Emergency washing facilities shall be readily available in the immediate work area for employees directly handling pesticides. To be readily available, emergency washing facilities shall require no more than ten seconds travel time to reach. They shall be within a travel distance no greater than 15.25 meters (50 feet).

(b) A shower or a hose of running water and a separate emergency eyewash shall be provided at any mixing and loading facility that has water plumbed in from a well, irrigation ditch, or municipal water system.

(c) At least 10 gallons of water for one employee or 20 gallons of water for two or more employees shall be provided at mixing and loading facilities that do not have a plumbed water supply. In addition, a portable emergency eyewash shall be provided.

(d) At least five gallons of water shall be supplied for emergency washing while applying pesticides either in the pesticide application tractor or within one-quarter mile or five minutes travel time.

(e) Employees applying pesticides shall be provided with at least one pint of potable water to be carried by the applicator or in the application vehicle for the immediate washing of eyes in the case of a splash or spray. Unless in a sealed container, this water shall be changed weekly.

(f) Employees who may be sprayed or drifted on, spilled, or splashed on, by nearby pesticide application activities shall have access to the emergency washing facilities to wash themselves.

(g) All emergency washing facilities using nonpotable water shall have signs stating water is nonpotable.

(3) Hygiene training and information. Employees handling pesticides or working in fields or areas treated with pesticides in the current growing season shall receive the following instructions on the first day of employment;

(a) Wash hands and face before eating, drinking, or smoking while handling pesticides or working in the pesticide-treated area.

(b) Take a shower immediately after work each day and change into clean clothes.

(c) Wash work clothing daily in soap and hot water and wash separately from other clothing.

NEW SECTION

WAC 296-306-33001 Decontamination after pesticides handling activities. At the end of any exposure period, the employer shall provide at the site where employees handling pesticides remove personal protective equipment; soap, clean towels, and a sufficient amount of water so that the employee may wash thoroughly.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-306-400 Posting requirements. (1) When a pesticide having a reentry interval greater than twenty-four hours is applied to a labor-intensive agricultural crop, the pesticide-treated area shall be posted with warning signs in accordance with the requirements of this section. Sign design may be either the state design as illustrated by figure 1 or the officially adopted sign of the Environmental Protection Agency. (Reference federal regulation 40 CFR 170.44.)

(2) Definitions for the purposes of this section are:

(a) "Labor-intensive agricultural crop" means crops requiring substantial hand-labor for planting, thinning, cultivating, pruning, harvesting, or other agricultural activities. Labor-intensive agricultural crops include but are not limited to apples, cherries, peaches, berries, hops, grapes, asparagus, pears, plums, nectarines, onions, cucumbers, cauliflower, and squash. By virtue of mechanization, crops such as, but not limited to, wheat, oat, and barley are excluded unless substantial hand-labor is utilized.

(b) "Reentry interval" means the length of time after an application until personnel will be allowed to reenter a treated area for work purposes without personal protective equipment.

(3) Pesticide warning signs required under this section shall be posted in such a manner as to be clearly visible from all usual points of entry to the pesticide-treated area. If there are no usual points of entry or the area is adjacent to an unfenced public right of way, signs shall be posted:

- (a) At each corner of the pesticide-treated area; and
- (b) At intervals not exceeding six hundred feet; and/or
- (c) At other locations approved by the department that provide maximum visibility.

(4) The signs shall be posted ~~((at least))~~ within twenty-four hours ~~((but not more than 7 days))~~ before scheduled application of the pesticide, and remain posted during application and throughout the applicable reentry interval. Signs shall be removed within two days after the expiration of the applicable reentry interval and before employee reentry is permitted. Employees working in an area scheduled for a pesticide application shall be informed of the application and shall vacate the area to be sprayed prior to the application of the pesticide.

(5) Signs shall be legible for the duration of use and wording shall be in English and Spanish.

(6) Signs shall meet the following criteria: (Unless EPA signs are used).

- (a) The background color shall be white.
- (b) The border at least one-half inch in width shall be red.

(c) The words "DANGER" and "PELIGRO" shall be at the top. Letters for these words shall be black and at least two and one-half inches in height.

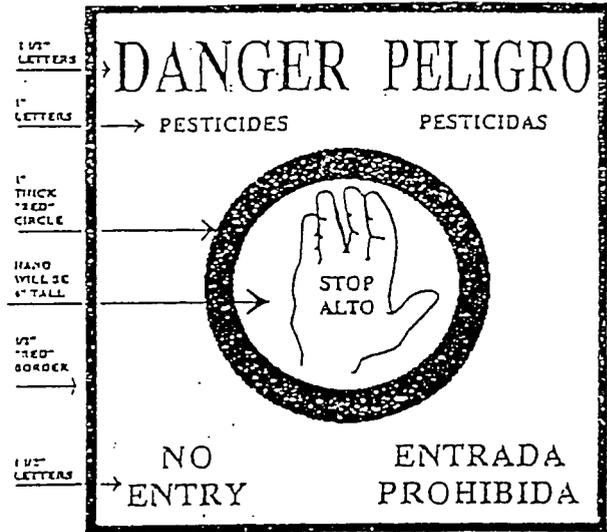
(d) The words "pesticides" and "pesticidas" shall be at the top but below the words "DANGER" and "PELIGRO," respectively. Letters for these words shall be black and at least one inch in height.

(e) The center of the sign shall contain a circle comprised of a one-inch thick red line and contain an upraised hand in black with the white words "STOP" and "ALTO," respectively shown on the palm in the center of the circle. The hand shall be at least six inches in length.

(f) The words "NO ENTRY" and "ENTRADA PROHIBIDA" shall be at the bottom. Letters for these words shall be black and at least one and one-half inches in height.

(g) Sizes of letters and symbols listed are minimum acceptable size posters. Larger posters may be used provided the proportionate size of letters and symbols are maintained.

(7) A small black and white facsimile of the warning sign meeting these requirements is shown in Figure 1.



~~((8) The effective date of WAC 296-306-400 through 296-306-40005 is July 1, 1990.)~~

AMENDATORY SECTION (Amending Order 89-19, filed 5/9/90, effective 7/1/90)

WAC 296-306-40003 General requirements. (1) An employer who applies ~~((or stores))~~ pesticides in connection with the production of an agricultural crop, or causes pesticides to be applied in connection with such production, shall ~~((compile and maintain a workplace pesticide list (form AGR 4226 for one time, single applications; form AGR 4235 for repeat applications; or form AGR 4236 for applications through an irrigation system), by crop or land area for each pesticide that is applied to a crop or land area, and a (form L & I F413-033-000) for each pesticide stored in a work area))~~ keep records for each application.

~~((2))~~ The ~~((workplace pesticide data shall be kept on the forms prescribed by the department and))~~ records shall ~~((contain))~~ include at least the following information: ~~((Exception—see subsection (8) following.))~~

(a) The address or exact location of the land where the pesticide was applied or the site where the pesticide was stored; (Note: If application is made to one acre or more, the field/land location must be shown on the map on the required form for at least the first application)((-));

(b) The year, month, day, and time the pesticide was applied or stored;

(c) The product name used on the registered label and the United States Environmental Protection Agency registration number, if applicable, of the pesticide that was applied or stored;

(d) The crop or site to which the pesticide was applied; (application crop or site)((-));

(e) The amount of pesticide applied per acre, or other appropriate measure;

(f) The concentration of pesticide that was applied;

(g) The number of acres, or other appropriate measure, to which pesticide was applied; (total area treated)((-));

(h) If applicable, the licensed applicator's name, address, and telephone number and the name of the individual or individuals making the application; ~~((and))~~

(i) The direction and estimated velocity of the wind at the time the pesticide was applied: *Provided*, That this subsection (i) shall not apply to applications of baits in bait stations and pesticide applications within structures ~~((-- More than one entry would be feasible if there was a significant change of direction for any length of time during the application))~~;

(j) Any other reasonable information required by the director;

(k) A commercial pesticide applicator who applies a pesticide to an agriculture crop or agricultural land shall provide a copy of the records data required by WAC 296-306-40003(2) for the application, to the owner, or to the lessee if applied on behalf of the lessee, of the lands to which the pesticide is applied. Records data provided by a commercial pesticide applicator to the owner or lessee of agriculture lands under this section need not be provided on a form adopted by the department.

~~((3))~~ (2) The ~~((employer shall update the workplace pesticide list))~~ records shall be updated on the same day that a pesticide is applied ~~((or is first stored in a work area))~~. If the employer has been provided a copy of a pesticide application record under subsection (1) of this section, the copy may be used as the record of the pesticide application under this section. The employer shall maintain and preserve the pesticide application records no less than seven years from the date of the application of the pesticide to which the records refer.

~~((a))~~ The workplace pesticide list may be prepared for the workplace as a whole or for each work area and must be readily available to employees and their designated representatives.)

~~((b))~~ (3) The pesticide application records shall be readily accessible to the employer's employees and their designated representatives in a central location in the work place beginning on the day the application is made and for at least thirty days following the application. The employee or representative shall be entitled to view the pesticide application records and make his or her own record from the information contained in the application records.

(4) New or newly assigned employees shall be made aware of the ~~((pesticide chemical list))~~ accessibility of the application records before working with pesticides or in a work area containing pesticides.

~~((4))~~ (5) An employer subject to this section, who stores pesticides, shall ~~((maintain one form for each application or for each crop or work area, or workplace as a whole, as appropriate))~~, at least once in each calendar year, perform an inventory of the pesticides stored in any work area.

~~((a))~~ The forms shall be accessible and available for copying and shall be stored in a location suitable to preserve their physical integrity.

(b) The farm owner/operator shall maintain and preserve the forms required under this section for no less than seven years.

(c) The records shall include an estimation of the total amount of each pesticide listed on the forms.

(5) After the effective date of this section, if an employer has failed to maintain and preserve the forms as required,

~~the employer shall be subject to any applicable penalties authorized under chapter 49.70 or 49.17 RCW.)~~

(6) ~~((f))~~ The pesticide inventory records shall include the following information:

(a) The location of the site where the pesticide is stored;
(b) The year, month, day, and time the pesticide was first stored;

(c) The product name used on the registered label and the United States Environmental Protection Agency Registration Number, if applicable, of the pesticide that is stored; and

(d) The amount of pesticide in storage at the time of the inventory.

(7) The inventory records shall be maintained and preserved for no less than seven years.

(8) In addition to performing the annual pesticide inventory required under this section, an employer shall maintain a record of pesticide purchases made between the annual inventory dates.

(a) In lieu of this purchase record, an employer may obtain from distributors from who pesticides are purchased, a statement obligating the distributor to maintain the purchase records on behalf of the employer and in satisfaction of the employer's obligation under this section.

(b) The director may require the submission of all purchase records from employers or distributors, covering the purchases during a specified period of time or in a specified geographical area.

(9) When activities for which ~~((forms))~~ the records are maintained cease ~~((at a workplace))~~, the ~~((forms))~~ records shall be filed with the department. If an employer subject to this section is succeeded or replaced in that function by another person, the person who succeeds or replaces the employer shall retain the ~~((forms))~~ records as required by this section but is not liable for violations committed by the former employer under chapter 49.70 RCW or rules adopted under chapter 49.70 RCW, including violations relating to the retention and preservation of ~~((forms))~~ records.

~~((7))~~ The employer shall provide copies of the forms.)
(10) The records required under this section shall be readily accessible to the department for inspection. Copies of the records shall be provided on request, to:

(a) An employee or the employee's designated representative in the case of an industrial insurance claim filed under Title 51 RCW with the department of labor and industries;

(b) Treating ~~((medical))~~ health care personnel;
(c) The pesticide incident reporting and tracking review panel; or

(d) Department representative.
~~((a))~~ (11) The designated representative or treating ~~((medical))~~ health care personnel are not required to identify the employee represented or treated.

~~((b))~~ (12) The department shall keep the name of any affected employee confidential in accordance with RCW 49.17.080(1).

~~((c))~~ If an employee, a designated representative, treating medical personnel, or the pesticide incident reporting and tracking review panel requests a copy of a form and the employer refuses to provide a copy, the requester shall notify the department of the request and the employer's refusal.

(d)) (13) When a request for records is made under this subsection by treating health care personnel and the record is required for determining treatment, copies of the record shall be provided immediately. Information for treating health care personnel shall be made immediately available by telephone, if requested, with a copy of the records provided within twenty-four hours. For all other requests, copies of the records shall be provided within seventy-two hours.

(14) Copies of records provided to any person or entity under this subsection shall, if so requested, be provided or made available on a form provided by the department.

(15) If an employer has reason to suspect that an employee is ill or injured because of an exposure to one or more pesticides, the employer shall immediately provide the employee a copy of the relevant pesticide application records.

(16) If a request for a copy of a record is made under this section and the employer refuses to provide a copy, the requester may notify the department of the request and the employer's refusal.

(a) Within seven working days, the department shall request that the employer provide the department with all pertinent copies of the records, except that in a medical emergency the request shall be made within two working days.

((e)) (b) The employer shall provide copies of the ((form)) records to the department within twenty-four hours after the department's request.

((8) The employer may maintain computerized records as long as the computer that is utilized is programmed and equipped to print complete records in the form and format prescribed by subsection (9) of this section.

(9) The farm owner/operator shall utilize, maintain, and keep record forms as indicated in WAC 296-306-40005 to comply with provisions of this section.)) (17) The department shall include inspection of the records required under this section as part of any on-site inspection of a work place conducted under this chapter or chapter 49.17 RCW. The inspection shall determine whether the records are readily transferable to a form adopted by the department, and readily accessible to employees. However, no employer subject to department inspection may be inspected more than once in any calendar year, unless a previous inspection has found recordkeeping violations. If recordkeeping violations are found, the department may conduct reasonable multiple inspections, pursuant to rules adopted by the department (see WAC 296-27-16018, Compliance inspections, and WAC 296-27-16026, Programmed inspections). Nothing in this subsection limits the department's inspection of records pertaining to pesticide-related injuries, illnesses, fatalities, accidents, or complaints.

(18) If the employer has failed to maintain and preserve the records, or provide access to or copies of the records required under this section, the employer shall be subject to penalties authorized under RCW 49.17.180.

(19) The department of labor and industries and the department of agriculture shall jointly adopt by rule, forms that satisfy the information requirements of this section and RCW 17.21.100. (See WAC 296-306-40005, pesticide recordkeeping forms.)

NEW SECTION

WAC 296-306-40007 Emergency medical care information. (1) The address and telephone number of the nearest emergency medical-care facility shall be posted.

(2) Updating. The agricultural employer shall inform workers promptly of any changes to the information on emergency medical-care facilities.

(3) Location.

(a) The information shall be displayed in a location on the farm or in the nursery or greenhouse where it can be readily seen and read by workers.

(b) The information shall be displayed in a location in or near the forest in a place where it can be readily seen and read by workers and where workers are likely to congregate or pass by, such as a shop or an equipment storage site.

(4) Accessibility. Workers shall be informed of the location of the information and shall be allowed access to it.

(5) Legibility. The information shall remain legible during the time it is posted.

NEW SECTION

WAC 296-306-40009 Emergency assistance. If there is reason to believe that a worker has been poisoned or injured by pesticides used on the agricultural establishment, including, but not limited to, exposures from application splash, spill, drift and pesticide residues, the agricultural employer shall:

(1) Make available to the worker prompt transportation to an appropriate emergency medical facility.

(2) Provide, promptly, the following information to the worker or to treating medical personnel:

(a) Product name, EPA registration number, and active ingredients in any product to which the worker might have been exposed during the previous 30 days.

(b) Antidote, first aid, and other medical information from the product labeling.

(c) Information about the circumstances of application or use of the pesticide on the farm, greenhouse, nursery, or forest, and about the exposure of the worker to the pesticide.

NEW SECTION

WAC 296-306-40011 Cholinesterase monitoring for employees mixing, loading, or applying organophosphate pesticides, and/or early reentering of treated areas. Non-Mandatory. (1) The department recommends employers implement a screening program for cholinesterase monitoring for employees handling organophosphate and carbamate pesticides.

(2) Monitoring of employees who handle carbamate or organophosphate pesticides for blood cholinesterase levels is an acceptable bioassay method for determining the extent and effects of exposure to this type of pesticide. The schedule of testing should include a preexposure baseline level, followed by periodic monitoring during the period of exposure.

(3) Employers should provide baseline cholinesterase tests for all employees handling carbamate or organophosphate pesticides for 30 hours or more in any 30-day period.

(4) Baseline tests should be provided prior to actual exposure, at the beginning of the growing season, or upon first hire. These baseline tests should be repeated every two years.

(5) Periodic tests should be conducted every 30 days after the initial baseline for the next three months, and every 60 days thereafter until organophosphate or carbamate pesticide exposure ceases.

(6) The employer should not allow a monitored employee to be further exposed to carbamate or organophosphate pesticides if any cholinesterase test in comparison to the baseline is less than 70% of red blood cell baseline levels or 60% of plasma baseline levels. These employees should not be further exposed to organophosphate pesticides until their cholinesterase levels return to 80% or more of their baseline levels.

(7) Plasma or red blood cell cholinesterase level monitoring should be done.

(8) Monitoring programs should include appropriate follow-up and referrals to health care providers as needed, and should include a mechanism for recordkeeping and report tracking.

WSR 92-21-107
PROPOSED RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES

[Filed October 21, 1992, 11:45 a.m.]

Original Notice.

Title of Rule: Special service programs—Running start program.

Purpose: To provide administrative rules for the operation of the running start program, which allows certain high school students to concurrently enroll in community or technical colleges while completing high school diploma requirements.

Other identifying information: Repeal of former rule and enactment of a new set of running start rules for the SBCTC (WAC 131-46-010 through 131-46-120).

Statutory Authority for Adoption: RCW 28A.600.390.

Statute Being Implemented: RCW 28A.600.340-[28A.600].395.

Summary: To provide administrative rules for the operation of the running start program, which allows certain high school students to concurrently enroll in community or technical colleges while completing high school diploma requirements.

Reasons Supporting Proposal: The SBCTC finds that repeal of the former rule and enactment of a new rule with one coordinated with counterpart rules (which will be filed separately by the Higher Education Coordinating Board and the Superintendent of Public Instruction's office will result in more efficient and effective administration of the program.

Name of Agency Personnel Responsible for Drafting: Ron Crossland, State Board for Community and Technical Colleges, Olympia, 753-3674; Implementation: Rich Montecucco, 753-3674 and Ron Crossland, 586-1197, State Board for Community and Technical Colleges, Attorney

General's Office; Enforcement: Rich Montecucco, Attorney General's Office, Olympia, 586-1197.

Name of Proponent: State Board for Community and Technical Colleges, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Repeal of a former rule and enactment of a new set of running start rules for the State Board for Community and Technical Colleges (WAC 131-46-010 through 131-46-120). The running start program allows certain high school students to concurrently enroll in community or technical colleges while completing high school diploma requirements. The rule will be coordinated with the Higher Education Coordinating Board and the Superintendent of Public Instruction's Office (who will file separate rules but by doing so may reference our rules). The agencies involved believe adoption of the new rules will result in a more efficient and effective administration of the running start program. The original running start legislation designates the State Board for Community and Technical Colleges as the lead agency for program rules coordination.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA, on Thursday, December 3, 1992, at 10 a.m.

Submit Written Comments to: Claire Krueger, Community and Technical College Board, 319 7th Avenue, Olympia, WA 98504, by November 25, 1992.

Date of Intended Adoption: December 3, 1992.

October 21, 1992
 Claire C. Krueger
 Executive Assistant
 Rules Coordinator

Chapter 131-46 WAC
SPECIAL SERVICE PROGRAMS — RUNNING
START PROGRAM

NEW SECTION

WAC 131-46-010 Authority. The authority for this chapter is RCW 28A.600.390, which authorizes the superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board to jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380, and 28A.150.260 and 28A.150.290 which authorize the superintendent of public instruction to adopt rules governing basic education allocation moneys.

NEW SECTION

WAC 131-46-015 Purpose. The purpose of this chapter is to set forth policies and procedures governing the running start program.

NEW SECTION

WAC 131-46-020 Running start program — Definition. As used in this chapter, the term "running start program" means the enrollment of an eligible student under this chapter simultaneously in school district and community college or technical college courses, or both, or solely in community college or technical college courses, or both, for the purpose of earning high school credit to be awarded by a school district, and such additional college level academic and vocational credit as may be awarded by a community college or technical college.

NEW SECTION

WAC 131-46-025 Eligible student — Definition. As used in this chapter, the term "eligible student" means any person, including a person who is otherwise attending a private school or receiving home-based instruction, who meets each of the following conditions:

(1) The person is under the age of twenty-one years of age at the beginning of the school year (September 1 through August 31).

(2) The person is eligible by reason of his or her residence or admission under the law to enroll in the school district through which the person seeks to obtain the award of running start program high school credit. See, RCW 28A.175.090 ("at risk" students), 28A.225.160 (residents of a school district), 28A.225.170 (residents of United States and Indian reservations), 28A.225.210 (residents of "nonhigh" school districts), and RCW 28A.225.220 ("choice" students).

(3) The person is eligible under the grade placement policies of the school district through which the person seeks to obtain running start program high school credit to be in the eleventh or the twelfth grade.

(4) The person has not as of the beginning of the school year received a high school diploma or its equivalent, excluding a general education development certificate.

(5) The person has not as of the beginning of the school year earned the credits required for the award of a high school diploma by the school district through which the person seeks to obtain the award of running start program high school credit.

NEW SECTION

WAC 131-46-030 Full-time equivalent high school student—Definition. The definition of a "fulltime equivalent high school student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes, each eligible student enrolled in a school district high school program as of the fourth school day of the school year (September 1 through August 31) and/or as of the first school day of eight subsequent months, for not less than twenty-five hours each week, or five hours (three hundred minutes) each scheduled school day.

NEW SECTION

WAC 131-46-035 Full-time equivalent community college and technical college student—Definition. The definition of a "full-time equivalent community college student" and "full-time equivalent technical college student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes each eligible student enrolled in a community college or a technical college as of the fourth college day of the school year (September 1 through August 31) and/or as of the first college day of eight subsequent months, for not less than fifteen quarter credit hours.

NEW SECTION

WAC 131-46-040 Annual average full-time equivalent student—Definition. The definition of "annual average full-time equivalent student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter, means and includes the quotient obtained by dividing the annual total of an eligible student's full-time running start program enrollment counts reported under WAC 392-169-100 by nine.

NEW SECTION

WAC 131-46-045 Community college and technical college districts—Definition. As used in this chapter, the terms "community college district" and "technical college district" mean the appointed board of trustees of a Washington public community college district or technical college districts and the territory, facilities, and educational programs under the jurisdiction of the board of trustees.

NEW SECTION

WAC 131-46-050 Community and technical colleges—Definition. As used in this chapter, the terms "community college" and "technical college" mean a Washington public two-year institution of higher education under the jurisdiction of a community college district or technical college district.

NEW SECTION

WAC 131-46-055 School district—Definition. As used in this chapter, the term "school district" means the elected board of directors of a Washington public school district and the territory, facilities, and educational programs under the jurisdiction of the board of directors.

NEW SECTION

WAC 131-46-060 Annual notice to students and parents. Each school district shall annually provide general information respecting the running start program to all tenth and eleventh grade students of the school district and their parents and guardians.

NEW SECTION

WAC 131-46-065 Enrollment—General requirements and conditions. The enrollment of an eligible student in the running start program shall be governed as follows:

(1) An eligible student is responsible for applying for and pursuing admissions to a community college or technical college.

(2) It shall not be necessary for an eligible student to obtain a release of attendance from his or her resident school district in order for the student to enroll in any community college or technical college.

(3) An eligible student is entitled to enroll in any community college and any technical college in the state for running start program purposes subject to each of the following conditions and limitations:

(a) Enrollment is limited to college level academic or vocational courses.

(b) Prior conformation pursuant to WAC 392-169-065 by the school district through which the student seeks to obtain the award of running start program high school credit of the amount of high school credit to be awarded.

(c) Acceptance by the community college or technical college subject to generally applicable admission and enrollment requirements and limitations established by the community college or technical college, including a determination that the student is competent to profit from the college level academic or vocational course(s) the student seeks to enroll in: **PROVIDED**, That a technical college shall not deny admission or continued attendance to a student under twenty-two years of age with a disability based upon impaired competency or the creation of a disruptive atmosphere associated with the person's disability.

(d) The limitations upon the duration and extent of community college and technical college course enrollment set forth at WAC 392-169-070.

(4) An eligible student shall not be required by a community college or technical college to pay any tuition or other fee as a condition to the student's full participation in community college and technical college course work and related activities, or as a condition to the award of credit therefor: **PROVIDED**, That requiring a student to provide and pay for consumable supplies, textbooks, and other materials to be retained by the student does not constitute the assessment of tuition or a fee for purposes of this subsection.

(5) Once an eligible student has been enrolled in a community college or technical college course or program, the student shall not be displaced by another student: **PROVIDED**, That the student's continued enrollment in a course or program and enrollment in other courses or programs shall be subject to generally applicable enrollment requirements and limitations established by the community college or technical college: **PROVIDED FURTHER**, That a technical college shall not deny continued attendance to a student under twenty-two years of age with a disability based upon impaired competency or the creation of a disruptive atmosphere associated with the student's disability.

NEW SECTION

WAC 131-46-070 Enrollment—High school credit—Prior confirmation. As a condition to an eligible student's enrollment in community college or technical college courses under this chapter, the eligibility of the courses which the student intends to take for the award of high school credit and the amount of such credit shall first be established, as follows:

(1) The student shall notify the school district through which the student seeks to obtain the award of running start program high school credit of the specific community college and technical college courses he or she intends to take and shall request confirmation of the amount of high school credit that will be awarded upon successful completion of the courses.

(2) The school district shall establish in accordance with chapter 180-51 WAC the amount of high school required or elective credit that shall be awarded for each course successfully completed by the student.

(3) If no comparable course is offered by the school district, the school district superintendent shall determine the amount of high school credit which shall be awarded, if any, following consultation with a community college or technical college representative designated for that purpose.

(4) Within twenty school district business days of a student's request for confirmation of credit the school district superintendent or other designated school district representative shall confirm in writing the amount of high school credit which shall be awarded upon successful completion of the courses.

NEW SECTION

WAC 131-46-075 Enrollment—Extent and duration. The extent and duration of an eligible student's enrollment in the running start program shall be limited as set forth in subsections (1) through (5) of this section: **PROVIDED**, That a school district and a community college district or technical college district may mutually agree to allow eligible students to exceed the one full-time equivalent student enrollment limitation established by subsection (1) so long as the enrollment claimed for basic education allocation purposes does not exceed the WAC 392-169-105 full-time equivalent student claim limitations.

(1) The combined enrollments of an eligible student in a high school and in a community college or technical college, or any combination thereof, under this chapter shall not concurrently exceed one full-time equivalent student. Accordingly, an eligible student must elect to enroll in high school for less than twenty-five hours per week in order to concurrently enroll in a community college or technical college.

(2) A student who enrolls in grade eleven may enroll in a school district, community college, technical college, or any combination thereof, for no more than the course work equivalent to two regular academic years of attendance as an annual average full-time equivalent student, (i.e., six college quarters as a full-time equivalent community college or technical college student, two one hundred eighty-day or more regular school years as a high school full-time equivalent student, or a combination thereof not to exceed two annual average full-time equivalent enrollment(s).

(3) A student who enrolls in grade twelve may enroll in a school district, community college, technical college, or any combination thereof, for no more than the course work equivalent to one regular academic year of attendance as an annual average full-time equivalent student.

(4) A student who becomes eligible during the regular school year for the award of a high school diploma by the school district through which the student seeks the award of running start program high school credit shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district at which time the student's entitlement to enroll under this chapter shall terminate.

(5) A student whose twenty-first birthday occurs during the regular school year shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district through which the student seeks to obtain running start program high school credit at which time the student's entitlement under this chapter to enroll shall terminate.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 131-46-080 Academic standards and discipline—Jurisdiction of educational agencies. Each school district, community college district and technical college district shall have and exercise exclusive jurisdiction over academic and discipline matters involving an eligible student's enrollment and participation in courses of, and the receipt of services and benefits from, the school district, the community college district and the technical college district.

NEW SECTION

WAC 131-46-085 Compliance with federal and state requirements of law—Special education program requirements—Necessary cooperative agreements. As a general rule, a school district, a community college district and a technical college district are independently responsible for assuring compliance with federal and state requirements of law which are applicable to the provision of services and benefits by the school district, community college district or technical college district under this chapter. If, however, the individualized education program of an eligible student established under chapter 392-171 WAC provides for such enrollment in a community college or a technical college, the school district which established the individualized education program shall also be responsible for assuring compliance with chapter 392-171 WAC in connection with the student's enrollment in the community college or technical college. School districts, community college districts and technical college districts shall enter into cooperative agreements as necessary to assure compliance with their respective duties under federal and state law, including agreements which

substantiate a school district's claim to necessary federal and state special education funding.

NEW SECTION

WAC 131-46-090 High school credit—Award by school districts. Upon confirmation by a community college or technical college of an eligible student's successful completion of running start program courses, the school district shall record on the student's secondary school records and transcript the high school credit previously confirmed under WAC 392-169-065, together with a notation that the courses were taken at a community college or technical college. See WAC 180-51-050 which provides for the conversion of college credits to high school credits at the rate of one high school credit for five college quarter or three college semester hour credits.

NEW SECTION

WAC 131-46-095 Finance—Generation of state and federal moneys. Each eligible student shall generate state and federal moneys based upon the student's enrollment under this chapter in school district, community college, or technical college courses or programs, or any combination thereof, in accordance with the definitions of full-time equivalent students set forth in WAC 392-169-025 through 392-169-035, the enrollment and enrollment count limitations set forth in WAC 392-169-070 and 392-169-105, rules of the superintendent of public instruction set forth at Title 392-WAC which supplement and do not conflict with this chapter, and the Biennial Operating Appropriations Act.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 131-46-100 Finance—Community college and technical college reporting requirements. Each community college and technical college that enrolls an eligible student under this chapter shall periodically report enrollment information as follows:

(1) Within ten calendar days of acceptance of the student, provide written notice to the student, superintendent of public instruction, and the school district through which the student seeks to obtain running start program high school credit of the courses and the credit hours or instructional/clock hours of enrollment.

(2) On a monthly basis, provide such enrollment information to the school district through which the student seeks to obtain the award of running start program high school credit as is necessary for the school district to claim basic education allocation moneys under this chapter and chapter 392-121 WAC including, but not limited to, notice of termination of the student's enrollment in a course due to absence, withdrawal, suspension, or expulsion.

NEW SECTION

WAC 131-46-105 Finance—School district reporting requirements. Each school district through which an eligible student seeks to obtain running start program high school credit shall make all reports to the superintendent of public instruction in accordance with this chapter and chapter 392-121 WAC as are necessary to substantiate the district's entitlement to the receipt of basic education allocation moneys based upon the student's high school, community college, and technical college enrollment under this chapter. Eligible students shall be so reported as full-time equivalent students, or fractions thereof, in accordance with the definitions of full-time equivalent students set forth at WAC 392-169-025 through 392-169-035.

NEW SECTION

WAC 131-46-110 Finance—Limitations on enrollment counts. No eligible student enrolled in a high school, community college, technical college, or any combination thereof, reported under WAC 392-169-095 and 392-169-100 shall be counted as more than one full-time equivalent student for any single month or more than one annual average full-time equivalent student in any school year: **PROVIDED**, That an eligible student who enrolls in grade eleven and elects to enroll in a summer community college or technical college program that school year in order to accelerate his or her high school graduation may be counted as more than one annual average full-time equivalent student for that school year: **PROVIDED FURTHER**, That the student shall not be counted the succeeding school year as more than one annual average full-time equivalent student less that portion of the prior school year count which exceeded one annual average full-time equivalent student count.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 131-46-115 Finance—Apportionment and payment of basic education allocation moneys to community college districts and technical college districts. School districts and community or technical college districts may enter into agreements which provide for and govern the apportionment and payment of basic education allocation moneys generated by running start program students. In the absence of such an agreement to the contrary, the school district through which an eligible student seeks to obtain running start program high school credit shall apportion such moneys and make payment on not less than a quarterly basis to the community college or technical college district serving the student under this chapter as follows:

(1) If an eligible student is enrolled exclusively in a community college or a technical college, all basic education moneys generated by the student shall be paid to the community college district or technical college of enrollment: **PROVIDED**, That in such cases the school district through which the student seeks to obtain running start program high school credit may retain up to five percent of such moneys to offset costs incurred in evaluating

and granting high school credit and processing basic education allocation claims and payments.

(2) If an eligible student is enrolled simultaneously in the school district through which the student seeks to obtain running start program high school credit and a community college or a technical college, the school district through which the student seeks such high school credit shall retain that portion of the basic education allocation moneys generated by the student based upon the student's high school enrollment, and shall pay to the community college district or technical college district the balance consisting of that portion of such moneys generated by the student based upon the student's community college or technical college enrollment (e.g., in the case of an eligible student enrolled five hours a week in a high school (one-fifth of an FTE) and five quarter credit hours in a community college (one-third of and FTE), the school district would retain an amount equal to one-fifth of a full basic education allocation and pay to the community college district an amount equal to one-third of a full basic education allocation).

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 131-46-120 Current and future community college and technical college enrollment alternatives not affected. This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a community college or technical college pursuant to a contractual agreement entered into pursuant to RCW 28B.50.530 (inter school district/college district cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See WAC 392-121-183 (contracting with an educational institution other than a school district).

REPEALER

WAC 131-32-050 Running start program.

WSR 92-21-108
PROPOSED RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES
 [Filed October 21, 1992, 11:48 a.m.]

Original Notice.

Title of Rule: Enactment of new language to WAC 131-16-060 regarding repurchase of annuity contract under certain conditions, and to accommodate new changes in the repurchase-approval provisions of TIAA/CREF annuity contracts under certain conditions.

Purpose: To accommodate the changes in TIAA/CREF repurchase-approval provisions and to place the details regarding repurchases in administrative instructions rather than in rules.

Statutory Authority for Adoption: RCW 28B.10.400.

Statute Being Implemented: RCW 28B.10.400 - [28B.10].431.

Summary: The SBCTC finds that the existing rules should be amended and brought into immediate compliance

with TIAA/CREF's current repurchase policies. The change is that details regarding TIAA/CREF's repurchases would be set in administrative instructions rather than in rules.

Name of Agency Personnel Responsible for Drafting: Larry Lael, State Board for Community and Technical Colleges, Olympia, 753-3661; Implementation: Larry Lael, State Board for Community and Technical Colleges and Rich Montecucco, Attorney General's Office, Olympia, 586-1197; and Enforcement: Rich Montecucco, Attorney General's Office, Olympia, 586-1197.

Name of Proponent: State Board for Community and Technical Colleges, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: TIAA/CREF has recently changed the conditions under which they will approve contract repurchases. Different conditions for repurchases apply depending on whether an employee's TIAA/CREF contract was issued before (or on or after) January 1, 1992. The purpose of the proposed amendment to WAC 131-16-060 is to accommodate the changes in repurchase-approval provisions and to place the details regarding repurchases in administrative instructions rather than in the rules.

Proposal Changes the Following Existing Rules: Rather than outlining the conditions under which repurchase of annuity contracts can be made, the change accepts as applicable TIAA/CREF's published repurchase guidelines.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA, on Thursday, December 3, 1992, at 10:30 a.m.

Submit Written Comments to: Claire Krueger, State Board for Community and Technical Colleges, 319 7th Avenue, Olympia, WA 98504, by November 25, 1992.

Date of Intended Adoption: December 3, 1992.

October 21, 1992
 Claire C. Krueger
 Executive Assistant
 Rules Coordinator

AMENDATORY SECTION (Amending Resolution No. 91-20, Order 129, filed 6/4/91 [6/14/91], effective 7/15/91)

WAC 131-16-060 Repurchase of annuity contract under certain conditions. In the event a participant leaves the employ of all (~~any~~) Washington community and technical college districts (~~or~~) and the state board (~~for reasons other than retirement or disability~~) and the participant requests repurchase of his or her TIAA (~~or~~) CREF accumulation, (~~the state board approves such repurchases as are recommended by the appropriate district board of trustees: PROVIDED, That TIAA/CREF agrees to such repurchase: AND PROVIDED FURTHER, That the portion of the repurchase attributable to contributions made by employing college district shall be returned to that district by TIAA/CREF.~~

The state board will agree to the repurchase of contracts only if) such repurchase is authorized: PROVIDED, That TIAA/CREF's published repurchase guidelines applicable to

the participant's contract (~~(all the following conditions)) are~~ (~~met~~) followed. (~~:~~

- ~~(a) Payments to the annuitant have not begun;~~
- ~~(b) The annuity has been in force for five years or less;~~
- ~~(c) The annuitant requests repurchase of all annuities he or she owns;~~
- ~~(d) The annuitant is neither employed at nor is transferring to an institution having a TIAA/CREF retirement plan;~~
- ~~(e) All educational institutions that contributed any part of the premiums consent to the repurchase;~~
- ~~(f) If the annuitant has more than one annuity, the total value of all TIAA/CREF annuities and the longest duration of any of them shall govern in determining whether a repurchase will be made under this rule.)~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 92-21-009
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 92-13—Filed October 9, 1992, 3:50 p.m.]

Date of Adoption: September 4, 1992.

Purpose: To define procedures for allocating state traffic safety education moneys for the 1992-93 school year and thereafter.

Citation of Existing Rules Affected by this Order: Amending WAC 392-122-320 through 392-122-322.

Statutory Authority for Adoption: RCW 28A.220.030.

Other Authority: Section 509, chapter 232, Laws of 1992.

Pursuant to notice filed as WSR 92-15-093 on July 17, 1992.

Effective Date of Rule: Thirty-one days after filing.

October 9, 1992
 Judith A. Billings
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 92-04, filed 1/22/92, effective 2/22/92)

WAC 392-122-320 Traffic safety education—Apportionment of state moneys. From moneys appropriated for traffic safety education, the superintendent of public instruction shall allocate moneys to each school district as follows:

(1) For the 1991-92 school year, the school district's allocation equals:

(a) The number of completing students as reported on Form F-196 for the 1989-90 school year; multiplied by

(b) The percentage of enrollment determined by the superintendent of public instruction to be eligible for free and reduced priced lunches for the 1990-91 school year; and further multiplied by

(c) The state-wide uniform rate determined by dividing the available appropriation for the 1991-92 school year by the estimated state-wide number of low-income traffic safety education completers.

(2) Payments for the 1991-92 school year shall be at the rate of ten percent a month for the months of September through June.

(3) Moneys for the 1991-92 school year recovered pursuant to WAC 392-122-322 ~~((shall))~~ may be reallocated proportionately among school districts which report 1991-92 low-income tuition assistance in excess of the allocation provided pursuant to subsection (1) of this section.

(4) For the 1992-93 school year and thereafter, the school district's allocation equals the sum of the following amounts:

(a) The number of completing low-income students reported by the school district pursuant to WAC 392-122-321 times the state-wide uniform rate determined by dividing the available appropriation for low-income tuition assistance by total completing low-income students reported by all school districts; and

(b) The total number of completing students reported by the school district pursuant to WAC 392-122-321 times the

state-wide uniform rate determined by dividing the available appropriation (excluding low-income tuition assistance moneys) by total completing students reported by all school districts.

(5) For the 1992-93 school year and thereafter the superintendent of public instruction shall make payments in the same manner as provided in WAC 392-121-400.

AMENDATORY SECTION (Amending Order 92-04, filed 1/22/92, effective 2/22/92)

WAC 392-122-321 Traffic safety education—School district reporting. Each school district receiving state traffic safety education moneys for a school year shall report to the superintendent of public instruction as follows:

(1) By November 1 of the following school year, the school district shall report the following information for the school year of the allocation:

~~((1))~~ (a) The total number of traffic safety education completing students;

~~((2))~~ (b) The total number of low-income traffic safety education completing students;

~~((3))~~ (c) The amount of ~~((the traffic safety education allocation used for providing))~~ low-income tuition assistance provided by the school district;

~~((4))~~ (d) The criteria used for providing low-income assistance;

~~((5))~~ (e) The fee paid by low-income completing students; and

~~((6))~~ (f) The fee paid by completing students who are not low-income.

(2) At any time prior to November 1, 1993, any school district using 1992-93 traffic safety education moneys provided pursuant to this chapter to reimburse students for traffic safety education fees paid during the 1991-92 school year, may report the amount of such reimbursements to the superintendent of public instruction. Such report shall be in writing and shall be signed by the school district superintendent or the superintendent's designee.

AMENDATORY SECTION (Amending Order 92-04, filed 1/22/92, effective 2/22/92)

WAC 392-122-322 Traffic safety education—Recovery of moneys. The superintendent of public instruction shall recover traffic safety education allocations as follows:

(1) After November 1 of the following school year, the superintendent of public instruction shall compare each school district's state traffic safety education allocation for low-income tuition assistance for the school year and the amount ~~((the school district used to provide))~~ of low-income tuition assistance for traffic safety education provided by the school district for the school year as reported pursuant to WAC 392-122-321 (1)(c). Any part of the allocation not used to provide low-income tuition assistance shall be recovered.

(2) Moneys may be recovered pursuant to chapter 392-117 WAC, WAC 392-122-900, or ~~((WAC))~~ 392-122-910.

(3) In determining recoveries of traffic safety education allocations other than those provided for low-income tuition assistance the superintendent of public instruction shall compare such allocations to the school district's total traffic

safety education expenditures for the school year as reported on Report F-196, Part III. For the purpose of determining recoveries for the 1992-93 school year, any reimbursement reported by a school district pursuant to WAC 392-122-321(2) shall be added to the district's 1992-93 traffic safety education expenditures.

WSR 92-21-010
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed October 12, 1992, 10:19 a.m.]

Date of Adoption: October 12, 1992.

Purpose: Clarifies property assignment procedures for assignment of real property in lieu of cash or surety bonds to meet licensing requirements.

Citation of Existing Rules Affected by this Order:
 Amending WAC 308-72-510.

Statutory Authority for Adoption: RCW 82.36.060.

Pursuant to notice filed as WSR 92-16-040 on July 31, 1992.

Changes Other than Editing from Proposed to Adopted Version: Removed . . ."licensed real estate" . . . and inserted "certified" in subparagraph (3), which is a minor change.

Effective Date of Rule: Thirty-one days after filing.

October 12, 1992

Mary Riveland

Director

AMENDATORY SECTION (Amending Order 107MV, filed 9/10/71)

WAC 308-72-510 Property statement in lieu of a bond. A property statement in lieu of a ~~((corporate))~~ surety bond or lawful money of the United States, or bonds or other obligations of the United States, the state of Washington or any county of the state may be filed ~~((by a licensed distributor, provided, the statement sets forth a complete description of property, the value thereof, and the amount of any indebtedness or encumbrance thereon)).~~ To qualify property in lieu of cash, surety or other federal or state bonds as indicated, the corporation, partnership or individual proprietor applying to be licensed as a distributor, or continuing in business as a distributor, must comply with or furnish:

(1) A legal description of the property from the auditor/assessor's office in the county in which the property is located.

(2) A title search showing the property is free and clear of all liens and encumbrances, other than easements.

(3) A current appraisal from a certified appraiser and a most current statement from the county assessor indicating assessed value.

(4) If buildings are incorporated into the property value, adequate insurance, with the state named as beneficiary, must accompany the legal description.

(5) A statement stating the property is not contaminated by fuel leakage. If fuel storage tanks are, or have been located on the property, an initial site assessment from an

environmental engineer indicating the property is not contaminated is required.

(6) A properly recorded Deed of Trust conveying the property to the Washington state department of licensing.

(7) Upon request by the licensee or discontinuance of the distributor's license, and after the department has determined all taxes, penalties and interest have been paid, the department shall satisfy the Deed of Trust and return it to the principal.

The net value of the property shall be equal to or greater than twice the estimated monthly tax due or to become due as determined in such manner as the ~~((director))~~ department deems proper. A revised or amended property statement shall be furnished by the licensed distributor when the value of the property described on a property statement that has been accepted by the ~~((director))~~ department is known to be less than twice the estimated monthly tax. A property ~~((statement))~~ assignment that has been accepted by the ~~((director))~~ department shall be revised and brought up-to-date every three years or sooner if requested by the ~~((director))~~ department.

WSR 92-21-021
PERMANENT RULES
GAMBLING COMMISSION
 [Filed October 13, 1992, 3:47 p.m.]

Date of Adoption: October 9, 1992.

Purpose: To change reporting requirements to annual reporting for commercial amusement game operations.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 230-08-240; and amending WAC 230-08-180.

Statutory Authority for Adoption: RCW 9.46.070.

Pursuant to notice filed as WSR 92-15-055 on July 13, 1992.

Changes Other than Editing from Proposed to Adopted Version: See Purpose above.

Effective Date of Rule: Thirty-one days after filing.

October 13, 1992

Sharon M. Tolton

Rules Coordinator

REPEALER

The following section of the Washington Administrative Code is repealed:

| | |
|----------------|---|
| WAC 230-08-240 | Annual activity reports by commercial amusement game operators Class A and B. |
|----------------|---|

AMENDATORY SECTION (Amending Order 227, filed 9/18/91, effective 10/19/91)

WAC 230-08-180 ((Quarterly)) Annual activity reports by commercial amusement game operators. (License Class ~~((C))~~ B and above) (1) Each licensee for the operation of commercial amusement games Class ~~((C))~~ B and above shall submit an activity report to the commission concerning the operation of the licensed activity and other

matters set forth below (~~during each of the following periods of the year:~~

- ~~(a) January 1st through March 31st;~~
- ~~(b) April 1st through June 30th;~~
- ~~(c) July 1st through September 30th; and~~
- ~~(d) October 1st through December 31st).~~

(2) The report form shall be furnished by the commission and the completed report shall be received in the office of the commission or postmarked no later than ~~((60))~~ sixty days following the ((end of the period for which it is made)) license expiration date.

(3) The report shall be signed by the highest ranking executive officer or their designee. If the report is prepared by someone other than the licensee or their employee, then the preparer's name and business telephone number must be provided.

~~(4) ((If the licensee does not renew his license, then he shall file a report for the period between the previous report filed and the expiration date of his license.~~

~~(5))~~ The report shall be completed in accordance with the related instructions furnished with the report. The report shall include the following:

- (a) The total gross gambling receipts;
- (b) The total cost to the licensee of all prizes awarded;
- (c) Full details of all expenses related to the purchase and operation of amusement games;
- (d) Total net gambling income;

~~((6))~~ (5) In addition to the above, commercial amusement game ((operators)) licensees operating amusement games at locations on a temporary basis set forth in WAC 230-04-138 ((shall provide)) (1)(a), (d), or (e) or as authorized by WAC 230-20-670(2) shall provide for each separate location:

- (a) The ~~((business))~~ name and address of ~~((each location))~~ the business and/or event;
- (b) The total gross gambling receipts received; and
- (c) The amount of funds distributed to ((each licensee)) the premise/location owner.

WSR 92-21-022

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed October 13, 1992, 3:45 p.m.]

Date of Adoption: October 13, 1992.

Purpose: To define a market veterinarian and describe his duties, establish 18 months as minimum age for MCI backtag, and delete outdated portions.

Statutory Authority for Adoption: RCW 16.36.040 and 16.36.096.

Pursuant to notice filed as WSR 92-20-106 on October 6, 1992.

Effective Date of Rule: Thirty-one days after filing.

October 13, 1992
Michael V. Schwisow
Deputy Director
for C. Alan Pettibone
Director

AMENDATORY SECTION (Amending Order 1102, filed 11/18/68)

WAC 16-604-009 Definitions. For the purposes of this order:

(1) "Market" means public livestock market as defined in RCW 16.65.010(1).

(2) "Department" means the department of agriculture of the state of Washington.

(3) "Director" means the director of the department or his duly authorized representative.

(4) "Licensee" means any person licensed to operate a market.

(5) "Livestock" except as used in the brand inspection regulations of this order means all cattle, horses, mules, swine, sheep, goats, poultry and rabbits.

(6) "Livestock" as used in the brand inspection regulations of this order means all cattle of whatever species, breed or age.

(7) "Lot" means livestock of one ownership.

(8) "Market veterinarian" means a graduate veterinarian licensed in the state of Washington accredited by USDA and employed by a public livestock market.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 1174, filed 12/15/70)

WAC 16-604-020 Facilities and sanitation. ~~((+))~~ Licensees shall provide facilities and sanitation for the prevention of livestock diseases at their public livestock markets, as follows:

~~((+))~~ (1) The licensee shall be responsible for the moving and yarding of livestock necessary for brand inspection. Personnel employed by the salesmarket will be required to sort and designate any apparent unhealthy animals before they are admitted into trade channels.

~~((+))~~ (2) The floors of all pens and alleys that are part of a public livestock market shall be constructed of concrete or similar impervious material and kept in good repair, with a slope of not less than one-fourth inch per foot to adequate drains leading to an approved system: *Provided*, That the director may designate certain pens within such public livestock markets as feeding and holding pens and the floors and alleys of such pens shall not be subject to the aforementioned surfacing requirements.

~~((+))~~ (3) Feeding and holding pens maintained in an area adjacent to a public livestock market shall be constructed and separated from such public livestock market, in a manner prescribed by the director, in order to prevent the spread of communicable diseases to the livestock sold or held for sale in such public livestock market.

~~((+))~~ (4) All yards, chutes and pens used in handling livestock shall be constructed of such material which will render them easily cleaned and disinfected, and such yards, pens and chutes shall be kept clean, sanitary and in good repair at all times, as required by the director.

~~((+))~~ (5) Sufficient calf pens of adequate size to prevent overcrowding shall be provided, and such pens when

used shall be cleaned and disinfected no later than the day subsequent to each sale.

~~((f))~~ (6) All swine pen facilities shall be covered and when used shall be cleaned and disinfected no later than the day subsequent to each sale.

~~((g))~~ (7) A water system carrying a pressure of forty pounds and supplying sufficient water to thoroughly wash all pens, floors, alleys and equipment shall be provided.

~~((h))~~ (8) Sufficient quarantine pens of adequate capacity shall be provided. Such pens shall be used to hold only cattle reacting to brucellosis and tuberculosis or to quarantine livestock with other contagious or communicable diseases and shall be:

~~((i))~~ (a) Hard surfaced with concrete or similar impervious material and shall be kept in good repair.

~~((ii))~~ (b) Provided with separate watering facilities.

~~((iii))~~ (c) Painted white with the word "quarantine" painted in red letters not less than four inches high on such quarantine pen's gate.

~~((iv))~~ (d) Provided with a tight board fence not less than five and one-half feet high.

~~((v))~~ (e) Cleaned and disinfected not later than one day subsequent to the date of sale.

To prevent the spread of communicable diseases among livestock, the director shall have the authority to cause the cleaning and disinfecting of any area or all areas of a public livestock market and equipment or vehicles with a complete coverage of disinfectants approved by the director.

~~((2) For the purpose of tracing dealer consigned livestock to herds of origin for health purposes, the certificate of permit (S.F. No. 4847) will be the accepted document for transferring tracing information to the director at the market. The dealer shall:~~

~~(a) Record on the back of the state copy of the certificate of permit signed by the original owner the number(s) of the back tag(s) applied at the salesyard and submit this copy to the director before the animal is offered for sale at the market.~~

~~(b) Exceptions—this section does not apply to dairy cattle under twenty months of age nor beef cattle under twenty four months of age.)~~

AMENDATORY SECTION (Amending Order 1174, filed 12/15/70)

WAC 16-604-025 Health regulations. (1) The director shall require such testing, treating, identifying, examining and record keeping of livestock by a ~~((deputy state))~~ market veterinarian and/or livestock market as in the director's judgment may be necessary to prevent the spread of brucellosis, tuberculosis, ~~((paratuberculosis, hog cholera))~~ or any other infectious, contagious or communicable disease among the livestock of this state.

(2) For livestock health purposes, the director shall establish procedures for inspection of livestock markets for compliance with sanitary requirements and to observe livestock being handled. Such inspections shall be conducted by animal health inspection personnel working under the jurisdiction of the director. Such inspectors will not issue health certificates, perform "private treaty work" or engage in functions other than those in connection with surveillance for communicable, infectious animal diseases

and sanitary measures. Operators of markets ~~((may))~~ shall arrange with ~~((private veterinary practitioners))~~ a market veterinarian to perform animal health inspections, issue health certificates or certificates of veterinary inspection, perform private treaty work, ~~((etc))~~ and perform any testing, quarantine, or movement restrictions of animals as directed by the director of agriculture or required by federal law.

Departmental inspectors will work in cooperation with any ~~((such private veterinary practitioners))~~ market veterinarians in performing yard inspections.

(3) Markets handling swine shall be required to ~~((provide veterinary health inspection of all swine received, handled or sold. This action is required under Joint State-Federal Cooperative Program for the eradication of hog cholera and to maintain the status as a hog cholera state))~~ identify all boars and sows with official identification. Markets must comply with chapters 16-54 and 16-80 WAC and Title 9, Code of Federal Regulations, Parts 71 and 76, when handling swine for market.

(4) ~~((All animals consigned to market from out of state must be accompanied by an official health certificate signed by an accredited veterinarian in the state of origin. Such animals not so accompanied shall be announced in the ring as illegal entry livestock and may leave the yard to points in Washington under quarantine at destination.~~

~~((5))~~ No livestock may leave the market for points outside the state of Washington without first ~~((obtaining an official health certificate))~~ meeting the requirements of the state of destination and Title 9, Subchapter C, Code of Federal Regulations.

~~((6))~~ (5) Any animal or animals which have been found by the inspector to be diseased or unhealthy shall be handled in accordance with instructions of a veterinarian as to disposition. He may require they be marked "slaughter only" and be sold only to immediate slaughter; require they be sold "as is" with an announcement; require they be returned to consignor with or without quarantine; or require they be held under quarantine in the yard.

~~((7))~~ (6) Brucellosis.

(a) ~~((All cattle originating from a brucellosis free herd, area or state are exempt from brucellosis testing.~~

~~(b) All female cattle, bulls and goats originating from less than a brucellosis free herd, area, or state shall be accompanied by an official health certificate and must be negative to a brucellosis test within thirty days prior to entry into the state of Washington. Steers, spayed heifers and official vaccinates of the dairy breeds under twenty months of age, and official vaccinates of the beef breeds under twenty four months of age are exempt from the testing requirements.~~

~~(c) Cattle may be shipped to Washington markets specifically approved under Title 9, Part 78, CFR, without health certificates or brucellosis testing, and may be moved from the approved market to a licensed slaughter establishment for immediate slaughter or to a registered quarantined feed lot after veterinary inspection. Cattle so consigned are exempt from brucellosis test requirement. Cattle moved from the approved market to other than a licensed slaughter establishment or a registered quarantine feed lot must meet Washington import regulations and moved on official health certificate issued by the market veterinarian.~~

~~(d))~~ Animal health requirements as prescribed in chapters 16-54 and 16-86 WAC shall be met for animals entering or released from the public livestock markets. Those public livestock markets that are not specifically approved as per Title 9, Part 78, Subchapter C, Code of Federal Regulations that wish to provide brucellosis blood testing as approved by the director shall comply with the facilities requirements for specifically approved saleyards. Specifically approved yards (Title 9, Part 78, Code of Federal Regulations) can accept cattle and bison from out-of-state without meeting the import requirements provided that all Washington state animal health requirements are met at the yard upon arrival. Those yards not specifically approved can receive from out-of-state only those cattle and bison that have met all animal health requirements prior to entering the state.

(b) Animals released from Washington markets to points outside the state shall be in compliance with Federal Interstate Regulations and must meet the import requirements of the ((receiving)) state of destination.

~~((e))~~ (c) Salesyard brucellosis reactors will be:

(i) Tagged with reactor identification tags in the left ear and branded "B" on the left jaw.

(ii) Placed in a "quarantine pen."

(iii) Sold at the close of the regular sale to licensed slaughterer or their designated agent operating under federal or state inspection or return to the farm of origin under a written quarantine.

(iv) The market veterinarian shall issue ((ADE)) VS Form 1-27 on all suspects or reactors immediately after their sale or detection and the ((pink copy duplicate)) original copy must accompany the animals to slaughter or back to the farm of origin. The ((original copy is)) pink and yellow copies are to be mailed immediately to the ((supervisor of animal industry)) state veterinarian, Olympia, and the ((triplicate)) green copy mailed immediately to the ((veterinary meat inspector in charge of the slaughtering establishment to which the reactors are consigned)) destination of shipment or shall accompany shipment.

(v) All brucellosis reactors ((must be)) consigned and transported directly to a licensed slaughtering establishment for immediate slaughter((, and)) cannot be transported with any animals not so consigned. All trucks and railway cars or other conveyances used for the transportation of such reactors shall be cleaned and disinfected at destination under state and federal supervision.

~~((vi) Heifer calves of dairy breeds three to eight months (90-239 days) of age or heifer calves of beef breeds three to eleven months (90-299 days) of age may be vaccinated at the market for brucellosis upon request at no state federal expense.~~

~~(8) Tuberculosis. Tuberculosis reactors will be handled as in subdivision (e), item (ii), (iii), (iv), and (v), this order, after being identified by a reactor identification tag in the left ear, and branded "T" on the left jaw.)~~

(7) For the purpose of tracing dealer consigned livestock to herds of origin for health purposes, the certificates of permit (S.F. No. 4847) will be the accepted document for transferring tracing information to the director at the market.

Exceptions - this section does not apply to dairy cattle under twenty months nor beef cattle under twenty-four months of age.

(8) All livestock markets shall officially identify all sexually intact cattle and bison over eighteen months of age with an official backtag prior to being presented for sale. Records of the backtags applied to the animal indicating seller, buyer, and brucellosis vaccination status if animal is a female shall be maintained by the market for a period of one year.

(9) Immediate slaughter livestock.

(a) Livestock purchased through a market for slaughter in the state of Washington may be consigned only to a licensed slaughtering establishment, ((registered-quarantined)) restricted feed lot, or another market for sale for immediate slaughter. Such animals will be cleared from the market on Washington state ((slaughter)) cattle brand certificate and must reach the declared point of destination at slaughter establishment or ((registered-quarantined)) restricted feed lot within ten days of first being declared immediate slaughter livestock. Identification tags may not be removed and clearance papers must be presented with the animals at declared point of destination and livestock shall not be diverted to any other point.

(b) Cattle that have been declared immediate slaughter cattle shall not be commingled with cattle not so declared.

(c) No Washington state ((slaughter)) cattle brand certificate will be issued at any market unless the purchaser first certifies the exact name and address of the destination of such domestic animals or animal and such animals are identified to herd of origin in a manner prescribed by the director.

(10) Health of swine.

(a) Intrastate consignments. Washington swine that are healthy, unexposed to any contagious or infectious disease and not under quarantine may enter and leave any market in the state after veterinary inspection.

(b) Interstate consignments.

(i) Slaughter swine. Swine not known to be affected with or exposed to infectious or communicable swine diseases may be moved into the state without health certificate to a recognized slaughtering center, public stockyards under federal supervision or livestock market specifically approved under Part 76, Title 9, Code of Federal Regulations for immediate slaughter, and may not be diverted enroute. The waybills or certificates for shipment must state for "slaughter only."

(ii) Feeder and breeder swine - must have originated from states in ((Phase)) Stage IV or ((hog cholera)) Stage V pseudorabies free status and/or comply with the entry requirements as stated in chapter 16-54 WAC. Animals must be accompanied by official health certificate stating that they are clinically free of symptoms of infectious and contagious disease or exposure thereto, unless consigned to a market approved under Part 76, Title 9, CFR. The consignor and consignee will be properly listed with exact mailing addresses clearly shown. Such hogs must not come in contact with hogs from states of unlike status prior to or during shipment, and must have been transported in one continuous movement. ((Swine from an area less than Phase IV status will not be accepted at a livestock market.))

(c) Swine brucellosis. All interstate swine over six months of age entering public livestock markets to be sold for breeding purposes must have been tested and found negative to brucellosis within thirty days prior to entry or

originate in a validated brucellosis free herd. Swine not in compliance will not be sold as breeder swine. Swine originating from a herd where brucellosis is known to exist will not be sold as breeder swine.

~~((d) Handling of all swine at the market.~~

~~(i) Swine destined for movement to states other than Washington must meet the requirements of Title 9, CFR and the current import requirements of the receiving state before being released from the market.~~

~~(ii) When the health status inspection at the market reveals suspected evidence of cholera, the entire lot shall be returned to premise of origin under quarantine, or quarantined in an "isolation pen" pending disposition in a manner approved by the director. Cleaning and disinfecting of pens and vehicles must be carried out in a manner approved by the director.)~~

WSR 92-21-023
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed October 13, 1992, 4:49 p.m.]

Date of Adoption: October 13, 1992.

Purpose: To only permit cattle that are vaccinated for brucellosis to be sold for breeding purposes except registered cattle with proof of age, born before January 1, 1983.

Statutory Authority for Adoption: RCW 16.36.040 and 16.36.096.

Pursuant to notice filed as WSR 92-20-107 on October 6, 1992.

Effective Date of Rule: Thirty-one days after filing.

October 13, 1992
Michael V. Schwisow
Deputy Director
for C. Alan Pettibone
Director

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-86-015 Washington cattle sale requirements. (1) Effective January 1, 1984, within thirty days prior to any change of ownership and in a manner prescribed by the state veterinarian, all dairy breed cattle shall be tested negative for brucellosis. The following classes of cattle are exempt from this test requirement:

- (a) Calves under four months of age.
- (b) Cattle sold or consigned to a restricted feedlot.
- (c) Cattle sold or consigned to a federally inspected slaughter plant.
- (d) Steers and spayed heifers.
- (e) Official calfhood vaccinates under twenty months of age and not parturient or post parturient.

(2) All female cattle shall be officially vaccinated against brucellosis and bear a legible vaccination tattoo prior to being sold or introduced into any herd in the state of Washington. This rule does not apply to the following:

(a) Calves under four months of age. Female calves under four months acquired by any herd and natural female additions must become official calfhood vaccinates, as

provided for in this chapter, to be sold for any purpose other than those set forth in (c), (d), (e), or (f) of this subsection.

(b) Registered female beef (~~breed~~) cattle born before January 1, 1983.

(c) Cattle sold or consigned to a restricted feedlot.

(d) Cattle sold or consigned to a federally inspected slaughter plant.

(e) Cattle sold or consigned to a public livestock market for immediate slaughter only.

(f) Spayed heifers.

(3) Any dairy breed female cattle over eight months of age which are not exempted in subsection (2) of this section and which are found not to be vaccinated against brucellosis upon consignment to a public livestock market, shall be identified by branding with an "S" brand on the left hip prior to sale and released from the market. After "S" branding, the nonvaccinated cattle may be released by the director on a VS1-27 Form or other official permit to any of the following destinations:

- (a) A restricted feedlot.
- (b) A federally inspected slaughter plant.

(c) Another public livestock market for immediate slaughter only.

(d) Upon specific approval by the state veterinarian, nonvaccinated cattle "S" branded at a public livestock market may be returned to the farm of origin where they must remain until released by the state veterinarian for consignment to one of the destinations listed under (a), (b), or (c) of this subsection.

(4) Any dairy breed female cattle consigned to a public livestock market for probable slaughter, but whose status is later changed by the buyer, shall be identified by "S" branding and released by the department only as set forth in subsection (3) of this section, if found not to be vaccinated for brucellosis. Any buyer who fails to deliver "S" branded cattle to the destination declared by the buyer or his agent shall be guilty of a violation of this chapter. Whenever necessary, the department shall make the final determination of the vaccination status of any eligible cattle.

(5) All Washington cattle shall be individually identified and permanently recorded as to herd of origin prior to being sold or consigned for slaughter. Such identity shall be transferred to the blood sample taken for MCI test purposes. These records shall be made available to the department upon request. Except the following classes of cattle shall be exempt from this requirement:

- (a) Cattle under twenty-four months of age. (Not parturient or post parturient.)
- (b) Steers and spayed heifers.

WSR 92-21-025
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 92-09—Filed October 13, 1992, 4:03 p.m.]

Date of Adoption: June 24, 1992.

Purpose: WAC 392-163-105...to ensure compliance by the state of Washington with the financial assistance to local

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school districts' provisions, including those which apply to private schools and local institutions for neglected or delinquent children, of Chapter 1 Regular of the Elementary and Secondary Education Act of 1965, as amended, and accompanying rules and regulations, particularly 34 CFR 200.

Citation of Existing Rules Affected by this Order:
Amending chapter 392-163 WAC.

Statutory Authority for Adoption: RCW 28A.02.100.

Pursuant to notice filed as WSR 92-10-062 on May 5, 1992.

Effective Date of Rule: Thirty-one days after filing.

October 13, 1992

Judith A. Billings

Superintendent of

Public Instruction

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-105 Purpose. The purpose of this chapter is to ensure compliance by the state of Washington with the financial assistance to local school districts' provisions, including those which apply to private schools and local institutions for neglected ~~((and))~~ or delinquent children, of Chapter 1 Regular of the ~~((Education Consolidation and Improvement Act of 1984))~~ Elementary and Secondary Education Act of 1965, as amended, and accompanying federal rules and regulations, particularly 34 CFR Part 200.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-110 ((Accountability)) Public policy. ~~((Nothing in this chapter shall be construed to relieve a school district of its responsibility to comply also with all applicable federal statutes, rules, and regulations.))~~ It is the intention of the superintendent of public instruction to encourage districts:

(1) To consider the wide range of options available under Chapter 1 law and regulations when designing programs for individual buildings and individual children in determining service models, selection criteria, student assessment and objectives, and instructional methods and techniques.

(2) To broaden services to children to support and enhance educational growth through such services as counseling, health, family and parent support, and social work.

(3) To develop programs which consider individual student needs; resulting in services which may vary from building to building or between grades at each building.

(4) To foster qualitative decision-making and instructional practices through collaboration between the regular education staff and the Chapter 1 program, as well as with parents of participating children.

(5) To acknowledge that parents are the first and foremost teachers of their children and to promote activities that strengthen and facilitate the home-school-child relationship.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-115 ((Definition—Chapter 1 Regular)) Accountability. ~~((As used in this chapter, the term "Chapter 1 Regular" shall mean that part of Public Law 97-35 which is commonly referred to as Chapter 1 of the Education Consolidation and Improvement Act of 1981 which provides financial assistance to school districts to meet special educational needs of disadvantaged children.))~~ Nothing in this chapter shall be construed to relieve a school district of its responsibility to comply also with all applicable federal statutes, rules, and regulations including 34 C.F.R. Part 80 of the Education Department General Administrative Regulations (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-120 Definition—((Accounting manual)) Academic area of focus. As used in this chapter, the term ~~(("accounting manual" shall mean the most recently published accounting manual for public school districts in the state of Washington issued by the superintendent of public instruction and the state auditor))~~ "academic area of focus" shall include the areas of reading, mathematics, and communication as well as readiness activities associated with such skills: Furthermore, it shall include support services as defined by WAC 392-163-320.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-125 Definition—((Object of expenditure)) Accounting manual. As used in this chapter, the term ~~(("object of expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "the article purchased or the service obtained"). For financial accounting purposes "object of expenditure" shall be defined further as the third field of uniform expenditure classification established in the accounting manual))~~ "accounting manual" shall mean the most recently published accounting manual for public school districts in the state of Washington issued by the superintendent of public instruction and the state auditor.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-130 Definition—Activity. As used in this chapter, the term "activity(ies)" shall be as defined in the accounting manual glossary of terms (i.e., a "specific line of work carried on by a school district in order to perform its mission"). For financial accounting purposes "activity" shall be defined further as the second field of uniform expenditure classification established in the accounting manual and for Chapter 1 Regular shall include ~~((ah))~~ designated activities listed on Form SPI F-1000B ((CH-1)).

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-135 Definition—((~~Program~~)) Advanced skills. As used in this chapter, the term ((~~"program" shall be as defined in the accounting manual glossary of terms (i.e., "a plan of activities designed to accomplish a set of objectives"). For financial accounting purposes "program" shall be defined further as the first field of uniform expenditure classification established in the accounting manual and for Chapter 1 Regular shall include all approved activities supported by Chapter 1 Regular (Program 51) moneys~~)) "advanced skills" shall mean the skills including reasoning, analysis, interpretation, problem solving, and decision-making as they relate to the particular subjects in which instruction is provided under programs supported by Chapter 1 Regular in local districts.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-140 Definition—((~~Direct expenditure~~)) Aggregate performance. As used in this chapter, the term ((~~"direct expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "those elements of cost which can be easily, obviously and conveniently identified with specific programs")~~)) "aggregate performance" shall mean the educational achievement of children participating in Chapter 1 programs, aggregated for a school as a whole in accordance with the national evaluation standards. For purposes of program improvement, aggregate performance may include the use of mean or median scores.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-145 Definition—((~~Revenue account~~)) School attendance area. As used in this chapter, the term ((~~"revenue account" shall be as defined in the accounting manual glossary of terms (i.e., "account" being "a descriptive heading under which are recorded financial transactions. . . " and "revenue" being "additions to assets of a fund of a school district during a fiscal period that is available to finance the fund's expenditures during the fiscal period")~~)) "attendance area" shall mean the geographic area determined by the school district board of directors in which the children who are normally served by that school reside. However, if a child's school attendance area is not determined on a geographic basis, the child is considered to be in the school attendance area of the school to which the child is assigned or would be assigned if the child were not attending a private school or another school on a voluntary basis.

NEW SECTION

WAC 392-163-150 Definition—Capital expenses. As used in this chapter, the term "capital expenses" means expenditures for noninstructional goods and services that are incurred as a result of implementing alternative delivery systems for private schools to comply with the prohibition against Chapter 1-paid personnel providing instructional services in religiously-affiliated, nonpublic schools (United States Supreme Court decision, July 1, 1985: Aguilar v. Felton).

NEW SECTION

WAC 392-163-155 Definition—Carryover. As used in this chapter, the term "carryover" shall mean a prudent and justifiable reserve of no more than fifteen percent of a school district's Chapter 1 Regular allocation for a given fiscal year (not including previous year's carryover), excluding districts that receive basic and concentration grants that are less than fifty thousand dollars in any given year.

NEW SECTION

WAC 392-163-160 Definition—Chapter 1 Regular. As used in this chapter, the term "Chapter 1 Regular" shall mean that part of Public Law 100-297 which is commonly referred to as Chapter 1 of the Elementary and Secondary Education Act of 1965, as amended, which provides financial assistance to improve the educational opportunities of educationally deprived children by helping these children: Succeed in the regular program in the local district, attain grade-level proficiency, and improve achievement in basic and more advanced skills.

NEW SECTION

WAC 392-163-165 Definition—Children. As used in this chapter, the term "children" shall mean persons up to age twenty-one who are entitled to a free public education through grade twelve and persons who are of preschool age.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-170 Definition—((~~Project~~)) Comparability. As used in this chapter, the term ((~~"project" either shall mean all activities supported with Chapter 1 Regular moneys in a particular attendance area or shall mean all of the Chapter 1 Regular activities in a particular program focus in school district attendance areas served by Chapter 1 Regular. In a school district that serves only one attendance area "program" and "project" may be synonymous~~)) "comparability" shall mean that the school district, using state and local moneys, shall provide services in Chapter 1 Regular schools that, taken as a whole, are at least equivalent to services being provided in schools not receiving Chapter 1 Regular moneys: *Provided, That if all schools receive Chapter 1 Regular moneys, the school district, using state and local moneys, shall provide services that, taken as a whole, are equivalent among all schools.*

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-175 Definition—((~~Objective measurement~~)) Complaint. As used in this chapter, the term ((~~"objective measurement" shall mean using a written or oral testing instrument that can be applied uniformly and consistently to determine in a comparable manner the educational achievement level of children~~)) "complaint" shall mean an allegation, by the complainant, that the state or local school district receiving federal funds has systematically violated Chapter 1 Regular statute or regulation or a state regulation that applies to the Chapter 1 Regular program.

AMENDATORY SECTION (Amending Order 48-49 [84-49], filed 10/2/84)

WAC 392-163-180 Definition—(~~Children~~) Consultation with parents, teachers, and other interested parties. As used in this chapter, the term (~~"children" shall mean persons up to age twenty one as defined in WAC 392-121-170 and persons who are of preschool age~~) "consultation with parents, teachers, and other interested parties" shall be defined as meaningful, systematic, organized, ongoing, informed, and timely contact during the design, implementation, and the evaluation of the Chapter 1 program with parents, teachers, and administrators of public and private school participants, early childhood professionals, pupil service personnel, and librarians. Such consultation shall also include an annual public meeting to which parents of all participating students shall be invited to hear an explanation of the programs and activities provided with Chapter 1 Regular moneys, and shall be documented to demonstrate compliance with this section.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-185 Definition—(~~Educationally deprived children~~) Continuing need of special assistance. As used in this chapter, the term (~~"educationally deprived children" shall mean children whose educational attainment, documented by school district established selection criteria, is below the level that is appropriate for children of their age~~) "continuing need of special assistance" refers to those educationally deprived children who were identified and served in the previous year as being in greatest need for special assistance and who continue to be educationally deprived but are no longer in greatest need of special assistance.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-190 Definition—(~~Low income children~~) Desired outcomes. As used in this chapter, the term (~~"low income children" shall mean those children eligible to receive benefits under the National School Lunch Act (P.L. 79-396), for either the free and reduced lunch program or free milk program. If a school district does not offer school lunches pursuant to the National School Lunch Act, it shall use the income standards currently effective for determining eligibility for benefits under the act as the standard for identifying low income children~~) "desired outcomes" shall mean the local district's objectives included in the LEA application to improve the educational opportunities of educationally deprived children to help those children succeed in the regular education program of the local district.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-195 Definition—(~~Grade span grouping~~) Direct expenditure. As used in this chapter, the term (~~"grade span grouping" shall mean grouping school attendance areas by corresponding grade levels (e.g., schools serving grades K-6 in one group, schools serving 7-9 in another group, or schools serving other grade configurations). If a school attendance area serves grades in more than one group, the school district shall include that school either in the group with which the school has the most grade levels in common or in the group that includes the lower grade levels, if the school has the same number of grade levels in common with two or more groups~~) "direct expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "those elements of cost which can be easily, obviously, and conveniently identified with specific programs").

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-200 Definition—(~~Full-time equivalent (FTE) student~~) Educationally deprived children. As used in this chapter, the term (~~"full-time equivalent student" shall be as defined in WAC 392-121-105(2)~~) "educationally deprived children" shall mean children whose educational attainment, documented by school district established selection criteria, is below the level that is appropriate for children of their age, not including students determined to be qualified for programs for students with handicapping conditions and/or for limited English proficient students.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-205 Definition—(~~Full-time equivalent (FTE) staff~~) Eligible student. As used in this chapter, the term (~~"full-time equivalent staff" shall be as defined in WAC 392-121-115 (2) and (4)~~) "eligible student" shall mean an educationally deprived child who resides in an attendance area or a school determined to be eligible under the provisions of P.L. 100-297 and WAC 392-163-415; Provided, That an educationally deprived child who begins participation in a program or project in an eligible attendance area and in the same year is transferred by the school district to an unserved attendance area or school building shall remain eligible and may receive Chapter 1 Regular services for the remainder of such year.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-210 Definition—(~~Instructional staff~~) Equivalence. As used in this chapter, the term (~~"instructional staff" shall mean certificated and classified persons whose services deal directly with or aid in the teaching of students or in improving teaching-learning activities, and who are identified in the accounting manual under Activity 22, Learning Resources; Activity 23, Principals; Activity 24, Guidance and Counseling; Activity 25, Psychological Services; and Activity 27, Teaching~~) "equivalence," for purposes of determining comparability of

services among Chapter 1 Regular served schools or between each Chapter 1 Regular served school and nonserved schools, shall mean:

In each Chapter 1 Regular served school, the average FTE number of children enrolled per FTE instructional staff member shall be not more than one hundred ten percent of the average FTE number of children enrolled per FTE instructional staff member in the group of nonserved schools used for comparison: *Provided*, That if all schools within the district are served with Chapter 1 Regular moneys, the average FTE number of children enrolled per FTE instructional staff member shall be not more than one hundred ten percent of the average FTE number of children enrolled per FTE instructional staff member in the group of schools having the lowest percentage or numbers of children from low-income families.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-215 Definition—((**Equivalence**)) **Full-time equivalent (FTE) staff**. As used in this chapter, the term ("equivalence," for purposes of determining comparability of services among Chapter 1 Regular served schools or between each Chapter 1 Regular served school and nonserved schools, shall mean:

(1) In each Chapter 1 Regular served school, the average FTE number of children enrolled per FTE instructional staff member shall be not more than one hundred ten percent of the average FTE number of children enrolled per FTE instructional staff member in the group of nonserved schools used for comparison: *Provided*, That if all schools within the district are served with Chapter 1 Regular moneys, the average FTE number of children enrolled per FTE instructional staff member shall be not more than one hundred ten percent of the average FTE number of children enrolled per FTE instructional staff member in the group of schools having the lowest percentage or numbers of children from low income families; and

(2) In each Chapter 1 Regular served school, the average per pupil expenditure for curriculum materials and instructional supplies shall not be less than ninety percent of the per pupil expenditure for curriculum materials and instructional supplies in nonserved schools: *Provided*, That if all schools within the district are served with Chapter 1 Regular moneys, the average per pupil expenditure for curriculum materials and instructional supplies shall not be less than ninety percent of the per pupil expenditures for curriculum materials and instructional supplies in the group of schools having the lowest percentage or number of children from low income families: *Provided Further*, That in the case of new schools or unforeseen circumstances the district may in that unique instance exceed the ten percent variance allowed in determining equivalence in order to provide curriculum materials and instructional supplies to a level that will result in equivalence in succeeding years)) "full-time equivalent staff" shall be as defined in WAC 392-121-115 (2) and (4).

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-220 Definition—((**Comparability**)) **Full-time equivalent (FTE) student**. As used in this chapter, the term ("comparability" shall mean that the school district, using state and local moneys, shall provide services in Chapter 1 Regular schools that, taken as a whole, are at least equivalent to services being provided in schools not receiving Chapter 1 Regular moneys: *Provided*, That if all schools receive Chapter 1 Regular moneys, the school district, using state and local moneys, shall provide services that, taken as a whole, are equivalent among all schools)) "full-time equivalent student" shall be as defined in WAC 392-121-105(2).

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-225 Definition—((**Unforeseen conditions**)) **Grade span grouping**. As used in this chapter, the term ("unforeseen conditions" shall be as defined in WAC 392-129-010(1) and also shall include other unforeseeable changes in student enrollment or personnel assignments that occur after December 1 of the school year)) "grade span grouping" shall mean grouping school attendance areas by corresponding grade levels (e.g., schools serving grades K-6 in one group, schools serving 7-9 in another group, or schools serving other grade configurations). If a school attendance area serves grades in more than one group, the school district shall include that school either in the group with which the school has the most grade levels in common or in the group that includes the lower grade levels, if the school has the same number of grade levels in common with two or more groups.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-230 Definition—((**Attendance area**)) **Greatest need of special assistance**. As used in this chapter, the term ("attendance area" shall mean, in relation to a particular school, the geographic area determined by the school district board of directors in which the children who are normally served by that school reside. However, if a child's school attendance area is not determined on a geographic basis, the child is considered to be in the school attendance area of the school to which the child is assigned or would be assigned if the child were not attending a private school or another school on a voluntary basis)) "greatest need of special assistance" shall refer to those educationally deprived children, as defined in WAC 392-163-200, who have been identified on the basis of school district established educationally-related selection criteria, including objective measurement that uses appropriate, objective written or oral assessment instruments for each area of educational achievement, which provides sufficient specificity to determine which students have the greatest need of special assistance. Districts are encouraged to consider a combination of multiple criteria to select students for Chapter 1 Regular services (e.g., curriculum assessments, grades, formal and informal tests, teacher observation, etc.).

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

~~WAC 392-163-235 Definition—((Greatest need of special assistance))~~ Homeless. As used in this chapter, the term (~~"greatest need of special assistance" shall refer to those educationally deprived children, as defined in WAC 392-163-185, who have been identified on the basis of school district established selection criteria, including objective measurement of educational achievement, as in the greatest need of special assistance.~~) "homeless" shall mean individual(s) who (1) lacks a fixed, regular, and adequate residence or (2) has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations, an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

~~WAC 392-163-240 Definition—((Basic skills))~~ Indirect expenditure. As used in this chapter, the term (~~"basic skills" shall mean skills in reading, communication, and math as well as readiness activities associated with such skills~~) "indirect expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "those expenditure elements that cannot be easily, obviously, and conveniently identified with specific programs"). For Chapter 1 Regular, each district shall be entitled to the restricted indirect expenditure rate established and disseminated annually to school districts by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

~~WAC 392-163-245 Definition—((Supplement))~~ Instructional staff. As used in this chapter, the term (~~"supplement" shall be defined as instructional or support services for educationally disadvantaged children funded with Chapter 1 Regular moneys, and offered by a school district in addition to required basic educational services funded with nonfederal moneys. Such supplemental services shall be designed and implemented in accordance with service models described in Chapter 1 Regular annual application instructions and shall meet the supplement/supplant tests appropriate to each model~~) "instructional staff" shall mean certificated and classified persons whose services deal directly: (1) With or assist in the teaching of students, or (2) in improving teaching learning activities, and who are identified in the accounting manual under Activity 22, Learning Resources; Activity 24, Guidance and Counseling; Activity 25, Psychological Services; Activity 26, Health; and Activity 27, Teaching.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

~~WAC 392-163-250 Definition—((Service model))~~ Low-income children. As used in this chapter, the term (~~"service model" shall mean the location, time and conditions characteristic of the method(s) chosen by a school district for delivery of Chapter 1 Regular instructional and/or support services. Permissible models are those described in the annual application instructions~~) "low-income children" shall mean those children eligible to receive benefits under the National School Lunch Act (P.L. 79-396), for either the free and reduced lunch program or free milk program or are eligible under other appropriate measures which use the income standards currently effective for determining eligibility for benefits under the National School Lunch Act.

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

~~WAC 392-163-255 Definition—((Program that is of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the special educational needs of children being served))~~ Objective measurement. As used in this chapter, the term (~~"program that is of sufficient size, scope and quality to give reasonable promise of substantial progress toward meeting the special educational needs of children being served" shall mean a program that the board of directors of a school district, on the basis of procedures outlined in WAC 392-163-305, 392-163-310, and 392-163-330, determines has substantial likelihood of meeting the special educational needs of children to be served~~) "objective measurement" shall mean using a written or oral testing instrument, that can be uniformly and consistently applied across each grade level to determine in a comparable manner the educational achievement level of children.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

~~WAC 392-163-260 Definition—((Consultation with parents and teachers and other interested parties))~~ Object of expenditure. As used in this chapter, the term (~~"consultation with parents and teachers and other interested parties" shall mean planned, systematic contact with parents, teachers, and administrators of children being served by Chapter 1 Regular including parents, teachers, and administrators of served private school children and other interested parents, teachers, administrators, groups, and parties in the design and implementation of the Chapter 1 Regular program, including discussion of program revenue and expenditures~~) "object of expenditure" shall be as defined in the accounting manual glossary of terms (i.e., "the article purchased or the service obtained"). For financial accounting purposes "object of expenditure" shall be defined further as the third field of uniform expenditure classification established in the accounting manual.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-265 Definition—~~((Prudent and justifiable reserve))~~ **Parent.** ~~((As used in this chapter, the term "prudent and justifiable reserve" shall mean no more than fifteen percent of a school district's available Chapter 1 Regular money for a given fiscal year, i.e., carryover from the previous year plus the current year's allocation.))~~ (1) As used in this chapter, the term "parent" includes a legal guardian or other person standing in loco parentis.

(2) "In loco parentis" means a person acting in place of a parent or legal guardian, and may include a person such as a grandparent, stepparent, aunt, uncle, older sibling, or other person either:

(a) With whom a child lives; or

(b) Who has been designated by a parent or legal guardian to act in place of the parent or legal guardian regarding all aspects of the child's education.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-270 Definition—~~((Population shifts))~~ **Participating children.** ~~As used in this chapter, the term ("population shifts" shall mean an increase of fifteen percent or more in the FTE enrollment of a school district reported to the superintendent of public instruction over a period of not more than the five immediately preceding years))~~ "participating children" shall mean those educationally deprived children in greatest need of special assistance, as determined on the basis of school district established selection criteria, residing in eligible served attendance areas or attending served schools, who are selected to receive services in the Chapter 1 Regular program: *Provided*, That the exception in WAC 392-163-205 for children transferred during the same school year shall apply to this section.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-275 Definition—~~((Changing economic circumstances))~~ **Preschool children.** ~~As used in this chapter, the term ("changing economic circumstances" shall mean an increase of fifteen percent or more in the number of children from low income families as defined in WAC 392-163-190, reported to the superintendent of public instruction over a period of not more than the five immediately preceding years))~~ "preschool children" shall mean children who are (1) below the age or grade level at which the local school district provides a free public education; and (2) of the age or grade level at which they can benefit from an organized instructional program provided in a school or other educational setting.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-280 Definition—~~((Services of the same nature and scope))~~ **Program.** ~~As used in this chapter, the term ("services of the same nature and scope" shall mean the provision with nonfederal moneys of supplemental education services which are consistent with the requirements of section 131(c) of ESEA Title I, Public Law~~

~~95-561)) "program" shall be as defined in the accounting manual glossary of terms (i.e., "a plan of activities designed to accomplish a set of objectives"). For financial accounting purposes "program" shall be defined further as the first field of uniform expenditure classification established in the accounting manual and for Chapter 1 Regular shall include all approved activities supported by Chapter 1 Regular (Program 51) moneys.~~

NEW SECTION

WAC 392-163-285 Definition—**Program** that is of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the special academic needs of children being served. As used in this chapter, the term "program that is of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the special academic needs of children being served" shall mean a program that the board of directors of a school district, on the basis of procedures outlined in WAC 392-163-400, 392-163-425, and 392-163-495, determines has substantial likelihood of meeting the special academic needs of children to be served.

NEW SECTION

WAC 392-163-290 Definition—**Project.** As used in this chapter, the term "project" either shall mean all activities supported with Chapter 1 Regular moneys in a particular attendance area or shall mean all of the Chapter 1 Regular activities in a particular program focus in school district attendance areas served by Chapter 1 Regular. In a school district that serves only one attendance area "program" and "project" may be synonymous.

NEW SECTION

WAC 392-163-295 Definition—**Regular program.** As used in this chapter, the term "regular program" includes all programs funded by the Basic Education Act of the state of Washington, and any additional locally funded programs used to supplement allotments for the basic education program. The regular program shall further be defined by the educational goals and objectives to be attained by students at a certain grade level and in a given subject area provided by nonfederal funds according to the common school law of the state of Washington and as determined by policies established or required by the local board of directors. Furthermore, nonlocally funded programs for students for special populations such as handicapped, gifted, limited English proficient, and compensatory education may not be considered as the regular program.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

~~**WAC 392-163-300 ((Selection of attendance areas—Project requirement)) Definition—**Revenue account. ((Each school district receiving Chapter 1 Regular moneys, except as otherwise exempted under WAC 392-163-299, shall select attendance areas to receive Chapter 1 Regular services on one or a combination of the following bases:~~

~~(1) Highest concentration of low income children. The district may select those attendance areas district wide or by~~

grade span grouping having the highest number or percentage of low income children.

(2) ~~Uniformly high concentration of low income children. The district may select all attendance areas district wide or within a designated grade span grouping if the variation between the attendance areas with the highest and lowest percentage of low income children is not more than ten percent, or one third of the district wide low income average.~~

(3) ~~Twenty five percent rule. The district may select attendance areas in which the percent of low income students equals or exceeds twenty five percent of the attendance area enrollment.~~

(4) ~~Transition. The district may select an attendance area which was eligible in the preceding school year in order to provide service for one additional year to phase out the program. If, however, the school attendance area is substantially different than it was in the preceding fiscal year because of attendance area boundary adjustments, the attendance area may not be served on this basis.~~

(5) ~~Substantially higher educational deprivation. A district may designate as eligible and serve school attendance areas with substantially higher numbers or percentages of educationally deprived children before school attendance areas with higher concentrations of children from low income families: *Provided*, That Chapter 1 Regular services shall be extended to no more attendance areas than could otherwise be served: *Provided Further*, That the school district shall include in its application to the superintendent of public instruction information requested to demonstrate (a) the substantially higher number or percentage of educationally deprived children in school attendance areas so selected; and (b) that Chapter 1 services to educationally deprived children from low income families in project areas will not be substantially impaired.~~

(6) ~~Proportions of average daily attendance. A district may designate as eligible and serve a school which is not located in an eligible attendance area but has among its average daily attendance a proportion of children from low income families which is substantially equal to the proportion of such children in an eligible school attendance area of the district. The application submitted by the school district to the superintendent of public instruction shall demonstrate comparable proportions of children from low income families.~~

(7) ~~Nonfederally funded services. A district may elect to skip an eligible school attendance area if such area is receiving from nonfederal moneys, services of the same nature and scope as would be provided with Chapter 1 Regular moneys: *Provided*, That children attending participating private schools who reside in such attendance areas shall be considered to be eligible students under WAC 392-163-186 and shall be identified and served, when appropriate, in accordance with WAC 392-163-180, 392-163-185, 392-163-235, 392-163-305 and 392-163-306.~~

(8) ~~School wide project. A school district may designate a school serving an attendance area with at least seventy five percent of the children from low income families as a school wide project, in which instance the district may upgrade the entire educational program in that school in the same manner and only to the same extent as permitted under subsection 133(b) of the Elementary and~~

~~Secondary Education Act of 1965: *Provided*, That paragraph (4) of such section shall not apply.)) As used in this chapter, the term "revenue account" shall be as defined in the accounting manual glossary of terms (i.e., "account" being "a descriptive heading under which are recorded financial transactions..." and "revenue" being "additions to assets of a fund of a school district during a fiscal period that is available to finance the fund's expenditures during the fiscal period").~~

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

~~WAC 392-163-305 ((**Annual needs assessment—Program requirement**)) **Definition—Service model.** ((Each school district receiving Chapter 1 Regular moneys shall base its Chapter 1 Regular program on an annual assessment of educational needs which shall include, at a minimum, a review of fourth grade test data in basic skills, assessment of Chapter 1 Regular funded support services, and consideration of evaluation data related to whether improved student achievement is sustained over a period of more than one year. The needs assessment further shall:~~

~~(1) Identify educationally deprived children in all eligible attendance areas, including educationally deprived children in participating private schools;~~

~~(2) Permit the selection of those educationally deprived children in greatest need of special assistance; and~~

~~(3) Assess and determine the educational needs of each child selected to participate so that there exists reasonable promise of substantial progress toward meeting the identified educational needs of children being served.)) As used in this chapter, the term "service model" shall mean the location, contact time, and conditions characteristic of the method(s) chosen by a school district for delivery of Chapter 1 Regular instructional and/or support services. Permissible models are those described in the Chapter 1 Regular Basic Concepts Guide which accompanies the annual application forms.~~

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

~~WAC 392-163-310 ((**Parent/teacher and community involvement in program planning—Program requirement**)) **Definition—Similar services.** ((Each school district that seeks an allocation of funds under Chapter 1 Regular shall consult with parents and teachers of Chapter 1 Regular served children and other interested parties in preparing the proposed program design and planned expenditures submitted by the designated local administrator to the school district board of directors for adoption. Such consultation shall include an annual public meeting to which parents of all eligible students shall be invited to explain to parents the programs and activities provided with Chapter 1 Regular moneys, and shall be documented to demonstrate compliance with this section.)) As used in this chapter, the term "similar services" shall mean the provision of supplemental educational services with nonfederal moneys which are consistent with those services that would otherwise be provided by Chapter 1 Regular funds according to the requirements of Public Law 100-297, Section 1018 (d)(b).~~

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-315 ((~~School district application required~~)) Definition—Supplement. ((~~Each school district that seeks an allocation of federal funds under Chapter 1 Regular from the state shall submit an annual application on forms provided by the superintendent of public instruction.~~)) As used in this chapter, the term "supplement" shall be defined as instructional or support services for educationally disadvantaged children funded with Chapter 1 Regular moneys, and offered by a school district in addition to required basic educational services funded with nonfederal moneys. Such supplemental services shall be designed and implemented in accordance with service models described in the Chapter 1 Regular Basic Concepts Guide which accompanies the annual application and shall meet the supplement/supplant tests appropriate to each model. Further defined:

(1) Educational services provided are in addition to services which would be offered in the absence of federal funds. Supplemental services under Chapter 1 may not replace services required by law to be provided from another fund source, i.e., handicapped or limited English proficient.

(2) Each child must be provided with basic education instruction from their regular assigned basic education teacher. Chapter 1 instruction is in addition to the basic education instruction provided to non-Chapter 1 participants by the regular basic education teacher. Each student must receive a minimum of twenty minutes daily, or its equivalent, of the basic education instructional time from the regular teacher in the subject area being remediated. Further, the regular contact time may be averaged on a weekly, quarterly, or yearly basis depending on the type of model selected for Chapter 1 services.

(3) Children with the greatest need for such instruction and who are not qualified to receive it from another fund source must be served first.

(4) Instruction must be geared to the child's individually determined special needs and be "of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting his/her special educational needs."

(5) Instruction provided must promote:

- (a) Success in the regular classroom;
- (b) Attainment of grade-level proficiency; and

(c) Increased achievement in basic and more advanced skills that all students are expected to master.

(6) Instruction may be given in the regular classroom or in a different location. In order to be supplemental, it must conform to the service model requirements outlined in federal guidance and in the Chapter 1 Regular Basic Concepts Guide.

(7) Instruction must be on or adapted to the child's performance level.

(8) Instructional materials may be from the same curriculum used in the regular classroom, but instruction may not be simply on an incidental basis helping a child with an on-level daily work assignment. Instruction must be adapted to accommodate the child's specific, identified needs.

(9) Instructional objectives may be basically the same as grade level objectives, but materials and/or instructional

strategies must be adapted to the child's functional level. Objectives must be based on each student's individual determined needs.

(10) Progress toward accomplishing each student's objectives must be demonstrated and evaluated.

(11) In order to offer these supplemental services, a district must demonstrate in its basic education program that it:

(a) Does maintain during the current fiscal year ninety percent of the per pupil or aggregate nonfederal financial expenditures of the second preceding fiscal year (WAC 392-163-575 and 34 C.F.R. 200.41); and

(b) Does distribute and maintain state and local moneys in a comparable manner among all schools in the district (WAC 392-163-560 and 34 C.F.R. 200.43).

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-320 ((~~Substance of annual school district application~~)) Definition—Support services. ((~~The school district's annual application required by WAC 392-163-315 shall contain the following:~~

(1) Planned expenditures by program object and activity as required by WAC 392-163-325.

(2) Identification of eligible attendance areas selected to receive Chapter 1 Regular services: *Provided*, That the exemption prescribed in WAC 392-163-299 shall apply.

(3) Program and project descriptions on forms provided by the superintendent of public instruction.)) As used in this chapter, the term "support services" shall mean activities and techniques which may enhance a student's academic growth through such services as counseling, health, social work, and family support services.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-325 ((~~Planned expenditures by program object and activity~~)) Definition—Unforeseen conditions. ((~~Each school district's planned expenditures shall be by program object and activity, as displayed on forms provided by the superintendent of public instruction, for the program designed to assist educationally deprived children as defined in WAC 392-163-180 and shall include the district's proposed expenditures for public and private school children and children in local institutions for neglected and delinquent children.~~)) As used in this chapter, the term "unforeseen conditions" shall be as defined in WAC 392-129-045(1); furthermore, it may include a precipitous and unforeseen decline in the financial resources of the school district—not including tax initiatives or referenda—and also shall include other unforeseeable changes in student enrollment or personnel assignments that occur after December 1 of the school year.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-400 ((~~Comparability of services—Completed forms on file~~)) Annual needs assessment—Program requirement. ((~~Each fall, school districts shall receive forms from the superintendent of public instruction~~

with accompanying directions for demonstrating comparability. These completed forms shall be kept on file in the school district and shall be made available for review.) Each school district receiving Chapter 1 moneys shall base its Chapter 1 Regular program on an annual assessment of educational needs which identifies all educationally deprived children in all eligible school attendance areas (including served private schools). The assessment shall determine general instructional areas and grade levels on which the program will focus and will result in the selection of the greatest of need children. The needs assessment further shall determine the special academic needs of participating students with sufficient specificity to ensure concentration on those needs as well as the resources necessary to meet those special academic needs. A summary analysis of the needs assessment must include data which indicates the number of students below grade level in all grades in reading, math, and communication in all eligible Chapter 1 buildings. The needs assessment must establish the need for readiness or support services when such services are provided. The needs assessment must be funded by local moneys.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-405 ((Maintenance of effort)) Allocation of resources to program areas and schools. ((A school district receiving Chapter 1 Regular moneys shall maintain state and local fiscal effort at a minimum of ninety percent level as calculated in WAC 392-163-410. This calculation may be made on an aggregate or per pupil expenditure basis. These calculations shall be made by the superintendent of public instruction from data submitted to the superintendent of public instruction by school districts. School districts failing to meet the maintenance of effort requirements shall be notified in writing no later than June 1 of each school year.) Each district shall allocate Chapter 1 resources among project areas and schools based on the local needs assessment as well as:

(1) The number and needs of children selected for participation;

(2) The degree of educational deprivation of these children; and

(3) The services to be provided.

In designing and planning services, districts and individual buildings shall consider a variety of options when selecting staff, instructional techniques, materials, and service models in order to best accommodate individual student needs.

For the sole purpose of allocating Chapter 1 resources among project areas and schools, a local district may continue to count for two additional years, children in those areas and schools who received Chapter 1 services in the preceding school year, but are no longer in greatest need of special assistance from the Chapter 1 program.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-410 ((Maintenance of effort—Computations)) Selection of attendance areas for districts with under one thousand students—Program exemption. ((The following calculations shall be used by the superinten-

dent of public instruction to ensure the maintenance of effort for school districts receiving Chapter 1 Regular moneys. The data source for these calculations is the F-196. The same calculations shall be made for both the preceding and second preceding fiscal years:

(1) The total general fund expenditures shall be adjusted by the subtraction of the following program expenditures: The direct expenditures of Program 46—State Institutions, Program 47—Vocational Technical Institutes, Program 48—Adult Education, Program 85—Community Services, Activities 82 and 83 in Program 97—Warrant and other Interest, Object 9—Capital Outlay, and payments made to other school districts for nonhigh and handicapped pupils.

(2) From the resulting total in subsection (1) of this section, the total revenue in revenue account series 4000 and 7000 (except Accounts 4040, Federal Forest Funds and 4060, P.L.

874—Impact Aid) shall be deducted.

(3) To the resulting total in subsection (2) of this section, the Object 9 expenditures for the following programs shall be added:

- (a) 46—State institutions;
- (b) 47—Vocational technical institutes;
- (c) 48—Adult education;
- (d) 85—Community services; and
- (e) 51-79—Federal programs.

(4) The calculations in subsections (1), (2), and (3) of this section shall be applied to both school years. The results of subsections (1) through (3) shall then be compared and a district shall be considered to be in compliance if the total for the preceding year is at least ninety percent of the total for the second preceding year.) Any school district with a total enrollment of fewer than one thousand students, or no more than one school attendance area in each grade span, shall be exempt from the requirements of WAC 392-163-415 provided that requirements under 34 C.F.R. Section 200.31 are complied with. Such districts shall not be required to select attendance areas and all schools within the district shall be eligible to receive Chapter 1 Regular services. For purposes of documenting enrollment, the school district must select a given date to determine the enrollment from among the attendance reports submitted to the superintendent of public instruction for the current year. Enrollment figures, and the selected date shall be recorded on forms provided by the superintendent of public instruction in the Chapter 1 Regular application for the succeeding year.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-415 ((Maintenance of effort—Failure to maintain effort)) Selection of attendance areas—Program requirement. ((If the superintendent of public instruction determines that a school district has not maintained effort pursuant to the computation defined in WAC 392-163-410 the superintendent of public instruction shall take one of the following actions:

(1) Waive, for one fiscal year only, the maintenance of effort requirement if the superintendent of public instruction determines that a waiver would be equitable due to

~~exceptional or uncontrollable circumstances. These circumstances include:~~

~~(a) A natural disaster;~~

~~(b) A precipitous and unforeseen decline in the financial resources of the school district; or~~

~~(c) Other exceptional or uncontrollable circumstances: *Provided*, That tax initiatives or referenda may not be considered to be exceptional or uncontrollable circumstances.~~

~~If the superintendent of public instruction grants a waiver, the superintendent of public instruction shall not reduce the amount of Chapter 1 Regular moneys the school district is otherwise entitled to receive.~~

~~In determining maintenance of effort for the fiscal year immediately following the fiscal year for which the waiver was granted, the superintendent of public instruction may consider the school district's fiscal effort for the second preceding fiscal year to be no less than ninety percent of the combined fiscal effort per student or aggregate expenditures (using the measure most favorable to the school district) for the third preceding fiscal year.~~

~~(2) If a waiver cannot be granted, the superintendent of public instruction shall reduce the school district's allocation of moneys under Chapter 1 Regular in the exact proportion to which the school district fails to meet ninety percent of both the combined fiscal effort per student and aggregate expenditures (using the measure most favorable to the school district) for the second preceding fiscal year.~~

~~In determining maintenance of effort for the fiscal year immediately following the fiscal year in which the school district failed to maintain effort, the superintendent of public instruction may consider the school district's fiscal effort for the second preceding fiscal year to be no less than ninety percent of the combined fiscal effort per student or aggregate expenditures (using the measure most favorable to the school district) for the third preceding fiscal year.) Each school district will identify eligibility attendance areas using the best available measure for identifying children from low-income families. A district may use data on children from families receiving aid for dependent children (AFDC), data on families where children are eligible under the National School Lunch Program, or other appropriate data. If a district uses a composite of several data sources, they must be weighted. After determining the source(s) of low-income data, each school district receiving Chapter 1 Regular moneys, except as otherwise exempted under WAC 392-163-410, shall select attendance areas to receive Chapter 1 Regular services according to bases listed in 34 C.F.R. Section 200.30.~~

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-420 ((~~Notification of parents~~) **Services for homeless children.** ((Each school district shall notify parents of participating children of their child's involvement in the Chapter 1 Regular program and shall issue periodic reports of the child's progress in the program. Such notification and reports shall be provided in the primary language of the parent if necessary for communication unless it is clearly not feasible to do so.)) In order to ensure that each homeless child be provided services comparable to services offered other students in the school,

educationally deprived homeless children attending Chapter 1 schools are eligible for participation provided they meet the same educational criteria as other children in the school. Furthermore, districts may serve educationally deprived homeless children without regard to the residency requirements in WAC 392-163-415.

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

WAC 392-163-425 ((~~Construction and portable lease/purchase~~) **Parent involvement—Program requirement.** ((Chapter 1 Regular moneys may be used for the modification of existing facilities and/or for lease/purchase of portable facilities for the purpose of serving Chapter 1 Regular eligible children if:

(1) The district has exhausted every other available option for providing space in which to serve eligible children; and

(2) Modification of facilities or lease/purchase of portable facilities will provide essential improvement in the delivery of Chapter 1 Regular services to eligible children.

Such use of moneys shall have prior approval from the superintendent of public instruction which shall be granted only after an on site visit to the school district to examine existing facilities in order to determine that the above conditions do exist.)) In accordance with federal regulations, a local school district may receive funds under this provision only if it implements programs, activities, and procedures for the involvement of parents of participating public and private school children. This involvement must include, but is not limited to, parent input into the planning, design, and implementation of the Chapter 1 program. The consultation must be organized, systematic, ongoing, informed, and timely in relation to decisions about the program, activities, and procedures for the involvement of parents; and must be of sufficient size, scope, and quality to give reasonable promise of substantial progress toward achieving meaningful parental involvement, as outlined in 34 C.F.R. Sec. 200.34.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-440 ((~~Chapter 1 Regular audit~~) **Program improvement.** ((Audit of local school district Chapter 1 Regular programs shall be conducted in compliance with 34 CFR 74.62.)) In order to foster and encourage systematic, purposeful improvement for each project school and individual students, including served private schools, a local district shall:

(1) Establish measurable desired outcomes for each program component unique to its student population which includes the level of performance, the goal, the outcome indicator(s), measurement cycle, and indicators of substantial progress. The outcome must be based on objective data which measures Chapter 1 participants' success in the regular classroom as evidenced by their day-to-day performance, and must be based on criteria that all students are expected to master. Districts may develop desired outcomes for the total program either by building or across the district.

(2) Conduct an annual review of the effectiveness of its Chapter 1 project in improving student performance as

measured by aggregate performance and the established desired outcomes; and make the results of the review available to teachers, parents of participating children, administrators, and other appropriate parties. Results will also be indicated in the district's annual end-of-year report.

(3) Develop a program improvement plan for each building that:

(a) Does not show substantial progress toward meeting the desired outcomes described in the local district's application; or

(b) Shows no improvement or a decline in aggregate performance of participating children for a twelve-month period. "No improvement" shall be indicated by a zero or below NCE gain using either the mean or the median score across the district. The local district is only required to determine the aggregate performance of a school in the instructional area that is the primary focus of the Chapter 1 local district program in that school.

Districts may "self-nominate" buildings that have met their established objectives, and may have access to resources provided for the purposes of improving programs if sufficient resources are available.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-445 ((Sanctions)) Program improvement plan. ((Any school district found not in compliance with applicable federal and state statute and regulations shall be subject to the actions prescribed in WAC 392-163-455, 34 CFR 200.57 and 200.58, and/or due process procedures outlined in 34 CFR 200.90-103.)) For each building that shows no improvement according to WAC 392-163-440, a program improvement plan must be developed and implemented.

(1) Program improvement plans must be developed by individual school building staff, including, at a minimum: Regular education staff, Chapter 1 staff, building principal, Chapter 1 director, and parents of participating children.

(2) Plans must be shared with the local school board of directors and the superintendent of public instruction.

(3) Districts may apply for program improvement assistance funds to the superintendent of public instruction, on forms provided by the superintendent of public instruction, for the purposes of developing and implementing their plan. The funds may be used as outlined in the Washington state program improvement plan.

(4) Buildings must implement their plan, or parts of their plan, as soon as it is feasible, but no later than a year after the building has been identified.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-450 ((Compliance agreement)) Program improvement joint plan. ((Notwithstanding any of the actions prescribed by WAC 392-163-445, any school district found out of compliance with this chapter may as a substitute for withholding or repayment actions referenced in WAC 392-163-445 and/or 392-163-455 be required to enter into a compliance agreement with the superintendent of public instruction to ensure that noncompliant Chapter 1 Regular program practices are corrected within a period of

time specified in that agreement, as a condition to continuous receipt of Chapter 1 Regular moneys. If a district fails to achieve compliance within the specified period of time, the withholding and/or repayment procedures prescribed by WAC 392-163-445 and 34 CFR 200.57(b) shall be instituted by the superintendent of public instruction.)) If, after a required program improvement plan has been implemented for one full school year, a school is still identified as needing improvement according to WAC 392-163-440, the local school district shall, in partnership with the superintendent of public instruction, develop and implement a joint plan for program improvement in the identified school. The procedures and timelines listed in 34 C.F.R. 200.38 (b)(6) and the Washington State Program Improvement Plan shall be followed.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-455 ((Withholding of Chapter 1 Regular payments)) Student improvement. ((1) If the superintendent of public instruction determines that a school district is not in substantial compliance with federal statute and regulation or with this chapter, the superintendent of public instruction shall have the authority to withhold payment in whole or in part of Chapter 1 Regular moneys to the offending district. In deciding whether to withhold payments, the superintendent of public instruction shall provide:

(a) Reasonable notice to the school district of the reasons for the proposed withholding; and

(b) An opportunity for the school district within thirty calendar days of such notice to give reason why the withholding should not be instituted.

(2) Pursuant to the school district response, the superintendent of public instruction shall consider the following factors:

(a) The seriousness of the noncompliance;

(b) The amount of Chapter 1 Regular moneys involved;

(c) The effect of withholding on participating children; and

(d) The need to withhold payments to prevent further misuse of Chapter 1 Regular moneys.

(3) If, after consideration of these factors and within thirty calendar days, the superintendent of public instruction decides to initiate a withholding procedure, a date shall be specified by which the school district shall have achieved compliance, or the moneys withheld shall become subject to repayment procedures specified in 34 CFR 200.57.)) Each district must identify all students who have been served for a school year and that have not made progress towards meeting the objectives and outcomes stated in the district application. Districts must consider modifications in the Chapter 1 project to better serve those students. Furthermore, a thorough assessment must be conducted of the educational needs of children who remain in the district Chapter 1 project after two consecutive years of participation and have not shown progress towards meeting the objectives and outcomes stated in the district application. If appropriate, districts must use the results of that assessment to modify the Chapter 1 project to meet the children's needs.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

~~WAC 392-163-460 ((Approval of Chapter 1 Regular program application by the office of the superintendent of public instruction)) Serving students in greatest need— Program requirement. (((1) Final approval of a Chapter 1 Regular program shall be given to a school district when the superintendent of public instruction has received a completed application in accordance with WAC 392-163-320 and 392-163-335 and 34 CFR 200.13 (a)(b) and is assured that the school district has satisfied all yearly reporting requirements and compliance agreements from the previous year, unless the agreement extends into the current year.~~

~~(2) Programs shall not be implemented without prior approval from the superintendent of public instruction. The effective approval date shall be July 1 of each year for applications received and approved prior to July 1, or the subsequent date on which the application is received and approved by the superintendent of public instruction.~~

~~(3) Fiscal expenditures made prior to the effective approval date indicated on an application or a request for budget revision shall not be allowed.~~

~~(4) Consistent with PL 93-380 any school district shall have an opportunity to appeal a decision of the superintendent of public instruction, first to the superintendent of public instruction and then to the United States secretary of education.) The school district shall serve those educationally deprived children who have the greatest need for special assistance: *Provided*, That children who were identified in the previous year as being in greatest need for special assistance and who continue to be educationally deprived but are no longer in greatest need of special assistance may be served with Chapter 1 Regular funds for a maximum of two additional years: *Provided Further*, That the school district shall not be required to serve children in greatest need with Chapter 1 Regular moneys if such children are receiving similar services from nonfederal sources as would otherwise be provided by Chapter 1 Regular moneys.~~

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

~~WAC 392-163-465 ((State advisory council)) Student needs. (((1) Purpose. The purpose of the state advisory council (SAC) shall be to advise the superintendent of public instruction in state administration of the Chapter 1 Program.~~

~~(2) Membership:~~

~~(a) The superintendent of public instruction shall select parent members from nominations submitted by a school district superintendent or his/her designee. Nominees shall be parents of students served in the Chapter 1 Regular program and shall be chosen by the school district in consultation with parents and teachers of Chapter 1 Regular served children;~~

~~(b) The majority of the SAC shall consist of such parents as selected under subsection (a) above; and~~

~~(c) The balance of the SAC shall consist of Chapter 1 Regular administrators, teachers and aides, and representatives of other educational groups.~~

~~(3) Procedures:~~

~~(a) Bylaws shall be developed by the SAC and be subject to approval by the superintendent of public instruction;~~

~~(b) Election of officers shall be conducted by the membership;~~

~~(c) All meetings of the SAC shall be called by the superintendent of public instruction; and~~

~~(d) Members shall be reimbursed for travel and expenses to the extent permitted and consistent with the travel and per diem laws applicable to state employees.) Chapter 1 and regular education staff shall determine individual student's educational needs based on objective measures, including such measures as curriculum assessments, informal assessments, criterion-referenced tests, standardized tests, student learning objectives, interest inventories, portfolio assessments, anecdotal records, staff observations, to provide enough information to design a program of sufficient size, scope, and quality to give reasonable promise of substantial progress. Needs must be determined with sufficient specificity to ensure concentration on those needs. Student progress must be assessed throughout the school year, and reported to parents.~~

NEW SECTION

WAC 392-163-470 Notification of parents. Each school district shall notify parents of participating children of their child's involvement in the Chapter 1 Regular program and shall issue periodic reports of the child's progress in the program. Such notification and reports shall be provided in the primary language of the parent if necessary for communication to the extent practical.

NEW SECTION

WAC 392-163-475 School district application required. Each school district that seeks an allocation of federal funds under Chapter 1 Regular from the state shall submit an annual application on forms provided by the superintendent of public instruction.

NEW SECTION

WAC 392-163-480 Substance of annual school district application. The school district's annual application required by WAC 392-163-475 shall contain the following:

(1) Planned expenditures by program object and activity as required by WAC 392-163-490;

(2) Identification of eligible attendance areas selected to receive Chapter 1 Regular services: *Provided*, That the exemption prescribed in WAC 392-163-410 shall apply;

(3) Program, procedures, and project descriptions on forms provided by the superintendent of public instruction; and

(4) The objectives and outcomes for students participating in the Chapter 1 project, in terms of basic and more advanced skills that all children are expected to master, which will be a basis for evaluating the project for program improvement.

NEW SECTION

WAC 392-163-485 Annual assurances. Each school district that receives an allocation of federal funds under Chapter 1 Regular shall submit to the superintendent of public instruction annual assurances as indicated on the application forms.

NEW SECTION

WAC 392-163-490 Planned expenditures by program object and activity. Each school district's planned expenditures shall be by program object and activity, as displayed on forms provided by the superintendent of public instruction, for the program designed to assist educationally deprived children as defined in WAC 392-163-200 and shall include the district's proposed expenditures for public and private school children and for children in local institutions for neglected or delinquent children.

NEW SECTION

WAC 392-163-495 Board approval. Each annual application submitted by a school district to the superintendent of public instruction shall be approved by the board of directors only after the board has reviewed the program design and expenditures, taking into consideration:

- (1) Previous year's planned expenditures and total Chapter 1 Regular moneys available for the ensuing year (July 1 through August 31);
- (2) Results of the local review according to WAC 392-163-545 and 392-163-440;
- (3) Results of the annual needs assessment; and
- (4) The adequacy of parent/teacher consultation in the planning, implementation, and evaluation of the program.

AMENDATORY SECTION (Amending Order 83-8, filed 8/17/83)

WAC 392-163-500 (~~(Distribution of Chapter 1 Regular moneys to local school districts)~~) **Approval of Chapter 1 Regular program application by the office of the superintendent of public instruction.** ~~((1) For purposes of this section, the term:~~

(a) ~~"Poverty level students" shall mean children aged five through seventeen counted in accordance with Section 111 (c)(1)(2)(A)(B) of Public Law 95-561 and 34 CFR 200.22 (a)(1)(i).~~

(b) ~~"Best available data" shall mean poverty level data compiled using the 1980 decennial census definition of poverty status (Current Population Reports, Series P-60, No. 130, "Characteristics of the Population Below the Poverty Level: 1979").~~

(2) ~~The method used by the superintendent of public instruction to distribute Chapter 1 Regular county allocations shall conform to Section 193(a) of Public Law 95-561 and 34 CFR 200.22.~~

(a) ~~Using the best available data, poverty level students in each county shall be traced to individual school districts and the district shall receive a proportionate share of Chapter 1 Regular moneys from each county its boundaries overlap.~~

(b) ~~No district shall be allocated less than eighty five percent of the Chapter 1 Regular moneys it was allocated in the previous fiscal year.)~~ (1) Final approval of a Chapter 1

Regular program shall be given to a school district when the superintendent of public instruction has received a completed application in accordance with WAC 392-163-480 and 34 C.F.R. 200.20 and is assured that the school district has satisfied all yearly reporting requirements and compliance agreements from the previous year, unless the agreement extends into the year which the application covers.

(2) Programs shall not be implemented without approval from the superintendent of public instruction. The effective approval date shall be July 1 of each year for applications received on or prior to July 1, or the subsequent date on which the application is received by the superintendent of public instruction.

(3) Fiscal expenditures made prior to the effective approval date indicated on an application or a request for budget revision shall not be allowed.

(4) Consistent with 34 C.F.R. Part 81—General Education Provision Act—Enforcement any school district shall have an opportunity to appeal a decision of the superintendent of public instruction, first to the superintendent of public instruction and then to the United States secretary of education.

NEW SECTION

WAC 392-163-505 Budget revision—Ten percent allowed. Using the "budgeted direct expenditures" total from Form F1000B as a base, school districts may make annual expenditure adjustments of up to ten percent of that total in any of the previously budgeted activity or object totals within the approved annual application without filing a request for a budget revision with the superintendent of public instruction.

NEW SECTION

WAC 392-163-510 Budget revisions—Updating planned expenditures. Except as provided in WAC 392-163-505, each school district shall expend Chapter 1 Regular moneys in accordance with planned expenditures and program description included in the application submitted to and approved by the superintendent of public instruction. A school district shall be required to file a request for a budget revision whenever necessary or no later than August 31 of the current year with the superintendent of public instruction in order to:

- (1) Increase the total expenditure of Chapter 1 Regular moneys; or
- (2) Change by more than ten percent of the budgeted direct expenditure total the expenditures among activity or object totals; or
- (3) Expend money in any object or activity total where no moneys were budgeted in the original application.

NEW SECTION

WAC 392-163-515 Budget revision—Approval. Approval of budget revisions by the superintendent of public instruction shall be in accordance with the provisions of WAC 392-163-500 for approval by the superintendent of public instruction of the annual application.

NEW SECTION

WAC 392-163-520 Program update. No later than thirty calendar days following a substantial program change, a school district shall submit to the superintendent of public instruction a description of such changes. "Substantial changes" shall mean:

- (1) Removal of Chapter 1 Regular services from an attendance area listed as "served" on the application;
- (2) Addition of Chapter 1 Regular services to an attendance area not listed as "served" in the application;
- (3) Modification of the Chapter 1 Regular program in any served attendance area by adding a new program focus, by changing grade levels, or by changing program service delivery models; and/or
- (4) Increasing the number of students served in the Chapter 1 Regular program to such an extent that the district must exceed the ten percent budget variance to accommodate serving the additional eligible students.

Notwithstanding the thirty-day provision for notification to the superintendent of public instruction of substantial program changes, if such changes necessitate a budget revision, said revision shall be submitted to the superintendent of public instruction for approval prior to implementation of proposed changes.

NEW SECTION

WAC 392-163-525 Supervisory expenditures. A school district that charges any portion of supervisory expenditures to the Chapter 1 Regular program shall document such costs, including the proportion of supervisory FTE so designated.

NEW SECTION

WAC 392-163-530 Reallocation of Chapter 1 Regular moneys in excess of fifteen percent carryover. Carryover in excess of fifteen percent will be reallocated by the superintendent of public instruction to school districts according to the process outlined in 34 C.F.R. Section 200.26.

To implement reallocation of Chapter 1 Regular moneys the following requirements and procedures for school districts and the superintendent of public instruction are hereby established:

- (1) No school district's annual application shall be approved by the superintendent of public instruction unless such application includes budgeted expenditures equal to at least eighty-five percent of the district's Chapter 1 Regular allocation.
- (2) If the total amount budgeted is less than eighty-five percent of the current year's allocation, the superintendent of public instruction shall notify the district of the additional amount it must budget to achieve the minimum budgetary requirement.
- (3) Upon receipt of such notification, a school district shall submit a revised Chapter 1 budget to the superintendent of public instruction or shall submit, on forms provided by the superintendent of public instruction for that purpose, a request for waiver explaining why the district is planning to carry over more than fifteen percent of its Chapter 1 Regular allocation.

NEW SECTION

WAC 392-163-535 Reallocation of Chapter 1 Regular moneys—Waiver of limit. Notwithstanding the requirements of WAC 392-163-530 a school district may request a waiver to allow the carryover of more than the fifteen percent limitation for a succeeding year:

- (1) The request shall be made in writing to the superintendent of public instruction with the Chapter 1 Regular application for the ensuing year.
- (2) The request shall specify the total amount the district proposes to carry over, the purpose/activities for which the money will be expended in the succeeding year, and the rationale for the planned expenditure pattern.
- (3) The request shall be approved by the school district board of directors.
- (4) The district may submit a waiver request once during the Chapter 1 authorization period.

The superintendent of public instruction shall notify the school district within thirty days of the receipt of the request of the acceptance or rejection of the request for waiver of the carryover limit for the succeeding year.

Notwithstanding the granting of a waiver request, if the school district does not expend its excess carryover in the succeeding year for the activities and purposes outlined in its waiver request, such excess shall be withheld and made available for reallocation the succeeding year.

NEW SECTION

WAC 392-163-540 Reallocation of Chapter 1 Regular moneys—Application for available excess carryover. The superintendent of public instruction shall invite school districts meeting the conditions of 34 C.F.R. 200.26 to submit applications for reallocation money each year.

Reallocation funds shall be made available through application procedures as determined by the superintendent of public instruction.

NEW SECTION

WAC 392-163-545 Program evaluation. Each school district that receives an allocation of moneys under Chapter 1 Regular shall:

- (1) Use the Chapter 1 Evaluation and Reporting System (CHIERS) for annually reporting student impact data to the superintendent of public instruction on forms provided by the superintendent of public instruction;
- (2) Evaluate the project's effectiveness on the basis of aggregate performance and desired outcomes stated in the district application, including a review of Chapter 1 participating children's progress in the regular program;
- (3) Determine whether improved performance of Chapter 1 participating children is sustained over a period of more than twelve months, using district-selected measurements; and
- (4) Annually assess, through consultation with parents of participating students, the effectiveness of the Chapter 1 parental involvement program, and determine what action needs to be taken, if any, to increase parental participation.

NEW SECTION

WAC 392-163-550 End-of-year report—Annual requirement. Each school district that receives an allocation of funds under Chapter 1 Regular shall submit to the superintendent of public instruction each year an end-of-year report on forms provided by the superintendent of public instruction. The end-of-year report shall be received by the superintendent of public instruction no later than July 20 and shall contain all information as specified by the accompanying instructions to meet reporting requirements in P.L. 100-297 Section 1019 (b)(3). Districts shall also submit result of its progress toward meeting the objectives and outcomes stated in the district's application for the current year as required for program improvement.

NEW SECTION

WAC 392-163-555 End-of-year report—Summer school addendum. Any school district which conducts a summer school supported with Chapter 1 Regular moneys, in addition to the annual end-of-year report, shall submit a separate summer school report by September 15 on forms provided by the superintendent of public instruction.

NEW SECTION

WAC 392-163-560 Comparability of services—Computation basis. (1) In order to demonstrate comparability, a school district shall compare the nonfederal FTE student/instructional staff ratio in each Chapter 1 Regular served school with an average of FTE student/instructional staff ratios in all nonserved schools: *Provided*, That if all schools within the district are served with Chapter 1 Regular moneys, a school district shall compare the FTE student/instructional staff ratio in each Chapter 1 Regular served school with an average of the FTE student/instructional staff ratio in Chapter 1 Regular served schools having the lowest percent or number of low-income students, this base being not more than half the total number of schools being served, using for the computation FTE student enrollment divided by nonfederally funded FTE certificated and classified staff in Activity 27: *Provided Further*, That at its discretion, a district also may include in its calculation other nonfederal instructional staff in Activities 22, 23, 24, and 25.

(2) A district shall be deemed to have demonstrated comparability if it meets the definition of equivalence established in WAC 392-163-210.

(3) In assembling the data for the computation the school district may:

(a) Disregard schools with a total student enrollment of fewer than one hundred FTE students;

(b) Divide schools into appropriate grade span groupings;

(c) Divide schools into two groups, larger and smaller, for each grade span grouping if policies or agreements established by the school district board of directors require different teacher/pupil ratios based on individual school population characteristics. If a district chooses to use this option, it shall use only instructional staff in Activity Code 27 in the comparability calculation;

(d) Exclude from its calculation FTE instructional staff who are supported with state and/or local moneys for similar services designed to meet the needs of educationally deprived children, if such programs are consistent with the requirements of section 1018 (d)(b) of Public Law 100-297; and/or

(e) Exclude from its calculation the portion of nonfederally supported FTE instructional staff time used to provide services exclusively to handicapped and/or limited English proficient programs.

(4) Student enrollment and instructional staff data used in the comparability report shall have been collected within the same calendar month. The computation based on that data shall be completed prior to December 1 of each school year.

NEW SECTION

WAC 392-163-565 Comparability of services maintained. Once a school district has demonstrated comparability, comparable services shall be maintained for the remainder of the school year except that unforeseen conditions which arise during the school year shall not be a factor in determining continuing compliance with the comparability of services requirement.

NEW SECTION

WAC 392-163-570 Comparability of services—Completed forms on file. Each fall, school districts shall receive forms from the superintendent of public instruction with accompanying directions for demonstrating comparability. These completed forms shall be kept on file in the school district and shall be made available for review.

NEW SECTION

WAC 392-163-575 Maintenance of effort. A school district receiving Chapter 1 Regular moneys shall maintain state and local fiscal effort at a minimum of ninety percent level as calculated in WAC 392-163-580. This calculation may be made on an aggregate or per pupil expenditure basis. These calculations shall be made by the superintendent of public instruction from data submitted to the superintendent of public instruction by school districts. School districts failing to meet the maintenance of effort requirements shall be notified in writing no later than June 1 of each school year.

NEW SECTION

WAC 392-163-580 Maintenance of effort—Computations. The following calculations shall be used by the superintendent of public instruction to ensure the maintenance of effort for school districts receiving Chapter 1 Regular moneys. The data source for these calculations is the F-196. The same calculations shall be made for both the preceding and second preceding fiscal years:

(1) The total general fund expenditures shall be adjusted by the subtraction of the following program expenditures: The direct expenditures of Program 42—Vocational-Technical Institute Projects, Program 47—Vocational-Technical Institutes, Program 56—State Institutions, Program 83—Adult Education, Program 87—Community Services,

Vocational-Technical Institutes, Program 89—Other Community Services, and Activities 82 and 83 in Program 92—Debt Service, Object 9—Capital Outlay, and payments made to other school districts for nonhigh and handicapped pupils.

(2) From the resulting total in subsection (1) of this section, the total revenue in revenue account series 5000 and 6000 (except Accounts 5500, Federal Forest Funds, and 5300 P.L. 874—Impact Aid) shall be deducted.

(3) To the resulting total in subsection (2) of this section, the Object 9 expenditures for the following programs shall be added:

- (a) 42 Vocational-technical institutes projects;
- (b) 47 Vocational-technical institutes;
- (c) 56 State institutions;
- (d) 83 Adult education;
- (e) 87 Community services, vocational-technical institutes;
- (f) 89 Other community services; and
- (g) 51, 53, 57, 61, 62, 64, 67, 68, 76, and 78 Federal Programs.

(4) The calculations in subsections (1), (2), and (3) of this section shall be applied to both school years. The results of subsections (1) through (3) of this section shall then be compared and a district shall be considered to be in compliance if the total for the preceding year is at least ninety percent of the total for the second preceding year.

NEW SECTION

WAC 392-163-585 Maintenance of effort—Failure to maintain effort. If the superintendent of public instruction determines that a school district has not maintained effort pursuant to the computation defined in WAC 392-163-580, the superintendent of public instruction shall take one of the following actions:

(1) Waive, for one fiscal year only, the maintenance of effort requirement if the superintendent of public instruction determines that a waiver would be allowable due to exceptional or uncontrollable circumstances. These circumstances include:

- (a) A natural disaster;
- (b) A precipitous and unforeseen decline in the financial resources of the school district; or
- (c) Other exceptional or uncontrollable circumstances: *Provided*, That tax initiatives or referenda may not be considered to be exceptional or uncontrollable circumstances.

If the superintendent of public instruction grants a waiver, the superintendent of public instruction shall not reduce the amount of Chapter 1 Regular moneys the school district is otherwise entitled to receive.

In determining maintenance of effort for the fiscal year immediately following the fiscal year for which the waiver was granted, the superintendent of public instruction may consider the school district's fiscal effort for the second preceding fiscal year to be no less than ninety percent of the combined fiscal effort per student or aggregate expenditures (using the measure most favorable to the school district) for the third preceding fiscal year.

(2) If a waiver cannot be granted, the superintendent of public instruction shall reduce the school district's allocation of moneys under Chapter 1 Regular in the exact proportion

to which the school district fails to meet ninety percent of either the combined fiscal effort per student or aggregate expenditures (using the measure most favorable to the school district) for the second preceding fiscal year.

In determining maintenance of effort for the fiscal year immediately following the fiscal year in which the school district failed to maintain effort, the superintendent of public instruction may consider the school district's fiscal effort for the second preceding fiscal year to be no less than ninety percent of the combined fiscal effort per student or aggregate expenditures (using the measure most favorable to the school district) for the third preceding fiscal year.

NEW SECTION

WAC 392-163-590 Acquisition, control, and disposition of property. Acquisition, control, and disposition of property purchased with Title I/Chapter 1 Regular moneys shall be consistent with Part 80 of EDGAR (Education Department General Administrative Regulations) Acquisition is allowed if the district determines that:

- (1) The equipment is reasonable and necessary to effectively operate its Chapter 1 program;
- (2) Existing equipment is not sufficient; and
- (3) The costs are reasonable.

NEW SECTION

WAC 392-163-595 Construction and portable lease/purchase. Chapter 1 Regular moneys may be used for the modification of existing facilities and/or for lease/purchase of portable facilities, as defined by WAC 180-27-018, for the purpose of serving Chapter 1 Regular participating children if:

- (1) The district has exhausted every other available option for providing space in which to serve participating children; and
- (2) Modification of facilities or lease/purchase of portable facilities will provide essential improvement in the delivery of Chapter 1 Regular services to participating children.

Such use of moneys shall have prior approval from the superintendent of public instruction which shall be granted only after an on-site visit to the school district to examine existing facilities in order to determine that the above conditions do exist.

NEW SECTION

WAC 392-163-600 Capital expenses for serving private schools. A local school district may apply to the superintendent of public instruction for a payment to cover capital expenses that the local district, in providing equitable Chapter 1 services to eligible children in private schools:

- (1) Has paid from funds under Chapter 1 ECIA, since July 1, 1985;
- (2) Is currently paying from funds provided under this part; or
- (3) Would incur because of an expected increase in the number or percentage of private school children to be served.

Procedures for applying for, receiving, and using funds will be in accordance with Sec. 34 C.F.R. 200.57 and 200.58.

NEW SECTION

WAC 392-163-605 Distribution of Chapter 1 Regular moneys to local school districts. (1) For purposes of this section, the term:

(a) "Poverty level students" shall mean children aged five through seventeen counted in accordance with Section 1005(c) of Public Law 100-297 and 34 C.F.R. Section 200.23.

(b) "Best available data" shall mean poverty level data compiled using the most current decennial census definition of poverty status.

(2) The method used by the superintendent of public instruction to distribute Chapter 1 Regular county allocations shall conform to 34 C.F.R. Section 200.23 and 200.24.

(a) Using the best available data, poverty level students in each county shall be traced to individual school districts and the district shall receive a proportionate share of Chapter 1 Regular moneys from each county its boundaries overlap.

(b) No district shall be allocated less than eighty-five percent of the Chapter 1 Regular moneys it was allocated in the previous fiscal year.

NEW SECTION

WAC 392-163-610 Program compliance review. The superintendent of public instruction shall conduct program compliance reviews of all school districts receiving Chapter 1 Regular moneys. Reviews of each school district shall occur at least once within a three-year plan as established by the superintendent of public instruction. The plan will ensure that no more than three years lapse between reviews for each school district: *Provided*, That in the case of school districts not reviewed due to exceptional or uncontrollable circumstances, these districts will have first priority for review in the immediate following year. Upon receipt of the compliance review report from the superintendent of public instruction the school district shall have three weeks to respond to the superintendent of public instruction if there are exceptions noted in the report. Substantial noncompliance or failure by the school district to respond and/or initiate corrective action in a timely manner shall be subject to actions prescribed in WAC 392-163-630 and 392-163-635.

NEW SECTION

WAC 392-163-615 Chapter 1 Regular audit. Audit of local school district Chapter 1 Regular programs shall be conducted in compliance with 34 C.F.R. 74.62.

NEW SECTION

WAC 392-163-620 Complaint procedure. In accordance with federal regulation 34 C.F.R. 200.73-75, an organization or individual may file a written signed complaint with the superintendent of public instruction.

(1) Basis of submission.

(a) Prior to submitting a complaint and/or appeal to the superintendent of public instruction for decision, the

complainant or local school district must demonstrate that local complaint procedures have been followed. If it is determined by the superintendent of public instruction that such remedies have not been followed, the complaint will be referred back to the local level for resolution.

(b) Upon written decision of a complaint, the complainant has the right to appeal a decision of the local school district with respect to a complaint within thirty calendar days of the final decision of the school district.

(c) Complaints emanating from and through other entities than local school district shall come directly to the superintendent of public instruction for resolution. The procedure shall be the same as those for other appeals and complaints which begin at the local level.

(2) Method of submission.

(a) The complainant shall submit a written statement of complaint and/or appeal to the superintendent of public instruction—Attention: Chapter 1 Regular program supervisor. This statement shall specify:

(i) The nature of the violation of the federal statute or state regulations that apply to programs under this procedure;

(ii) A brief listing of the evidence supporting the complainant's contention(s);

(iii) Where appropriate, a definitive statement of points of disagreement with the locally rendered decision; and

(iv) The desired remedy or outcome of the complaint/appeal.

(b) The complainant shall make copies of the statement available to any applicable local district advisory council and the local school district.

(3) Timelines. The superintendent of public instruction shall review and/or resolve any complaint and/or appeal from a local school district or its constituency within a period of sixty calendar days following receipt of such complaint or appeal in the Chapter 1 Regular program supervisor's office of the superintendent of public instruction. If exceptional circumstances exist with respect to a particular complaint, the time limit may be extended by the superintendent of public instruction, but it shall be extended in each case to a specific number of days.

(4) Evidence.

(a) In the resolution and/or review of any complaint and/or appeal, the superintendent of public instruction shall guarantee to the complainant and/or his/her representative(s) and to the local school the right and opportunity to present evidence and to question parties to the dispute and to any of their witnesses. Presentation of evidence and questions of witnesses in the appropriate language shall be in accordance with generally accepted legal tenets regarding such processes in a hearing.

(b) If the superintendent of public instruction determines that on-site review and/or investigation is necessary, such review/investigation shall be conducted by appropriate superintendent of public instruction staff with attention to hearing the concerns of all interested parties.

(5) Final resolution. Within thirty calendar days following the receipt of the superintendent of public instruction's written decision on the complaint/appeal, the complainant and/or local school district may appeal that decision to the Secretary of the United States Department of Education for final resolution. Such appeal shall be in writing and shall specify the particular points of

disagreement with the decision as rendered by the superintendent of public instruction.

NEW SECTION

WAC 392-163-625 Sanctions. School districts found to be out of compliance with applicable federal and state statute and regulations shall be subject to the actions prescribed in WAC 392-163-635, and/or procedures outlined in 34 C.F.R. Part 81—General Education Provision Act—Enforcement.

NEW SECTION

WAC 392-163-630 Compliance agreement. Notwithstanding any of the actions prescribed by WAC 392-163-625, any school district found out of compliance with this chapter may as a substitute for withholding or repayment actions referenced in WAC 392-163-625 and/or WAC 392-163-635 be required to enter into a compliance agreement with the superintendent of public instruction to ensure that noncompliant Chapter 1 Regular program practices are corrected within a period of time specified in that agreement, as a condition to continuous receipt of Chapter 1 Regular moneys. If a district fails to achieve compliance within the specified period of time, the withholding and/or repayment procedures prescribed by WAC 392-163-625 and 34 C.F.R. Part 81—General Education Provision Act—Enforcement shall be instituted by the superintendent of public instruction.

NEW SECTION

WAC 392-163-635 Withholding of Chapter 1 Regular payments. (1) If the superintendent of public instruction determines that a school district is not in substantial compliance with federal statute and regulations or with this chapter, the superintendent of public instruction shall have the authority to withhold payment in whole or in part of Chapter 1 Regular moneys to the noncompliant district. In deciding whether to withhold payments, the superintendent of public instruction shall provide:

(a) Reasonable notice to the school district of the reasons for the proposed withholding; and

(b) An opportunity for the school district within thirty calendar days of such notice to give reason why the withholding should not be instituted.

(2) Pursuant to the school district response, the superintendent of public instruction shall consider the following factors:

- (a) The seriousness of the noncompliance;
- (b) The amount of Chapter 1 Regular moneys involved;
- (c) The effect of withholding on participating children;

and

(d) The need to withhold payments to prevent further misuse of Chapter 1 Regular moneys.

(3) If, after consideration of these factors and within thirty calendar days, the superintendent of public instruction decides to initiate a withholding procedure, a date shall be specified by which the school district must have achieved compliance, or the moneys withheld shall become subject to repayment procedures specified in 34 C.F.R. Part 81—General Education Provisions Act—Enforcement.

NEW SECTION

WAC 392-163-640 Committee of practitioners. (1) Purpose. The superintendent of public instruction shall establish a committee of practitioners for the purpose of:

(a) Providing consultive assistance on the state plan in regard to requirements and policies relative to implementing Public Law 100-297 (Elementary and Secondary Education Act of 1965, as amended); and

(b) Acting in an advisory capacity in the areas of state regulations and policies, program improvement, and other related Chapter 1 concerns.

(2) Membership. The committee shall be representative of each geographical region of the state; urban, suburban, and rural districts; teachers, parents of participating children, regular education instructional staff, private school staff, Chapter 1 instructional staff, district administrators, local school board member, and curriculum staff; and must be knowledgeable about the Chapter 1 program.

(3) Procedures:

(a) Membership terms shall be two years in length.

(b) All meetings of the committee of practitioners shall be called by the superintendent of public instruction.

(c) Members shall be reimbursed for travel and expenses to the extent permitted and consistent with the travel and per diem laws applicable to all state employees.

NEW SECTION

WAC 392-163-645 State advisory council. (1) Purpose. The purpose of the state advisory council (SAC) shall be to advise the superintendent of public instruction on parent involvement and related concerns of the Chapter 1 Regular Program.

(2) Membership:

(a) The superintendent of public instruction shall select parent members from nominations submitted by a school district superintendent or his/her designee. The selection of council members shall be representative of geographic location. Nominees shall be parents of students served in the Chapter 1 Regular program and shall be chosen by the school district in consultation with parents and teachers of Chapter 1 Regular served children;

(b) The majority of the SAC shall consist of such parents as selected under (a) of this subsection; and

(c) The balance of the SAC shall consist of Chapter 1 Regular administrators, teachers, educational assistants, and representatives of other educational groups.

(3) Procedures:

(a) Bylaws shall be developed by the SAC and be subject to approval by the superintendent of public instruction;

(b) Election of officers shall be conducted by the membership;

(c) All meetings of the SAC shall be called by the superintendent of public instruction; and

(d) Members shall be reimbursed for travel and expenses to the extent permitted and consistent with the travel and per diem laws applicable to state employees.

**WSR 92-21-026
PERMANENT RULES
WILDLIFE COMMISSION**

[Order 571—Filed October 13, 1992, 4:42 p.m.]

Date of Adoption: October 2-3, 1992.

Purpose: A permanent change to the 1992-94 fishing regulations in marine waters to protect wild summer and winter-run steelhead returning to Washington rivers.

Citation of Existing Rules Affected by this Order: Amending [new section] WAC 232-28-61916.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 92-17-067 on August 18, 1992.

Effective Date of Rule: Thirty-one days after filing.
October 12, 1992

Curt Smitch
Director
for Dean A. Lydig
Chair

NEW SECTION

WAC 232-28-61916 1992-94 Washington game fish seasons and catch limits — Steelhead regulations — Marine Areas 1 through 13. Notwithstanding the provisions of WAC 232-28-619, effective November 15, 1992 the following game fish regulations apply to Marine Areas 1 through 13.

MARINE WATERS REGULATIONS
CATCH AND POSSESSION LIMITS

| GAME FISH SPECIES | DAILY CATCH LIMITS | MINIMUM SIZE LIMITS | POSSESSION LIMITS |
|---------------------------------|--------------------|---------------------|--|
| TROUT* (Including Steelhead) | 2 | 14" | One catch limit and (in addition) 2 steelhead over 20" |

Wild steelhead release in Marine Areas 1 through 13;

Wild cutthroat release in Marine Areas 12 (Hood Canal) and 13 (South Puget Sound)

All other provisions of WAC 232-28-619 regarding Marine Waters remain in effect.

**WSR 92-21-027
PERMANENT RULES
HORSE RACING COMMISSION**

[Filed October 13, 1992, 4:45 p.m.]

Date of Adoption: October 6, 1992.

Purpose: The amendment will enable a jockey's agent to handle the business of three jockeys rather than the present two jockeys at one meet.

Citation of Existing Rules Affected by this Order: Amending WAC 260-32-400 Powers and duties.

Statutory Authority for Adoption: RCW 67.16.040.

Pursuant to notice filed as WSR 92-18-026 on August 26, 1992.

Effective Date of Rule: Thirty-one days after filing.
October 12, 1992

Will Bachofner
Executive Secretary

AMENDATORY SECTION (Amending Order 79-03, § 260-32-400, filed 12/24/79; Rules of racing, § 174, filed 3/11/65; filed 4/21/61)

WAC 260-32-400 Powers and duties. Each jockey agent shall be licensed on a regular form provided by the commission. No jockey agent shall be the owner or trainer of any horse. A jockey agent may represent ~~two~~ three journeymen jockeys providing the conditions justify and upon approval of the stewards. No jockey agent shall make or assist in making any engagement for any rider other than those he is licensed to represent. Each jockey agent shall keep, on a form provided by the association, a record by races of all engagements made by him of the riders he is representing. This record must be kept up to date and held ready at all times for the inspection by the stewards. If any jockey agent gives up the making of engagements for any rider, he shall immediately notify the stewards, and he shall also turn over to the stewards a list of any unfilled engagements he may have made for that rider. A jockey agent may not drop a rider without notifying the board of stewards in writing. All rival claims for the services of a rider will be adjusted by the stewards.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 92-21-034
PERMANENT RULES
GROWTH PLANNING
HEARINGS BOARDS**

[Filed October 15, 1992, 10:25 a.m., effective October 15, 1992]

Date of Adoption: October 14, 1992.

Purpose: The joint rules of practice and procedure establish the procedural mechanism for appearing before a Growth Planning Hearings Board.

Statutory Authority for Adoption: RCW 36.70A.270(6).

Pursuant to notice filed as WSR 92-15-134 on August 5, 1992.

Changes Other than Editing from Proposed to Adopted Version: WAC 242-02-052, the location for filing petitions for rule making was changed from the Western Washington Growth Planning Hearings Board to the Central Puget Sound Board. This modification was made to be consistent with the rules coordinator's office location; WAC 242-02-072(2), the Western Washington Growth Planning Hearings Board's address and telephone numbers have changed; WAC 242-02-110(3), the reference to out-of-state attorneys has been deleted. Therefore, for attorneys from any other state to practice before the boards, they must fall under subsection (4): "Other persons permitted by law."; WAC 242-02-130, two sentences have been added to explain how improper *ex*

PERMANENT

parte communications can be avoided. The proposed rules simply urged persons to avoid making an improper communication but offered no assistance in explaining how to do this; WAC 242-02-140, all but the first sentence of this section has been deleted in the adopted rules; WAC 242-02-220, this section was editorially modified to clarify the time for filing petitions for review; WAC 242-02-230, in recognition that lay persons would not know how to serve a petition for review in the "same manner as ... superior court civil actions", this section was altered to specify precisely which agent of a governmental jurisdiction should be served with a copy of a petition for review. New language also clarifies that only one facsimile copy need be filed rather than three as was the requirement under the proposed rules. Finally, proof of service is not mandatory under the adopted rules; WAC 242-02-250, a new subsection (1) was added which requires respondent's representatives to file a notice of appearance. Former subsection (1) was renumbered to subsection (2) and the time for filing an answer to a petition for review was extended to twenty days from the date of service of a petition for review, rather than ten days prior to a prehearing conference; WAC 242-02-320, references to commercial parcel delivery or courier service were deleted since this manner of service falls under a type of personal service; WAC 242-02-410, the discovery rules were modified to specify that discovery would not be permitted unless the parties stipulate to it or have received board permission to conduct it; WAC 242-02-510, this section was WAC 242-02-560 in the proposed rules. It was placed first within the -500 sections of the rules since it includes a board's first required action — scheduling a hearing; WAC 242-02-520, subsection (1) of the proposed rules was deleted. Subsection (2) (formerly subsection (3) in the proposed rules) was altered. Within fifty days from the date a petition for review was filed, each party must submit a preliminary list of exhibits. Under the proposed rules, this requirement was due by the time of the prehearing conference. Subsection (3) (formerly subsection (4) in the proposed rules) was rewritten to clarify the procedures for filing a final exhibit list; WAC 242-02-522, this section was formerly WAC 242-02-510 under the proposed rules; WAC 242-02-530, subsection (4) has been modified. Under the proposed rules, motions for summary judgment were specifically authorized. Under the adopted rules, a summary judgment-like motion, called a dispositive motion, may be filed by any party; WAC 242-02-532, under the adopted rule, it is clarified that motions can be filed at any time unless a motions deadline has passed; WAC 242-02-534, parties responding to a motion are given ten days from the date of receipt of the motion to respond. Under the proposed rules, they only had seven; WAC 242-02-550, a sentence has been added at the beginning of this section which explains that prehearing conferences are optional at the discretion of the presiding officer; WAC 242-02-560, this section was formerly WAC 242-02-562 under the proposed rules. It was renumbered since former WAC 242-02-560 was renumbered to WAC 242-02-510; WAC 242-02-890, subsection (2) was modified. Under the proposed rules, a motion for a compliance determination hearing had to be filed within thirty days from the relevant deadline. Under the adopted rules, no deadline has been established; and WAC 242-04-050(2), the Western Washington Growth

Planning Hearings Board's address and telephone number has been changed.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The emergency rules of practice and procedure, filed June 17, 1992, automatically expire on October 15, 1992. All notices and correspondence prepared by the boards have notified interested persons that the proposed permanent rules would be adopted on October 14, 1992, and become effective immediately upon filing on October 15, 1992. This enables the boards to comply with the requirement of RCW 36.70A.270, to allow the maximum amount of time to comment on proposed rules and to proceed with pending cases in a timely fashion.

Effective Date of Rule: October 15, 1992.

October 14, 1992

M. Peter Phillee

Rules Coordinator/Board Member

Chapter 242-06 WAC COMPLIANCE WITH STATE ENVIRONMENTAL POLICY ACT

NEW SECTION

WAC 242-06-010 Purpose. The purpose of this chapter is to comply with and implement RCW 43.21C.120 directing every state agency to adopt rules pertaining to the integration of the policies and procedures of the State Environmental Policy Act into the various programs under their jurisdiction for implementation.

NEW SECTION

WAC 242-06-020 Application. The boards, both individually and collectively, have reviewed their authorized activities pursuant to WAC 197-11-800(12) and found them to be exempt under the provisions of chapter 197-11 WAC.

Title 242 WAC GROWTH PLANNING HEARINGS BOARDS

Chapter 242-02 WAC PRACTICE AND PROCEDURE

ADMINISTRATION

NEW SECTION

WAC 242-02-010 Organization. Three growth planning hearings boards were established pursuant to chapter 36.70A RCW. Each board is an independent agency of the state of Washington with three members appointed by the governor who are qualified by experience or training in matters pertaining to land use planning. These rules were developed and adopted jointly by all three boards pursuant to RCW 36.70A.270(6). They should be read in conjunction with the act.

amendment or repeal of an existing rule or rules. The second paragraph, in case of a proposed new rule or amendment of an existing rule, shall set forth the desired rule in its entirety. Where the petition is for repeal of an existing rule, such shall be stated and the rule proposed to be repealed shall either be set forth in full or shall be referred to by board rule number. The third paragraph shall set forth concisely the reasons for the proposal of the petitioner and shall contain a statement as to the interests of the petitioner and the subject matter of the rule. Additional numbered paragraphs may be used to give full explanation of petitioner's reason for the action sought.

(c) The petition shall be dated and signed by the person named in the first paragraph or by the petitioner's attorney. The original and nine copies shall be filed with the Central Puget Sound board at its office in Seattle, Washington.

NEW SECTION

WAC 242-02-054 Petition for rule making—Consideration and disposition. (1) Each petition for the adoption, amendment, or repeal of a rule shall be considered by the joint boards, and the joint boards may, in their discretion, solicit comments or invite discussion concerning the matter prior to disposition of the petition.

(2) Consideration of petitions. All petitions shall be considered by the joint boards or representatives designated by each board, and the joint boards may, in their discretion, hold meetings for the further consideration and discussion of the requested adoption, amendment, or repeal of any rule.

(3) Notification of disposition of petition. The joint boards or designated representatives shall notify the petitioner within a reasonable time of the disposition, if any, of the petition.

NEW SECTION

WAC 242-02-060 Computation of time. The time within which any act shall be done, as provided by these rules, shall be computed by excluding the first day and including the last, unless the last day is a Saturday, a Sunday, or a legal holiday, and then it is excluded and the next succeeding day which is neither a Saturday, a Sunday, nor a legal holiday is included. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation.

NEW SECTION

WAC 242-02-070 Quorum. (1) Joint boards. For the purpose of adopting, amending or repealing these rules, at least two members of each board must concur.

(2) Individual board. For purposes of making orders or decisions or transacting other official business, two members of a board shall constitute a quorum and may act even though one position on the board is vacant. One member or designated hearing examiner may hold hearings and take testimony. The findings of such member or hearing examiner shall not become final until approved by a majority of the board in accordance with WAC 242-02-840. In instances of a tie vote, the procedures described in WAC 242-02-870 shall apply.

NEW SECTION

WAC 242-02-072 Principal offices. The principal offices of each board are as follows:

- (1) Eastern Washington Growth Planning Hearings Board
Suite 1118 Larson Building
6 South 2nd Street
Yakima, Washington 98901
(509) 454-7803
(509) 454-7292 FAX
- (2) Western Washington Growth Planning Hearings Board
111 W. 21st Avenue - Suite 1
P.O. Box 40953
Olympia, Washington 98504-0953
(206) 664-8966
(206) 664-8975 FAX
- (3) Central Puget Sound Growth Planning Hearings Board
2329 One Union Square
600 University Street
Seattle, Washington 98101-1129
(206) 389-2625
(206) 389-2588 FAX

NEW SECTION

WAC 242-02-074 Regular meetings. (1) Regular meetings of each board will be held at its principal office or designated location at the following times:

- (a) Eastern Washington board - every Tuesday at 10:30 a.m.
- (b) Western Washington board - every Wednesday at 10:30 a.m.
- (c) Central Puget Sound board at 10:00 a.m. on the second Thursday of each month.

(2) The joint boards shall meet annually at a time and location to be announced.

NEW SECTION

WAC 242-02-080 Form and size of documents. Documents other than exhibits shall be typewritten or printed, properly captioned, signed by the appropriate person submitting the same, shall include his/her address and telephone number, and shall be on 8-1/2 x 11 inch paper. Each board uses IBM compatible software. A board may request submission of a disk from a party, if appropriate.

NEW SECTION

WAC 242-02-090 Case numbering. Each board shall assign a case number to each petition for review which shall be the official reference number for purposes of identification. The first two digits of the case number shall correspond to the last two digits of the calendar year in which the petition was filed. The third digit shall designate which board has jurisdiction over the matter. The Eastern Washington board shall use the digit "1"; the Western Washington board shall use the digit "2"; and the Central Puget Sound board shall use the digit "3." The last four digits shall be numbered sequentially in order of receipt.

PRACTICE BEFORE A BOARDNEW SECTION

WAC 242-02-110 Appearance and practice before a board—Who may appear. Practice before a board in hearings shall be open to the following persons who have met the standing requirements of chapter 36.70A RCW:

(1) A party to a case before the board may participate personally or, if the party is a corporation, organization, informal association, or other artificial person, by a duly authorized representative;

(2) Whether or not participating in person, any party may be advised and represented at the party's own expense by an attorney or, if permitted by provision of law, other representative;

(3) Attorneys at law practicing before the board must be duly qualified and entitled to practice in the courts of the state of Washington; and

(4) Other persons permitted by law.

NEW SECTION

WAC 242-02-120 Rules of professional conduct. All persons appearing in proceedings before a board in a representative capacity shall conform to the rules of professional conduct required of attorneys before the courts of Washington. If any such person does not conform to such rules, the board may decline to permit such person to appear in a representative capacity in any current or future proceeding before that board or impose other appropriate sanctions.

NEW SECTION

WAC 242-02-130 Ex parte communication. No one in a proceeding before a board shall make or attempt to make any improper ex parte communications with board members, hearing examiners, or presiding officers prohibited by the Administrative Procedure Act, RCW 34.05.455. An ex parte communication is direct or indirect contact with board members or staff by only one party without notice and opportunity for all other parties to participate. To avoid the occurrence of any improper ex parte communications, written communication with the opposing parties copied or a telephone conference call to the board with all parties on-line are strongly suggested. Questions on purely procedural matters such as scheduling and logistics are permitted on an ex parte basis. Attempts by anyone to make such prohibited ex parte communications shall subject such person to the sanctions of WAC 242-02-120 and 242-02-720.

NEW SECTION

WAC 242-02-140 Signing of pleadings, motions, and legal memoranda. Every pleading, motion, and legal memorandum of a party shall be dated and signed by the party or representative and include an address and telephone number.

NEW SECTION

WAC 242-02-150 Teleconference proceeding. (1) At the discretion of a board or a presiding officer, or where the parties agree and where the rights of the parties will not be prejudiced, all or part of any hearing, prehearing, or motion hearing may be conducted by telephone, television, or other electronic means. Each party in the proceeding must have an opportunity to participate effectively in, to hear, and if technically and economically feasible, to see the entire proceeding while it is taking place.

(2) The board may require documentary evidence, motions, and briefs to be submitted sufficiently in advance of the teleconference proceeding to insure fair consideration and presentation of the issues. All such material shall also be served on other parties at the time of filing with a board.

APPEAL PROCEDURENEW SECTION

WAC 242-02-210 Petition for review—Forms—Contents. A petition for review shall substantially contain:

(1) A caption in the following form:

BEFORE THE _____ GROWTH PLANNING
HEARINGS BOARD
STATE OF WASHINGTON

Petitioner,

Case No.

v.

PETITION FOR REVIEW

Respondent.

(2) Numbered paragraphs stating:

(a) Petitioner's name, mailing address, and telephone number and that of the representative, if any;

(b) Date of the order, determination, publication, action, or failure to act from which the appeal is taken;

(c) A detailed statement of issues presented for resolution by the board;

(d) A statement indicating the basis of the petitioner's standing before the board;

(e) The estimated length of the hearing;

(f) The relief sought, including the specific nature and extent;

(g) A statement that the petitioner has read the petition for review and believes the contents to be true, followed by the petitioner's signature or signature of his/her attorney or qualified representative, if any.

NEW SECTION

WAC 242-02-220 Petition for review—Time for filing. (1) A petition relating to whether or not an adopted comprehensive plan, development regulation, or subsequent amendments, is in compliance with the goals and requirements of the act shall be filed with a board within sixty days from the date of publication by the legislative body of the county or city as specified by RCW 36.70A.290(2).

(2) A petition relating to an adopted county-wide planning policy shall be filed within sixty days of its adoption.

(3) For all other matters, a petition must be filed with a board within sixty days of the final written decision, order, determination, publication, or action being entered or within sixty days from the failure to act by a specific deadline.

NEW SECTION

WAC 242-02-230 Petition for review—Service and filing. (1) The original and three copies of the petition for review shall be filed with a board personally, or by first class, certified, or registered mail. Filings may also be made with a board by telegraph or by electronic telefacsimile transmission as provided in WAC 242-02-240. A copy of the petition for review shall be served promptly upon all other named parties. When a county is a party, the county auditor shall be served in noncharter counties and the agent designated by the legislative authority in charter counties. The mayor, city manager, or city clerk shall be served when a city is a party. When the state of Washington is a party, the office of the attorney general shall be served at its main office in Olympia unless service upon the state is otherwise provided by law. Proof of service may be filed with the board pursuant to WAC 242-02-340.

(2) A board may dismiss a case for failure to substantially comply with subsection (1) of this section.

NEW SECTION

WAC 242-02-240 Date of filing—Facsimile and telegraph. (1) The date of filing shall be the date of actual receipt by a board at its office. The date stamp placed on the petition shall be presumptive evidence of the date of receipt.

(2) Filing of any documents with a board by electronic telefacsimile transmission is at the risk of the sender and shall not be deemed complete unless the following procedures are strictly observed:

(a) A facsimile document will only be stamped "received" by the board between the hours of 8:00 a.m. and 5:00 p.m. excluding Saturdays, Sundays, and legal holidays. Any transmission not completed before 5:00 p.m. will be stamped received on the following business day. The date and time indicated by the board's facsimile shall be presumptive evidence of the date and time of receipt of transmission.

(b) The original document must be filed with the board within ten days from the date of transmission.

NEW SECTION

WAC 242-02-250 Notice of appearance, answer and petition for cross review. (1) The respondent's representative shall file a notice of appearance with the board and serve a copy on the petitioner and all other parties promptly after having been served with a petition for review. The notice of appearance shall be dated, signed, and contain the representative's address and telephone and FAX numbers.

(2) The respondent, at its option, may file an answer to the petition for review. The respondent shall file the original and three copies with the board and serve a copy on the petitioner. Answers shall be filed no later than twenty days from the date of service of the petition for review. Answers

shall be verified in the same manner as the petition for review.

(3) A respondent may file a petition for cross review. The respondent shall file the original and three copies with the board and serve a copy on all other parties within thirty days after the service of the petition for review or any amendment to the petition. The petition for cross review shall conform in all respects to the requirements for a petition for review.

NEW SECTION

WAC 242-02-260 Amendments to petitions for review, answers and petitions for cross review. (1) A petition for review, answer or petition for cross review may be amended as a matter of right until thirty days after its date of filing.

(2) Thereafter any amendments shall be requested in writing by motion, and will be made only after approval by a board or presiding officer. Amendments shall not be freely granted and may be denied upon a showing by the adverse party of unreasonable and unavoidable hardship, or unless granting the same would adversely impact a board's ability to meet the time requirements of RCW 36.70A.300 for issuing a final order. The board may, upon motion of a party or upon its own motion, require a more complete statement of the nature of the claim or defense or any other matter stated in a pleading.

NEW SECTION

WAC 242-02-270 Intervention. (1) Any person whose interest may be substantially affected by a proceeding before a board may by motion request status as an intervenor in the case.

(2) In determining whether a person qualifies as an intervenor, the presiding officer shall apply the civil rules of the superior courts of this state.

(3) If the person qualifies for intervention, the presiding officer may impose conditions upon the intervenor's participation in proceedings, either at the time that intervention is granted or at any subsequent time. Conditions may include:

(a) Limiting the intervenor's participation to designated issues in which the intervenor has a particular interest as demonstrated by the motion;

(b) Limiting the intervenor's use of discovery, cross-examination, and other procedures so as to promote the orderly and prompt conduct of the proceedings; and

(c) Requiring two or more intervenors to combine their presentations of evidence and argument, cross-examination, discovery, and other participation in the proceedings.

(4) The presiding officer shall timely grant or deny each motion and specify conditions, if any.

NEW SECTION

WAC 242-02-280 Amicus. (1) Any person whose interest may be substantially affected by a proceeding before a board may by motion request status as an amicus in the case.

(2) In determining whether a person qualifies as an amicus, the presiding officer shall apply the rules of the appellate courts of this state.

(3) If the person qualifies for amicus, the presiding officer may impose conditions upon the amicus's participation in the proceedings, either at the time that amicus status is granted or at any subsequent time.

SERVICE OF PAPERS

NEW SECTION

WAC 242-02-310 Service of papers. (1) Parties filing pleadings, documents, exhibits, and other papers with a board shall also serve copies upon all attorneys or representatives of record and upon parties not represented.

(2) Service upon the representative shall be considered valid service for all purposes upon the party represented.

(3) Decisions or orders of the board shall be served upon the parties and their attorney or representative of record, if any.

NEW SECTION

WAC 242-02-320 Method of service. Service of papers, specified in WAC 242-02-310(1) except original service, shall be made personally or by first class, registered, or certified mail, or by telegraph, or by facsimile transmission.

NEW SECTION

WAC 242-02-330 Service of papers—When complete. (1) Papers required to be filed with a board shall be deemed filed upon actual receipt during office hours at the board's office.

(2) All facsimile transmissions are sent at the risk of the sender. Service by facsimile shall be deemed complete only when the following procedure is observed:

(a) The original document must be filed with a board within ten days from the date of transmission.

(b) Facsimile confirmation of transmission.

(3) This section shall not extend any applicable time for appeal to a board nor extend the time for providing notice of appeal to any named party.

NEW SECTION

WAC 242-02-340 Proof of service—Certificate. Where proof of service is required by this chapter, by statute, or upon a board's request, filing a copy of the papers with the board and serving copies upon all attorneys or representatives of record and upon parties not represented together with one of the following documents shall constitute proof of service:

(1) An acknowledgement of service;

(2) A certificate that the person signing the certificate did on the date of the certificate serve the papers upon all parties or representatives of record in the proceeding by delivering a copy thereof in person to the named individuals;

(3) A certificate that the person signing the certificate did on the date of the certificate serve the papers upon all parties of record in the case by:

(a) Mailing a copy, properly addressed with postage prepaid, to each party in the case or his/her attorney, authorized agent, or representative; or

(b) Telegraphing a copy, properly addressed with charges prepaid, to each party in the case or his/her attorney, authorized agent, or representative; or

(c) Transmitting a copy by electronic telefacsimile device, and on the same day mailing a copy to each party in the case or his/her attorney, authorized agent, or representative; or

(d) Depositing a copy, properly addressed with charges prepaid, with a commercial parcel delivery company or courier service.

DISCOVERY AND SUBPOENA

NEW SECTION

WAC 242-02-410 Discovery—Limitation. (1) Discovery shall not be permitted unless all parties stipulate to it or upon an order of a board or its presiding officer.

(2) Insofar as applicable and not in conflict with this chapter, when discovery has been authorized by a board or presiding officer or when the parties have stipulated to it, the statutes and court rules regarding pretrial procedures in civil cases in superior courts of the state of Washington shall be used. Such statutes and rules shall include but shall not be limited to those rules pertaining to discovery of evidence by parties to civil actions.

(3) All stipulations by the parties allowing discovery must be in writing, shall contain deadlines for the completion of discovery and shall be filed with the board.

NEW SECTION

WAC 242-02-420 Subpoena—Issuance. Subpoenas shall be issued and enforced, and witness fees paid, as provided in RCW 34.05.446. Every subpoena shall identify the party causing its issuance. Subpoenas may be issued by a board or by an attorney of record. The person issuing shall sign the subpoena. Parties desiring subpoenas to be signed by a board shall make a showing of relevance and reasonable scope of the testimony or evidence sought and shall prepare the subpoenas for issuance, send them to the board's office for signature, and, upon return, shall make arrangements for service.

NEW SECTION

WAC 242-02-430 Subpoena—Form. Every subpoena shall name the board and the title and number of the case and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents, or things under that person's control at a specified time and place.

NEW SECTION

WAC 242-02-440 Subpoena—Service. Service shall be made by delivering a copy of the subpoena to such person and tendering on demand, where the person is entitled to make a demand, the fees for one day's attendance and the mileage allowed by law. All costs, which include the cost of producing records, shall be paid by the party requesting

PERMANENT

issuance of the subpoena. A subpoena may be served by any suitable person at least eighteen years of age, by exhibiting and reading it to the witness, or by giving him or her a copy or by leaving such copy at his/her office or place of residence.

NEW SECTION

WAC 242-02-450 Subpoena—Proof of service. Proof of service and the required return affidavit shall be filed with the board.

NEW SECTION

WAC 242-02-460 Subpoena—Quash or modification. If the subpoena issued is unreasonable or requires evidence not relevant to any matter in issue, a board or presiding officer may quash or modify the subpoena. The person who received the subpoena may bring a motion to quash or modify at or before the time specified in the subpoena for compliance and must provide notice to the party who issued the subpoena.

NEW SECTION

WAC 242-02-470 Subpoena—Geographical scope. Attendance of witnesses and production of evidence may be required from any place in the state of Washington at any designated place of hearing.

PROCEDURES PRIOR TO HEARING

NEW SECTION

WAC 242-02-510 Hearing—Setting of time and place. (1) Within ten days of the filing of a petition for review, a board or presiding officer will schedule a hearing date and notify the parties of the date.

(2) The board or presiding officer will thereafter schedule a place for the hearing.

(3) A written notice of the date and location of the hearing shall be sent to all parties not less than twenty days prior to the hearing date.

(4) The notice shall identify the appeal to be heard, the names of the parties to the appeal and their representatives, if any, and shall specify the time and place of hearing. The notice shall include the information specified in RCW 34.05.434 and if the hearing is to be conducted by teleconference call the notice shall so state.

(5) The notice shall state that if a limited-English-speaking or hearing impaired party or witness needs an interpreter, a qualified interpreter will be appointed and that there will be no cost to the party or witness. The notice shall include a form for a party to indicate if an interpreter is needed and identification of the primary language, or if a participant is hearing impaired.

(6) The notice may also include an order fixing the prehearing date and/or deadlines as provided in these rules.

(7) Defects in notice may be waived if the waiver is knowing and voluntary.

NEW SECTION

WAC 242-02-520 Record. (1) Within thirty days of service of a petition for review, the respondent shall file with the board and serve a copy on petitioner(s) of an index of all material used in taking the action which is the subject of the petition for review. The index shall contain sufficient identifying information to enable unique documents to be distinguished. In addition, the written or tape recorded record of the legislative proceedings where action was taken shall be available to the petitioner for inspection.

(2) Unless otherwise directed by the board or presiding officer, within fifty days of the filing of the petition for review, each of the parties shall identify those documents listed in the index which the party intends to use as an exhibit. The documents identified in this stage shall be labeled "preliminary list of exhibits." The preliminary list of exhibits shall be filed with the board and a copy served on all parties. In complying with the requirements of this subsection, parties shall not simply designate every document but shall carefully review the index, and designate only those documents that are reasonably necessary for a full and fair determination of the issues presented.

(3) The board or the presiding officer shall establish a deadline for identifying and filing a final list of exhibits with the board and serving a copy on all other parties. A copy of any document listed on the final list of exhibits shall be served on the opposing party or parties by the time specified by the board or presiding officer. One copy of each document shall also be filed with the presiding officer to be used as an "original" exhibit. Prior to the beginning of a hearing, each of the parties shall also provide the board with three copies (four copies if a hearing examiner is the presiding officer) of each document being offered as an exhibit.

(4) Copies of designated documents from the index that have been certified or stipulated to be true and accurate may be admitted into evidence before a board in lieu of the original document.

NEW SECTION

WAC 242-02-522 Presiding officer—Powers and duties. It shall be the duty of the presiding officer to conduct conferences or hearings as directed by a board in an impartial and orderly manner. The presiding officer shall have the authority, subject to the other provisions of the act or these rules to:

(1) Inspect the petition for review to determine whether, on its face, compliance with the jurisdictional and standing requirements of the act is shown, and if compliance is not shown, to recommend an action or to refer the issue to the full board for resolution;

(2) Administer oaths and affirmations;

(3) Issue subpoenas as provided in RCW 34.05.446;

(4) Rule on all procedural matters, objections, and motions unless a board determination is required;

(5) Rule on all offers of proof and receive relevant evidence;

(6) Question witnesses called by the parties in an impartial manner as needed to develop any facts he or she deems necessary to fairly and adequately decide the issue;

(7) Secure and present in an impartial manner such evidence, in addition to that presented by the parties, as deemed necessary to fairly and equitably decide the issue;

(8) Take appropriate action with respect to the representatives for the parties appearing before a board;

(9) Issue orders joining other parties, on motion of any party or on his/her own motion, when it appears that such other parties may have an interest in, or may be affected by, the case;

(10) Consolidate cases for hearing when such consolidation will expedite disposition and avoid duplication of testimony and when consolidation will not unduly prejudice the rights of any party;

(11) Hold conferences for the settlement or amplification of the issues;

(12) Regulate the course of the case prior to and during the hearing;

(13) Encourage the parties to stipulate to the admissibility of documents in advance of a hearing and to rule on issues concerning the content of the record;

(14) Waive any requirement of these rules unless a party shows that it would be prejudiced by such a waiver; and

(15) Take any other action necessary and authorized by these rules or the act.

NEW SECTION

WAC 242-02-530 Motions—Requirements. (1) A motion is an application for an order or ruling. Every motion shall be in writing, unless made during a hearing; shall state with particularity the grounds; and shall set forth the relief or order sought. An original and three copies of the motion shall be filed with a board and a copy served on the opposing party/parties.

(2) All motions shall be properly captioned and signed by the moving party, its attorney, or other representative.

(3) The motion shall specify the amount of time required for argument, whether appearance by telecommunication is requested, and the names and telephone numbers of all parties served with the motion.

(4) Dispositive motions on a limited record, similar to a motion for summary judgment in superior court or a motion on the merits in the appellate courts, are permitted. Time frames for making and responding to such a motion shall be established by the presiding officer.

NEW SECTION

WAC 242-02-532 Motions—Time for filing and hearing. (1) A motion can be filed at any time unless otherwise specified in these rules or by a board or presiding officer.

(2) After prehearing or other order. If a prehearing order or other order has been entered establishing a deadline for filing motions, no written motion may be filed after the date specified in the order without written permission of the board or presiding officer.

(3) A board or presiding officer, after taking into consideration when the motion was received and the complexity of the issues raised, may in its discretion, schedule a hearing for argument of a motion at the time of a prehearing conference or at a separate hearing time, or may defer consideration of the motion until commencement

of the hearing on the petition for review. A board or presiding officer may also limit argument on a motion to briefs.

NEW SECTION

WAC 242-02-534 Response to motions. (1) A party served with a motion shall have ten days from the date of receipt of the motion to respond to it, unless otherwise directed by the presiding officer. A response to the motion shall be filed with a board and a copy served on the opposing party/parties.

(2) The response shall specify the amount of time required for argument, whether appearance by telecommunication is requested, and the names and telephone numbers of all parties served with the response.

NEW SECTION

WAC 242-02-540 New or supplemental evidence. A party by motion may request that a board allow such additional evidence as would be necessary or of substantial assistance to the board in reaching its decision, and shall state its reasons. A board may at any time prior to, during, or after the hearing order that new or supplemental evidence be provided.

NEW SECTION

WAC 242-02-550 Prehearing conference. A prehearing conference is optional at the discretion of the presiding officer. The purpose of a prehearing conference is to:

(1) Determine the feasibility of and encourage settlement of the matter or any portion thereof;

(2) Obtain a stipulation of facts to show a board's jurisdiction and the party's standing in the matter;

(3) Obtain agreement as to the issues of law and fact presented and their simplification, limitation, or resolution;

(4) Determine the possibility of obtaining admissions of fact and authenticity of documents which will avoid unnecessary proof;

(5) Determine the admissibility of exhibits;

(6) Determine the qualifications of expert witnesses;

(7) Receive any motions concerning qualification of individual board members to hear the matter;

(8) Obtain stipulation as to all or a part of the facts or documents involved in the case;

(9) Obtain information as to the number of expert and/or lay witnesses expected to be called by the parties and their names, addresses, and telephone numbers, if the board has previously authorized supplemental or additional evidence to be presented at the hearing;

(10) Set subsequent deadlines if appropriate, for filing final exhibit and witness lists, filing motions, and completing discovery; establish a briefing schedule, limit the length of briefs; and decide other matters related to the conduct of the hearing;

(11) Determine the approximate time necessary for the presentation of evidence and/or argument of the respective parties; and

(12) Obtain all other information which may aid in the prompt disposition of the matter.

NEW SECTION

WAC 242-02-552 Prehearing conference—When held. (1) A board or presiding officer may order a prehearing conference on not less than seven days notice mailed to each party at a time and place fixed by a board or presiding officer.

(2) At any time prior to a hearing on a petition for review, any party may file a written application with a board requesting a prehearing conference.

NEW SECTION

WAC 242-02-554 Prehearing conference—Documentary evidence. (1) All rulings upon objections to the admissibility of evidence shall be made in accordance with the provisions of the Administrative Procedure Act and WAC 242-02-650.

(2) Where applicable, the presiding officer may order:

(a) That all documentary evidence which is to be offered during the hearing be submitted to the board and to other parties sufficiently in advance to permit study and preparation of cross-examination and rebuttal evidence;

(b) That documentary evidence not submitted as required in (a) of this subsection not be received in evidence in the absence of a clear showing that the offering party had good cause for the failure to produce the evidence sooner, unless it is submitted for impeachment or rebuttal purposes.

(c) That the authenticity of all documents so presented and examined be deemed admitted unless written objection is filed within fourteen days after receipt. A party will be permitted to challenge such authenticity at a later time only upon a clear showing of good cause for failure to have filed such written objection.

(3) The presiding officer may limit the documentary evidence to that identified on a final list of exhibits. A party may submit additional documentary evidence at the time of hearing only upon a showing of good cause.

(4) When only portions of a document are to be relied upon, the offering party shall adequately identify and prepare the pertinent excerpts and shall supply copies of such excerpts to the presiding officer and to the other parties. However, the whole of the original document shall be made available for examination and for use by all parties to the proceeding.

NEW SECTION

WAC 242-02-556 Prehearing conference—Failure to supply information. If any party fails to supply the information reasonably necessary and required at the time of the prehearing conference, or as directed in a prehearing order, a board or presiding officer may subsequently limit the receipt of such party's evidence.

NEW SECTION

WAC 242-02-558 Prehearing conference—Agreements. At the conclusion of a prehearing conference, the presiding officer may require the parties to submit a proposed prehearing order. The presiding officer will issue an order reciting the action taken at the conference and any agreements of the parties or decisions of the presiding officer. The order may include provisions pertaining to:

- (1) Jurisdiction and standing;
- (2) Issues;
- (3) Admissions;
- (4) Witnesses;
- (5) Time and location of hearings;
- (6) Authenticity and/or admissibility of exhibits;
- (7) Qualification of witnesses;
- (8) Issues remaining;
- (9) Rulings of the board prior to the prehearing conference;
- (10) Rulings of the presiding officer; and
- (11) Any other matters that may expedite the hearing.

Any objection to such order shall be made in writing within seven days after the date the order is mailed. The order shall control subsequent proceedings unless modified for good cause by a subsequent order.

NEW SECTION

WAC 242-02-560 Hearing—Continuances. Because of the provisions of RCW 36.70A.300, continuances and extensions of time will be granted only on a board's initiative or upon timely request of a party setting forth in detail the reasons for such a request and a date by which such reason will no longer apply. In the latter instance, the board will continue or extend the matter only upon a finding of good cause and in order to prevent manifest injustice.

NEW SECTION

WAC 242-02-570 Briefs. A party may, at its own option or when directed by a board or presiding officer, submit a brief on one or more issues. The original and three copies of briefs shall be filed with a board at least five business days prior to the hearing unless otherwise provided by a board or presiding officer. When briefs are filed, a copy shall also be served on all other parties. A board or presiding officer may permit or require the filing of additional briefs. Clarity and brevity are expected, to assist a board in meeting its statutorily imposed time limits.

NEW SECTION

WAC 242-02-580 Stipulation to the facts. Upon stipulation by all parties, or upon order of a board, that no facts are at issue, a matter may be submitted to a board or presiding officer for determination without additional testimony being taken. The board or presiding officer, in its discretion, may require additional testimony.

NEW SECTION

WAC 242-02-582 Waiver of parties' appearance. Upon stipulation by all parties, or upon order of the board, a matter may be submitted to a board or presiding officer without oral argument or appearance. The board or presiding officer, in its discretion, may require appearance for oral argument.

HEARING PROCEDURE**NEW SECTION**

WAC 242-02-610 Hearing—Testimony under oath—Interpreters. (1) All testimony to be considered by a board or presiding officer shall be sworn, and each person shall swear or affirm that the testimony to be given shall be the truth, the whole truth, and nothing but the truth, or according to the provisions of RCW 5.28.020 through 5.28.060.

(2) Every interpreter shall, before beginning to interpret, take an oath that a true interpretation will be made to the person being examined of all the proceedings in a language or in a manner which the person understands, and that the interpreter will repeat the statements of the person being examined to the presiding officer, in the English language, to the best of the interpreter's skill and judgment.

NEW SECTION

WAC 242-02-612 Hearing—Interpreters. The provisions of WAC 10-08-150 are incorporated by reference herein.

NEW SECTION

WAC 242-02-620 Hearing—Reporting—Recording—Recording devices. (1) All hearings shall be officially recorded by manual, electronic, or other type of recording device.

(2) Photographic and recording equipment of others shall be permitted at hearings; however, the presiding officer may impose such conditions upon their use as deemed necessary to prevent disruption of the hearing, or when a statute or law limits such use.

NEW SECTION

WAC 242-02-630 Presumption of validity. Comprehensive plans and development regulations and any subsequent amendments adopted under the act are presumed valid upon adoption.

NEW SECTION

WAC 242-02-632 Burden of proof. The burden of proof shall be on the petitioner to show that respondent's action or failure to act is not in compliance with the requirements of the act.

NEW SECTION

WAC 242-02-634 Standard of proof. A board shall find compliance unless it finds by a preponderance of the evidence that the respondent erroneously interpreted or applied the act.

NEW SECTION

WAC 242-02-640 Hearing—Procedures at hearing. (1) Presiding officer. All hearings shall be conducted by a presiding officer who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections, and motions.

(2) Order of presentation of evidence. The presiding officer shall determine the proper order of presentation of evidence.

(3) Opening statements. Unless the presiding officer rules otherwise, parties may present oral opening statements setting out briefly a statement of the basic facts and issues of the case.

(4) Objections. Objection to the admission or exclusion of evidence shall state briefly the legal ground of objection.

(5) Rulings. The presiding officer, on objection or on his/her own motion, shall exclude all irrelevant or unduly repetitious evidence. All rulings upon objections to the admissibility of evidence shall be made in accordance with WAC 242-02-650.

NEW SECTION

WAC 242-02-650 Rules of evidence—Admissibility criteria. (1) All relevant evidence, including hearsay evidence, is admissible if, in the opinion of the presiding officer, the offered evidence is the kind of evidence upon which reasonably prudent persons are accustomed to rely in the conduct of their affairs. The presiding officer shall exclude evidence that is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state. The presiding officer shall exclude evidence that is irrelevant, immaterial, or unduly repetitious.

(2) A board's experience, technical knowledge, competency, and specialized knowledge may be used in evaluation of evidence.

(3) If not inconsistent with subsection (1) of this section, the presiding officer may refer to, but shall not be bound by, the Washington rules of evidence.

(4) Documentary evidence may be submitted in the form of copies or excerpts, or by incorporation by reference.

NEW SECTION

WAC 242-02-660 Official notice—Matters of law. A board or presiding officer may officially notice:

(1) Federal law. The Constitution; congressional acts, resolutions, records, journals, and committee reports; decisions of federal courts and administrative agencies; executive orders and proclamations; and all rules, orders, and notices published in the Federal Register.

(2) State law. The Constitution of the state of Washington; decisions of the state courts; acts of the legislature, resolutions, records, journals, and committee reports; decisions of administrative agencies of the state of Washington; executive orders and proclamations by the governor; and all rules, orders, and notices filed with the code reviser.

(3) Counties and cities. Ordinances and resolutions enacted by cities, counties, or other municipal subdivisions of the state of Washington.

(4) Governmental organization. Organization, territorial limitations, officers, departments and general administration of the government of the state of Washington, the United States, the several states, federally recognized Indian tribes, and foreign nations.

(5) Growth planning hearings boards. Orders and decisions of any board.

- (6) Joint boards. Rules of practice and procedure.

NEW SECTION

WAC 242-02-670 Official notice—Material facts. In the absence of conflicting evidence, a board or presiding officer, upon request made before or during a hearing, may officially notice:

(1) Business customs. General customs and practices followed in the transaction of business.

(2) Notorious facts. Facts so generally and widely known to all well-informed persons as not to be subject to reasonable dispute or specific facts which are capable of immediate and accurate demonstration by resort to accessible sources of generally accepted authority, including, but not exclusively, facts stated in any publication authorized or permitted by law to be made by any federal or state officer, department, or agency.

(3) Request. Any party may request, orally or in writing, that official notice be taken of a material fact. The board or presiding officer may take official notice of a material fact on its own initiative. If official notice of a material fact is taken, it shall be clearly and precisely stated and made part of the record.

(4) Statement. Where a decision of a board rests in whole or in part upon official notice of a material fact, such fact shall be clearly and precisely stated in such decision. In determining whether to take official notice of material facts, the presiding officer may consult any source of pertinent information, whether or not furnished by any party and whether or not admissible under the rules of evidence.

(5) Objection to taking of official notice. Any party may object to a request that official notice of a material fact be taken, when the request is made.

NEW SECTION

WAC 242-02-680 Hearings—Board questions. A hearing examiner or any member of a board may, at any time during the hearing, ask clarifying questions as necessary to understand the evidence.

DISPOSITION OF CASES PRIOR TO HEARING

NEW SECTION

WAC 242-02-710 Failure to attend—Default or dismissal—Setting aside. (1) When a party to a proceeding has, after proper notice, failed to attend a hearing or any other matter before a board or presiding officer, a motion for default or dismissal may be sought by any party to the case or raised by a board or presiding officer upon its own motion. Any order granting the motion shall include a statement of the grounds for the order and shall be served upon all parties to the case.

(2) Within seven days after service of the default order or dismissal under subsection (1) of this section, the party against whom the order was entered may file a written objection requesting that the order be vacated and stating the specific grounds relied upon. The board may, for good cause, set aside an order of dismissal or default.

NEW SECTION

WAC 242-02-720 Dismissal of action. Any action may be dismissed by a board:

(1) When all parties stipulate;

(2) Upon motion of the petitioner or respondent prior to the presentation of the respondent's case;

(3) Upon motion by the respondent alleging that the petitioner has failed to prosecute the case, failed to comply with these rules, or failed to follow any order of the board; or

(4) Upon a board's own motion for failure by the parties to comply with these rules or any order of the board.

DISPOSITION OF PETITIONS FOR REVIEW AFTER HEARING

NEW SECTION

WAC 242-02-810 Presentation of post hearing matters. Unless requested by or authorized by a board, no post hearing evidence, documents, briefs, or motions will be accepted. A board may request submission of proposed findings of fact, conclusions of law, and final order from any or all parties.

NEW SECTION

WAC 242-02-820 Disposition of petition for review. Disposition of a petition for review by a board shall be by final decision and order pursuant to WAC 242-02-830, or by initial decision and order pursuant to WAC 242-02-840 through 242-02-870 followed by issuance of a final decision and order.

NEW SECTION

WAC 242-02-830 Disposition of petition for review—Final decision and order. (1) When the hearing on the petition for review has been heard by a majority of a board, a written final decision and order containing appropriate findings and conclusions, that is concurred in by at least two members, may be issued.

(2) After issuance of a final decision under this section, any party may file a petition for reconsideration with a board. Such petition must be filed within ten days of mailing of the final decision. The original and three copies of the petition for reconsideration shall be filed with the board. At the same time, copies shall be served on all parties of record. A board may require other parties to supply an answer which shall be served in a like manner.

(3) The filing of a petition for reconsideration shall suspend the final decision of a board until the petition is denied or a modified decision is entered by the board.

(4) In response to a petition for reconsideration, the board may deny the petition, modify its decision, or reopen the hearing. A petition is deemed denied unless the board takes action within twenty days of filing of the petition or answer where a board has required other parties to provide such an answer pursuant to subsection (2) of this section.

(5) A decision in response to the petition for reconsideration shall constitute a final decision and order for purposes of judicial review. Copies of the final decision and

order shall be mailed by the board to each party or to its attorney or representative of record.

NEW SECTION

WAC 242-02-840 Disposition of petition for review—Initial decision and order. When a hearing on the matter has been heard by less than the majority of a board, or when less than a majority of a board concurs in a matter, or when a board may otherwise elect to do so, the board shall prepare a written initial decision and order containing appropriate findings and conclusions and mail copies to the parties.

NEW SECTION

WAC 242-02-850 Disposition of initial decision—Exceptions. (1) Time for filing. Within ten days from the date of mailing of the initial decision and order, any party may file with a board an original and three copies of a written statement of exceptions and shall serve a copy on all other parties.

(2) The statement shall set forth the grounds for exception in detail and the party or parties filing the same shall be deemed to have waived all objections for irregularities not specifically set forth. A general exception to findings of fact on the ground that the weight of evidence is to the contrary shall not be considered sufficient compliance with this requirement, unless the exception shall refer to the evidence relied upon. If legal issues are involved, the statement of exception shall set forth the legal theory relied upon, citations of authority and supporting argument. The statement of exceptions should also contain proposed findings of fact or conclusions of law as appropriate, covering the factual and legal issues to which exceptions are being taken.

(3) Reply to exceptions. Any party may, within ten days of service, submit a written reply to exceptions. A board may, on its own motion, require the parties to submit written briefs or to appear and present oral argument regarding the matters on which exceptions were taken.

(4) Exceptions to rulings. If an exception is taken to a ruling or rulings of a presiding officer sustaining an objection to admissibility of evidence, or denying a continuance for the presentation of further evidence, and a board determines that the ruling or rulings were erroneous, the board may: (a) Return the case to the presiding officer with appropriate instructions, or (b) open the matter for further argument and decision by the board itself.

NEW SECTION

WAC 242-02-860 Disposition of petition for review—Finality of initial decision and order. In the event no statement of exception is filed by any party, the proposed decision and order of the presiding officer may be adopted by a board and become the final decision and order of the board. Such adoption of the proposed decision and order shall be the final decision of a board for purposes of judicial review.

NEW SECTION

WAC 242-02-870 Disposition of petition for review—Final decision and order—Exceptions filed. After the filing of a statement or statements of exception and reply, if any, and the filing of briefs or presentation of oral argument, if required, the record before a board or presiding officer shall be considered by at least two members of the board; provided that if those two members do not agree on a decision, the third member must consider the record before the board; and further provided, that if no two members can agree on a decision in any case, the governmental action giving rise to the petition for review will stand.

NEW SECTION

WAC 242-02-880 Disposition of petition for review—Transcripts. The following shall be the policy of each board with regard to transcription of the record:

(1) If less than two members of a board are present at the hearing and if exceptions to the proposed decision and order of the board or presiding officer have been timely filed as provided by WAC 242-02-850, the board may order a transcript or copy of an electronic recording. Any party may obtain a copy upon payment of the reasonable costs thereof.

(2) A board, in its discretion, may at any time cause a transcript to be printed.

(3) In any case when a board shall not cause the transcript to be printed, it shall be the obligation of the party wishing a transcript, or portions of it, to assume the cost of producing the same.

(4) When an appeal is taken from any final decision and order of a board to the Superior Court of Thurston County, the appealing party is responsible for ordering and paying for the transcript of the hearing.

NEW SECTION

WAC 242-02-890 Postdecision hearing—Determination of compliance or noncompliance with final order. (1) In those cases where a board finds that a state agency, county, or city is not in compliance with the requirements of the act, the board shall remand the matter to the affected state agency, county, or city, specifying a reasonable time not in excess of one hundred eighty days within which the state agency, county, or city shall comply.

(2) After the compliance deadline specified in subsection (1) of this section, a board on its own motion or on the motion of a party shall schedule a hearing for the purpose of determining compliance. The time and place of the compliance hearing shall be at the discretion of a board but shall be given the highest priority of business.

(3) Once a motion for a compliance hearing has been filed, a board shall schedule and conduct the hearing and issue a finding of compliance or noncompliance within forty-five days of the filing of the motion under subsection (2) of this section.

(4) If the board finds that the respondent is not in compliance, the board shall transmit its finding to the governor. A board may recommend to the governor that sanctions authorized by the act be imposed.

NEW SECTION

WAC 242-02-892 Appeals of a board's final decision and order. Any party aggrieved by a final decision of a board may appeal the decision to Thurston County Superior Court within thirty days of issuance of the final order of the board.

DECLARATORY RULINGS

NEW SECTION

WAC 242-02-910 Petitions for declaratory ruling. (1) Any person may petition a board for a declaratory ruling about the applicability to specific circumstances of a rule, order, or statute within a board's jurisdiction. The petition shall set forth facts and reasons on which the petition relies to show:

- (a) That uncertainty necessitating resolution exists;
 - (b) That there is actual controversy arising from the uncertainty such that a declaratory ruling will not be merely an advisory opinion;
 - (c) That the uncertainty adversely affects the petitioner;
 - (d) That the adverse effect of uncertainty outweighs any adverse effects on others or on the general public that may likely arise from the order requested; and
 - (e) That the petition complies with any additional requirements established by the board.
- (2) Form of the petition. The form of the petition for declaratory ruling shall generally adhere to the following:
- (a) A caption in the following form:

BEFORE THE GROWTH PLANNING
HEARINGS BOARD
STATE OF WASHINGTON
No.

In the matter of
the Petition of
(name of Petitioner)
for a Declaratory
Ruling

PETITION FOR
DECLARATORY RULING

(b) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the state of facts relied upon in form similar to that applicable to complaints in civil actions before superior courts of this state. The concluding paragraphs shall contain the relief requested. The petition shall be subscribed and verified in the manner prescribed for certification of petitions in these rules.

(c) The original and three copies shall be filed with the board.

(3) Consideration of petition. A board shall consider the petition and within thirty days shall:

- (a) Issue a nonbinding declaratory ruling;
- (b) Notify the petitioner that no declaratory ruling is to be issued; or

(c) Set a time and place for a hearing or for submission of written evidence on the matter, which shall occur within ninety days of the receipt of the petition, and give at least

seven days notification to the petitioner of the time and place for such hearing or submission and of the issues involved.

(4) Disposition of petition. If the hearing is held or evidence is submitted as provided in subsection (3)(c) of this section, a board shall, within a reasonable time:

- (a) Issue a binding declaratory ruling; or
- (b) Issue a nonbinding declaratory ruling; or
- (c) Notify the petitioner that no declaratory ruling is to be issued.

NEW SECTION

WAC 242-02-920 Declaratory ruling—Notice to other persons. Within fifteen days after receipt of a petition for declaratory order, a board or presiding officer shall give notice of the petition to all persons to whom notice is required by law, and may give notice to any other person it deems desirable.

NEW SECTION

WAC 242-02-930 Declaratory ruling—Disposition of petition. A declaratory ruling entered by a board or a decision by a board to decline to enter a declaratory ruling shall be in writing and shall be served upon the petitioner and all other persons described in RCW 34.05.240(3). A decision issued shall be considered a final decision for purposes of judicial review.

**Chapter 242-04 WAC
PUBLIC RECORDS**

NEW SECTION

WAC 242-04-010 Purpose. The purpose of this chapter is to ensure compliance by each board and the joint boards with the provisions of chapter 42.17 RCW, and in particular with RCW 42.17.250 through 42.17.340, dealing with public records.

NEW SECTION

WAC 242-04-020 Definitions. (1) "Board" means the Eastern Washington, Western Washington, or Central Puget Sound growth planning hearings board. Each is a quasi-judicial body created pursuant to chapter 36.70A RCW. Where appropriate the term board also refers to the staff and employees of each board.

(2) "Joint boards" means the three independent boards meeting or acting jointly.

(3) "Public record" means any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(4) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion pictures, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and

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other documents including existing data compilations from which information may be obtained or translated.

NEW SECTION

WAC 242-04-030 Description of organization and public meetings. (1) Each board is an independent agency of the state of Washington, composed of three members appointed by the governor. Each board elects an administrative chairperson from its members at least annually.

(2) The administrative chairpersons constitute the administrative committee of the joint boards. The administrative committee elects an administrative chairperson from its members at least annually.

(3) Regular meetings of each board will be held at its principal office or other designated location at the following times:

(a) Eastern Washington board - every Tuesday at 10:30 a.m.

(b) Western Washington board - every Wednesday at 10:30 a.m.

(c) Central Puget Sound board at 10:00 a.m. on the second Thursday of each month.

(4) The joint boards shall meet annually at a time and location to be announced.

NEW SECTION

WAC 242-04-040 Public records available. All public records of each board and of the joint boards are available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and other laws.

NEW SECTION

WAC 242-04-050 Communications with each board or the joint boards. (1) All communications with a board, including but not limited to the submission of materials pertaining to its operations and/or administration or enforcement of chapter 42.17 RCW and these rules, requests for copies of each board's decisions, and other matters, shall be addressed to the appropriate board's office as follows:

- (a) Eastern Washington Growth
Planning Hearings Board
Suite 1118 Larson Building
6 South 2nd Street
Yakima, Washington 98901
(509) 454-7803
(509) 454-7292 FAX

- (b) Western Washington Growth
Planning Hearings Board
111 W. 21st Avenue - Suite 1
P.O. Box 40953
Olympia, Washington 98504-0953
(206) 664-8966
(206) 664-8975 FAX

- (c) Central Puget Sound Growth
Planning Hearings Board
2329 One Union Square
600 University Street
Seattle, Washington 98101-1129
(206) 389-2625
(206) 389-2588 FAX

(2) All communications with the joint boards shall be addressed in care of the Western Washington board.

NEW SECTION

WAC 242-04-060 Public records officer. (1) The administrative chairperson of each board, or his/her designee, shall be in charge of the public records.

(2) The administrative chairperson of the joint boards, or designee, shall be in charge of the public records for the joint boards.

(3) Such persons shall be responsible for implementation of these rules and regulations regarding release of public records, and generally assuring compliance with the public records disclosure requirements of chapter 42.17 RCW, and in particular RCW 42.17.250 through 42.17.340.

NEW SECTION

WAC 242-04-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of each board. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 242-04-080 Requests for public records. In accordance with the provisions of chapter 42.17 RCW, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied, or copies of such records may be obtained, by members of the public upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by a board or the joint boards which shall be available at its office. A completed form shall be presented to that board or to any member of the board's staff at the office of the board during customary office hours. The request shall include the following information:

(a) The name and address of the person requesting the record and the organization represented, if any;

(b) The time of day and calendar date on which the request was made;

(c) A description of the material requested;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference

to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to a current index, an appropriate identification of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the board or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

NEW SECTION

WAC 242-04-090 Responses to requests for public records. Within five business days of receiving a public record request, a board must respond by either:

(1) Providing the record;

(2) Acknowledging that the board has received the request and providing a reasonable estimate of the time the board will require to respond to the request. Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, a board may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the board need not respond to it; or

(3) Denying the public record request.

NEW SECTION

WAC 242-04-100 Copying. No fee shall be charged for the inspection of public records. Each board shall charge a reasonable fee for providing copies of public records and for use of each board's photocopy equipment. The charge is the amount necessary to reimburse each board for its actual costs incident to such copying.

NEW SECTION

WAC 242-04-110 Exemptions. (1) Each board reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 242-04-080 is exempt under the provisions of RCW 42.17.310 including but not limited to the following:

(a) Personal information in files maintained for members and employees of a board to the extent that disclosure would violate their right to privacy;

(b) Preliminary drafts, notes, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action;

(c) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant;

(d) The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records,

employment or volunteer rosters, or mailing lists of employees or volunteers.

(2) Pursuant to RCW 42.17.260, each board reserves the right to delete identifying details when it makes available or publishes any public records, in all cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. Each board will fully justify such deletion in writing.

(3) All public records otherwise exempt by law shall be considered exempt under the provision of these rules.

NEW SECTION

WAC 242-04-120 Review of denials of public records requests. Any person who objects to a denial of a public records request or who objects to the reasonableness of the estimate of the time a board requires to respond to a public records request, shall petition the superior court in the county in which the record is maintained under the provisions of RCW 42.17.340.

NEW SECTION

WAC 242-04-130 Protection of public records. In order to protect the public records in the custody of each board or joint boards, the following guidelines shall be followed by any person inspecting such public records:

(1) No public records shall be removed from the office;

(2) Inspection of any public record shall be conducted in the presence of a board member or his/her designee;

(3) No public record may be marked or defaced in any manner during inspection;

(4) Public records which are maintained in the file jacket, or in chronological order, may not be dismantled except for purpose of copying, and then only by a board member or designee;

(5) Access to file cabinets, shelves, vaults, and other storage locations is restricted to board members and staff.

NEW SECTION

WAC 242-04-140 Records index. (1) Index. Each board and the joint boards has available to all persons a current index which provides identifying information as to records which have been issued, adopted, or promulgated since May 15, 1992, as follows:

(a) Final orders, including concurring and dissenting opinions, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by a board;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Board planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, a consultant's factual reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with a board relating to any regulations, supervisory or enforcement responsibilities of a board, where a board

determines or is asked to determine the rights of the state, the public, a subdivision of state government, or of any private party.

(2) Availability. The current index promulgated by each board and the joint boards shall be available for inspection by all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 242-04-150 Adoption of form. Each board and the joint boards adopt the use by all persons requesting inspection and/or copies of records the form set out below, entitled "Request for inspecting and/or copying public records."

We have received your request for inspection of and/or copies of our public records. Please complete this form and return it with the amount required, if applicable. We will forward the requested copies to you as soon as we receive this completed form with payment.

Return to:

(name and address of applicable board)

**GROWTH PLANNING HEARINGS BOARD
REQUEST FOR INSPECTING AND/OR COPYING
PUBLIC RECORDS**

- Date:
- Name:
- Address:
- Day Phone Number:
- Description of Record(s) Requested:

I certify that the information obtained through this request for public records will be used in compliance with chapter 42.17 RCW.

Signature

- Number of Copies
- Number of Pages
- Per Page Cost \$
- Total Charge \$

**WSR 92-21-035
PERMANENT RULES
DEPARTMENT OF LICENSING
(Real Estate Commission)
[Filed October 15, 1992, 11:26 a.m.]**

Date of Adoption: September 22, 1992.

Purpose: To make protected classes language consistent with federal and state law. To clarify ambiguity regarding information for disclosure to purchasers.

Citation of Existing Rules Affected by this Order: Amending WAC 308-124F-020 Discrimination acts— Prohibition; and 308-124D-040 Disclosure of agency representation.

Statutory Authority for Adoption: RCW 18.85.040.

Pursuant to notice filed as WSR 92-17-071 on August 18, 1992.

Changes Other than Editing from Proposed to Adopted Version: WAC 308-124D-040 modified to allow "substantial" compliance with form of agency disclosure.

Effective Date of Rule: Thirty-one days after filing.

October 14, 1992

Mary Riveland

Director

AMENDATORY SECTION (Amending Order RE 114, filed 7/2/75)

WAC 308-124F-020 Discriminatory acts— Prohibition. (1) Real estate licensees shall not:

(a) Refuse to communicate to the owner of a listed property any written offer, concerning the same, made by any person or persons because of race, color, creed, sex, marital status, familial status, age ((☒)), national origin, or the presence of any sensory, mental, or physical handicap.

(b) Refuse to negotiate for the sale or rental of, or otherwise make available or deny, real property to any person because of race, color, creed, sex, marital status, familial status, age ((☒)), national origin, or the presence of any sensory, mental, or physical handicap.

(c) Discriminate against any person in the terms, conditions, privileges of sale or rental of real property, or in the provision of services or facilities in connection therewith, because of race, color, creed, sex, marital status, familial status, age ((☒)), national origin, or the presence of any sensory, mental, or physical handicap.

(d) Make, print, or publish or cause to be made, printed, or published any notice, statement, or advertisement with respect to the sale or rental of real property that indicates any preference, limitation or discrimination based on race, color, creed, sex, marital status, familial status, age ((☒)), national origin, or the presence of any sensory, mental, or physical handicap, or an intention to make any such preference, limitation or discrimination.

(e) Represent to any person because of race, color, creed, sex, marital status, familial status, age ((☒)), national origin, or the presence of any sensory, mental, or physical handicap that any real property is not available for inspection, sale or rental when such real property is in fact available.

(f) Induce or attempt to induce any person to sell or rent any real property by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, creed, sex, marital status, familial status, age ((☒)), national origin, or the presence of any sensory, mental, or physical handicap.

(2) Nothing in this regulation shall be construed to define or restrict the power of any other federal, state or local government agency to pursue such measures as such agency may deem appropriate to ensure that the opportunity to purchase, rent or lease real property is made available to all persons without regard to race, color, creed, sex, marital

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status, familial status, age ((ø)), national origin, or the presence of any sensory, mental, or physical handicap.

(3) Any real estate licensee who continues to sell any real estate or operates according to a plan of selling which is contrary to this regulation, will be disciplined in the manner provided by the real estate licensing law, chapter 18.85 RCW.

AMENDATORY SECTION (Amending Order PM 810, filed 12/7/88)

WAC 308-124D-040 Disclosure of agency representation. A ((licensee)) salesperson, associate broker, or broker acting as the listing and selling agent or as a selling agent must make an oral and/or written disclosure of agency representation to buyer(s) in a real estate or business opportunity transaction. The disclosure must have been made at least once prior to preparing the purchase and sale agreement, including options to purchase, lease purchase agreements and exchange agreements.

The seller shall be provided disclosure of the selling agent's agency representation by the listing agent or the selling agent at least once prior to presenting the agreement.

The disclosure shall be confirmed in a separate paragraph titled "Agency disclosure" in the agreement, which shall contain the following information and be substantially in the form as follows:

"AGENCY DISCLOSURE: At the signing of this agreement the selling agent (insert name of selling ~~((agent and broker))~~ licensee and the company name as licensed) represented (insert seller, buyer, or both seller and buyer) ~~((and))~~ The listing agent (insert name of listing ((agent and broker)) licensee and company name as licensed) represented (insert seller, or both seller and buyer)

Each party signing this document confirms that prior oral and/or written disclosure of agency was provided to him/her in this transaction."

The licensee's conduct in the real estate transaction shall be in conformity with the agency disclosure made. The payment of compensation or the obligation to pay compensation to a licensee is not necessarily determinative of a particular agency relationship.

WSR 92-21-039
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed October 15, 1992, 4:38 p.m.]

Date of Adoption: October 13, 1992.

Purpose: To set import requirements recognizing various stages of state pseudorabies classification, set import requirements for captive wildlife and exotic animals, set health certificate requirements, establish import requirements for testing for equine viral arteritis in horses, brucellosis ovis in sheep and identification and testing of Mexican cattle.

Statutory Authority for Adoption: RCW 16.36.040 and 16.36.096.

Pursuant to notice filed as WSR 92-20-108 on October 6, 1992.

Changes Other than Editing from Proposed to Adopted Version: WAC 16-54-010(9), the language "except those animals that are classified as wildlife or deleterious exotic wildlife under Title 77" is added. Principal reasons for adopting change: Requested by the Department of Wildlife to make clear that these classes of animals may not be commercialized as a farm animal; WAC 16-54-020(2), the language "and in the instance of wildlife, written permission from the Department of Wildlife shall also be obtained" is added. Principal reason for adopting change: The Department of Wildlife requested this change to assure that the department is aware and has input into entry of infected wildlife into the state; WAC 16-54-035(1), the language "prior to entry into the state of Washington" is added. Principal reason for adopting the change: The Department of Wildlife requested this change to clarify that health certification and testing is to be completed prior to entry into the state; WAC 16-54-035(2), the language "The following tests or qualifications required for wild and exotic animals shall be performed by a licensed and accredited veterinarian prior to entry into the state of Washington" in the introductory sentence. Principal reason for adopting the change: The Department of Wildlife requested this change to clarify who can test or certify animals for import into the state although it is also contained in the definition of an "official health certificate"; WAC 16-54-035 (2)(iii)(b), the language "as specified by the director" is inserted after the words "exotic animals." Principal reason for adopting the change: Woodland Park Zoo veterinarian, Dr. Janis Joslin, requested this change to give the director some discretion as to which exotic animals may be exempted from testing. A list of specific animals will be compiled with input from the affected industries and adopted into this rule after proper notice and public hearing as soon as possible; WAC 16-54-035(2), the language "within twelve months or as otherwise required by the director" is inserted after the word "procedure." Principal reason for adopting change: This is compromise wording worked out with Department of Wildlife to clarify and define test time intervals and compliance with standards for animals added to a herd after a herd test; WAC 16-54-035 (2)(b)(v)(B), the language "testing and confinement under this subsection will be allowed only where the director can be assured of the negative tuberculosis status of the herd by methods other than those in subsection (A)." Principal reason for adopting change: This is compromise wording worked out with the Department of Wildlife to clarify the conditions under which herds would be evaluated for tuberculosis status; WAC 16-54-035 (2)(b)(v)(B), the language "one hundred and twenty days" and "isolate" and "isolation" are changed respectively to "at least ninety days," "confine" and "confinement." Principal reason for adopting changes: Dr. Janis Joslin, Woodland Park Zoo, and Jim Rich, Alternative Livestock Association, requested these changes to relieve a hardship to their industries in meeting the original wording. Adequate protection from tuberculosis is achieved with the new wording; and WAC 16-54-035 (2)(g)(i) and (ii), the language "as specified by the director" after "Cervidae" in both subsections. Principal reason for adopting change: Mr. Jim Rich, Alternative Livestock Association, requested these

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changes because it may not be appropriate to test all cervids and the director should have discretion to impose test on certain cervid animals. A list of such specific species will be developed with input from the affected industries and adopted into this rule after proper notice and public hearing as soon as possible.

Effective Date of Rule: Thirty-one days after filing.
October 13, 1992
Michael V. Schwisow
Deputy Director
for C. Alan Pettibone
Director

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-54-010 Definitions. For purposes of this chapter:

(1) "Director" means the director of agriculture of the state of Washington or his duly authorized representative.

(2) "Breeding cattle" shall be those females and bulls not consigned to a federally inspected slaughter establishment ~~((or)),~~ a restricted feedlot, or other authorized slaughter only channel.

(3) "Official brucellosis test" means blood samples are to be tested only by cooperating state-federal laboratories or by such persons as may be authorized by state of origin animal health officials to conduct the standard agglutination tests or the card test. All samples initially tested at other than cooperating state-federal laboratories shall be promptly submitted and confirmed at the cooperating state-federal laboratory.

(4) "Official calfhooD vaccinate" means a female bovine animal vaccinated between the ages of four and twelve months (one hundred twenty days to three hundred sixty-five days) with an approved brucella vaccine.

(5) "Class free and Class A, B, and C states" means states as classified by the current federal brucellosis eradication uniform methods and rules.

(6) "Stage I, II, III, IV, or V Pseudorabies state" means states as classified by the current federal pseudorabies eradication Uniform Methods and Rules.

(7) "Official health certificate" means a legible certificate of veterinary inspection executed on an official form of the state of origin or of the Animal and Plant Inspection Service (APHIS), United States Department of Agriculture (USDA), by a licensed and accredited veterinarian or a veterinarian approved by the proper official of APHIS, USDA.

(8) "Animal" means any animal species except fish and insects.

(9) "Domestic animal" means any farm animal raised for the production of food and fiber or companion animal or both.

(10) "Farm animal" means any species which have normally and historically been kept and raised on farms in Washington, the United States, or elsewhere and used or intended for use as food, fiber, breeding, or draft and which may be legally kept for such use in Washington and are not those animals classified as wildlife or deleterious exotic wildlife under Title 77 RCW.

AMENDATORY SECTION (Amending Order 1540, filed 10/17/77)

WAC 16-54-020 Illegal importation. (1) All ~~((domestic))~~ animals being shipped into this state must have met requirements of Title 9, Code of Federal Regulations, in effect at the time of movement or importation from foreign countries and in addition thereto must meet all the applicable laws, rules and regulations of the state of Washington pertaining to animal health and care of animals.

(2) It shall be unlawful for any person, firm or corporation to import any ~~((domestic))~~ animal ~~((or any nonaquatic animal kept in a household or premises thereof or for public display into this state))~~ unless in compliance with the requirements set forth hereafter in this order, and regulations relating to importation into and movement within the state of Washington of poultry ~~((and)),~~ hatching eggs and wildlife. No ~~((domestic))~~ animal ~~((or any nonaquatic animal kept in a household or premises thereof or for public display)),~~ including poultry and wildlife, that is affected with any infectious or communicable disease shall be imported into the state unless written permission for the importation is obtained from the director and in the instance of wildlife, written permission from the director of the department of wildlife shall also be obtained.

AMENDATORY SECTION (Amending Order 1918, filed 3/25/87)

WAC 16-54-030 Health certificate. (1) All animals entering Washington shall be accompanied by an official health certificate except:

(a) Dogs and cats originating in Washington and visiting Canada for thirty days or less.

(b) Those classes of animals specifically exempted in laws or regulations of this state.

(2) ~~((2))~~ Official health certificate ~~("means a legible certificate executed on an official form of the state of origin or of the Animal Health Division, United States Department of Agriculture, by a licensed and accredited veterinarian or a veterinarian approved by the proper official of the Animal Health Division, United States Department of Agriculture, and)~~ shall contain the following information:

(a) Date of inspection. All health certificates void after thirty days, except breeding cattle forty-five days from date of issue: *Provided,* The director may give special exemption for show animals.

(b) Names and addresses of the consignor and consignee.

(c) Certification that the animals are apparently free from evidence of infectious and communicable disease.

(d) Test or vaccination status when required.

(e) Description of each animal to include species, breed, age, sex, tag or tattoo and for cattle, only an official ear tag will be accepted or if registered, the registry name, number and tattoo for individual identification.

(f) Certification of disinfection of cars and trucks when required.

(g) An owner/agent statement which says "the animals in this shipment are those certified to and listed on this certificate" and is signed and dated by the owner, agent, or veterinarian.

PERMANENT

(3) All health certificates shall be approved by the livestock sanitary official of the state of origin and a copy shall be forwarded immediately to the department of agriculture, Olympia, Washington.

NEW SECTION

WAC 16-54-035 Certification of health—Wild and exotic animals. (1) An official interstate health certificate or certificate of veterinary inspection stating that all listed animals are free from clinical symptoms of infectious or communicable disease shall be prepared prior to entry into the state of Washington and issued by an accredited veterinarian licensed in the state of origin for all captive wild and exotic animals and shall contain the following:

- (a) Common and scientific name(s) of the animals.
- (b) Number of animals.
- (c) Appropriate description of animals by criteria such as sex, age, weight, coloration.
- (d) Permanent individual animal identification.
- (e) Date of anticipated shipment.
- (f) Name and address of consignor and consignee.
- (g) Origin of shipment.
- (h) Signature of veterinarian and owner or agent.
- (i) Permit number issued by the Washington state veterinarian.

(2) The following tests or qualifications required for wild and exotic animals shall be performed by a licensed and accredited veterinarian prior to entry into the state of Washington:

(a) Brucellosis. The interpretation of brucellosis test results on captive wild or exotic animals shall be held by the Washington state veterinarian. Serologic testing must be conducted in accordance with state/federal brucellosis protocol within thirty days prior to entry for the following categories of captive wild or exotic animals over six months of age.

- (i) *Brucella abortus*.
 - (A) Camelidae: Such as vicuna, guanaco.
 - (B) Cervidae: Such as elk, caribou, moose, reindeer, deer.
 - (C) Giraffidae: Such as giraffe, okapi.
 - (D) Bovidae: Such as antelopes, wild cattle (gaur, banteng, kaupre, yak), bison (American bison, also refer to WAC 16-54), European bison, buffalo (Asian water buffalo, tamaraw, lowland anoa, mountain anoa, African buffalo), wild sheep (bighorn sheep, dalls sheep, mouflon, argoli, uriol, blue sheep, barbary sheep, red sheep), wild goats (rocky mountain goat, ibex, walia ibex, west caucasion tur, east caucasion tur, spanish ibex, markhor).

(ii) *Brucella suis*.

- (A) Suidae: Wild swine (European wild boar, bearded pig, Jovan pig, pygmy hog, wart hog, giant forest pig, Babirusa, African bush pig, peccaries).

(B) Caribou, reindeer (*Brucella suis* Biovar 4).

(iii) *Brucella ovis*. All wild sheep and goats must be tested and found negative to *B. ovis* within thirty days prior to entry.

(b) Tuberculosis (*mycobacterium bovis* and *mycobacterium tuberculosis*) a skin test or other approved test must be conducted in accordance with federal tuberculosis protocols within thirty days prior to entry into

Washington for the following categories of captive wild exotic animals as specified by the director. Animals under six months of age that are nursing negative tested dams may be excluded from the test requirements.

- (i) Ceropithecidae: Old world primates.
- (ii) Hylobotidae: Gibbons or Lessor apes.
- (iii) Pongidae: Great apes.
- (iv) Bovidae: Such as antelopes, wild cattle, wild sheep and wild goats.
- (v) Cervidae: Such as elk, caribou, moose, reindeer, deer must be from herds not known to be affected with or exposed to tuberculosis and comply with the following *Mycobacterium bovis* testing requirements:

(A) Be negative to a 0.1 ml single cervical tuberculin test within thirty days prior to importation and originate from a herd which has had a negative complete herd test within twelve months or as otherwise required by the director of all eligible animals using the 0.1 ml single cervical test and all additions to the herd have been tested negative by the same test procedure and standards; or

(B) Be negative to a 0.1 ml single cervical tuberculin test within thirty days prior to importation and be confined at the destination for at least ninety days after arrival and retested for *M. bovis* after the confinement period using the 0.1 ml single cervical test. Testing and confinement under this subsection will be allowed only where the director can be assured of the negative tuberculosis status of the herd by methods other than by those in (v)(A) of this subsection.

(vi) Giraffidae: Giraffe, okapi must be tested by a single cervical test.

(c) Animals that show positive reaction on a skin test may be tested by additional approved skin tests, microbiological cultures, radiographs or serology to fully assess the status in regard to tuberculosis and to confirm or deny the possibility of a false positive reading of the skin test. Final decision on the tuberculosis classification status of such animals will be made by the Washington state veterinarian.

(d) For all captive wild or exotic animals not listed in (b) of this subsection, the following statement signed by the owner or agent shall be placed on the health certificate. "To my knowledge the animals listed herein are not infected with tuberculosis and have not been exposed to animals infected with tuberculosis during the past twelve months."

(e) Pseudorabies: Tested negative within thirty days of import. Held in quarantine for thirty to sixty days pending retest post entry.

Suidae: All wild swine.

(f) Equine Infectious Anemia: Tested negative on an approved test for equine infectious anemia within six months prior to entry for all wild horses, asses and hybrids.

(g) Elaphostrongylinae: *Parelaphostrongylus tenuis* (meningeal worm) and *Elaphostrongylus cervis* (muscle worm).

All cervidae must be examined prior to entry into Washington state for Elaphostrongylinae infection in the absence of anthelmintic treatment that could mask detection of the parasite.

(i) Cervidae as specified by the director which have resided for at least six months west of a line through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas must have a

negative fecal exam for dorsal-spined larvae made by an approved laboratory using the Baermann technique. Animals tested shall be certified to have not been treated with or exposed to anthelmintics, including ivermectin (IVOMEC R) for at least thirty days prior to testing.

(ii) Cervidae as specified by the director which have resided for less than six months west of a line through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas or from east of that line shall be held in preentry quarantine for thirty to sixty days and two fecal tests for dorsal-spined larvae made by an approved laboratory using the Baermann technique. The first test must be conducted at least thirty days and not more than forty days before the second test. During this period, which shall be at least thirty days, test animals must be held in quarantine and isolated from all other cervidae not included in the shipment. Animals so tested shall be certified to have not been treated with or exposed to anthelmintics including ivermectin (IVOMEC R) during the time period beginning at least thirty days before the first fecal test and extending to at least one hundred eighty days after importation. Fecal samples of at least thirty grams per sample are to be collected by an accredited veterinarian from the rectum and identified to the animal by the official animal identification number. If any animal tests positive to either of the two fecal tests, neither the consignment or any portion of the consignment may be imported into Washington.

Postentry animals must be held for one hundred eighty days in on-site quarantine and they must be available for inspection by the director of agriculture during this time. Thirty, sixty, ninety, one hundred twenty, one hundred fifty, and one hundred eighty days after arrival, fecal samples must be tested by the Baermann technique in an approved laboratory and found negative for dorsal-spined larvae; animals that test positive must be removed from the state or destroyed.

The quarantine site must be prepared and inspected prior to the entrance of the imported animals to prevent the presence of the gastropod intermediate hosts of Elaphostrongylinae larvae by:

(A) Keeping the animals on a hard surface, such as asphalt or concrete; or

(B) Spraying a four-meter wide tract around the perimeter of the holding compound with an EPA registered molluscicide and also spraying within the quarantine area. The perimeter tract has to be treated once every five days and within twenty-four hours of precipitation (10 mm or more) to ensure the gastropod population is kept to zero within the compound.

(h) Rabies: Any mammal of the order carnivora that has been taken from the wild may not enter the state if a diagnosis of rabies has been made in the state of origin during the past twelve months.

(i) Qualifications, specific tests, or statements required for birds prior to entry into the state of Washington:

Pullorum and Fowl Typhoid.

(A) Commercial game birds and their eggs unless going directly to slaughter, must originate from a producer who is participating in the pullorum-fowl typhoid control phase of the National Poultry Improvement Plan (NPIP) or the birds must test serologically negative for pullorum and fowl typhoid within the past thirty days. In the case of eggs and

hatchling birds, negative serologic tests for pullorum and fowl typhoid from a breeder flock not participating in the NPIP must be shown negative within the past thirty days. Serum testing or NPIP member status are also required for the following species: Bobwhite quail (*Colinus virginianus*), Coturnix quail (*Coturnix coturnix*), pure or hybrid Ring-necked pheasant (*Phasianus colchicus*), Chukar (*Alectoris chukar*), Hungarian partridge (*Perdix perdix*), Wild turkey (*Meleagris gallopavo*).

(B) In lieu of pullorum and fowl typhoid testing for certain other birds, the following statement can be placed on the health certificate: "To my knowledge, birds listed herein are not infected with pullorum or fowl typhoid and have not been exposed to birds infected with pullorum or fowl typhoid during the past twelve months." This statement should be signed by the owner or the owner's representative. This rule would apply to the following birds: All Galliformes except those listed in (i)(A) of this subsection; all Anseriformes.

(j) Mycoplasmosis.

All wild turkeys of the species *Meleagris gallopavo* and their eggs, unless going directly to slaughter must originate from a producer who is participating in the mycoplasmosis control phase of the NPIP or the birds must have tested serologically negative for *Mycoplasma gallisepticum* and *M. synoviae* within the past thirty days. In the case of eggs and hatchling birds, the breeder flock must be an NPIP participant or must have tested negative in the past thirty days.

(k) Duck Plague (Duck Virus Enteritis, D.V.E.) and Avian Cholera.

The statement, "To my knowledge, birds listed herein are not infected with duck plague or avian cholera and have not been exposed to birds known to be infected with duck plague or avian cholera within the past one hundred eighty days." must be written on the health certificate of all Anseriformes entering the state. The statement must be signed by the owner or the owner's representative.

Exotic Newcastle Disease (viscerotropic, velogenic viruses) and Psittacosis.

(i) The statement, "To my knowledge, birds listed herein are not infected with exotic Newcastle disease or psittacosis and have not been exposed to birds known to be infected with exotic Newcastle disease or psittacosis within the past thirty days," must be written on the health certificate of all psittacine birds entering the state. The statement must be signed by the owner or the owner's representative.

(ii) While in transit or while being offered for sale, the following birds which have been repeatedly associated with introductions of exotic Newcastle disease must be identified with a numbered leg band or other approved method of identification:

Yellow naped Amazon parrot (*Amazona ochrocephala auropalliata*).

Mexican double yellow head parrot (*Amazona ochrocephala oratrix*).

Mexican red head parrot (*Amazona viridigenalis*).

Spectacled Amazon parrot (*Amazona albifrons albifrons*).

Yellow cheeked Amazon parrot (*Amazona autumnalis autumnalis*).

Green conure (*Aratinga holochlora*, *A. strenua*, *A. leucophthalmus*).

Military macaw (*Ara militaris*).

Lilac crowned Amazon parrot (*Amazona finschi*).

AMENDATORY SECTION (Amending Order 1778, filed 11/24/82)

WAC 16-54-071 Domestic equine. (1) Domestic equine animals shall be accompanied by an official health certificate stating that they are free from clinical symptoms of infectious and communicable disease. All equine over six months of age must have a record of a negative test for the diagnosis of equine infectious anemia made within six months prior to entry. Horses moving to Washington from Oregon are excluded from test requirements.

(2) Breeding stallions or their semen shall be tested negative for equine viral arteritis (EVA) within ninety days of import. Positive stallions or semen may be imported with a certifying statement on the health certificate that the consignee has been advised and consents to the shipment. All positive stallions or semen entering Washington shall be moved on a permit issued by the office of the state veterinarian and may be subject to quarantine.

AMENDATORY SECTION (Amending Order 2021, filed 11/30/89, effective 12/31/89)

WAC 16-54-082 Domestic bovine animals. All domestic bovine animals (including bison) entering Washington shall be moved on a permit issued by the office of the state veterinarian. All domestic bovine animals (including bison) shall meet the following requirements:

(1) Tuberculosis. All beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area. The state veterinarian may require a negative tuberculosis test within thirty days of import for cattle (including bison) from the states classified as modified accredited or accredited free if *Mycobacterium bovis* (*M. bovis*) has been cultured from a herd in that state within the previous twelve months. All Mexican cattle imported from Mexico within three years of date of importation to Washington must show proof of a tuberculosis retest at least one hundred twenty days after import to the United States. Such cattle without proof of retest must be held on the premises of destination in Washington and kept separate from all other cattle for not less than one hundred twenty nor more than one hundred eighty days from the date of entry and retested for tuberculosis during the one hundred twenty to one hundred eighty-day period.

(2) Brucellosis health certificate requirements. All domestic bovine animals (including bison), except those consigned to restricted feedlots, ((or)) to federally inspected slaughter plants for immediate slaughter, or beef breed cattle ((or)), slaughter only dairy breed cattle, or dairy breed cattle from Oregon, Montana, and Idaho consigned to a state-federal approved livestock market, shall be accompanied by an official interstate health certificate and shall meet the following requirements:

(a) Brucellosis test.

(i) Cattle from class free and A states.

(A) Sexually intact heifers from brucellosis quarantined herds in class free and A states shall not be imported into

the state of Washington except for immediate slaughter at a federally inspected slaughter plant.

(B) Cattle other than those referred to in (a)(i)(A) of this subsection from class free or A states which are test eligible, unless destined for a restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Officially vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age.

(IV) Cattle from a certified brucellosis free herd.

(V) Cattle from selected brucellosis free states designated by the Washington state veterinarian.

(ii) Cattle from Class B or C states.

(A) Sexually intact ((heifers)) females from other than certified brucellosis free herds in states classified B or C by the USDA shall not be imported into the state of Washington except for immediate slaughter at a federally inspected slaughter establishment.

(B) ~~((Cattle other than those referred to in (a)(ii)(A) of this subsection))~~ Sexually intact males from Class B states which are test eligible, unless destined for a restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry and held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the preentry test. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Cattle from a certified brucellosis free herd.

(C) ~~((Cattle other than those referred to in (a)(ii)(A) of this subsection))~~ Sexually intact males from Class C states which are test eligible must be negative to two official brucellosis tests conducted prior to entry at least sixty days apart, the second test to be conducted within thirty days of entry. Those cattle shall be held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the second negative preentry test. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Cattle from a certified brucellosis free herd.

(iii) Beef cattle eligible for brucellosis testing coming from class free or A states or dairy cattle coming from Idaho, Montana, or Oregon may be moved to state-federal approved livestock markets in Washington to meet entry health requirements.

(iv) Should brucellosis infection occur in the state of Washington as a result of importation of infected animals, all future importations from the state of origin shall be required to meet import regulations of the next lower classification. State regulatory officials of that state shall be notified and the lower classification entry requirement will be in effect for twelve months following notification to the state of origin.

(b) **Brucellosis calffood vaccinates—female dairy cattle.** All female dairy cattle must be identified as official brucellosis calffood vaccinates before entry. Except the following classes of cattle are exempt from this requirement:

- (i) Calves under four months of age.
 - (ii) Those cattle consigned directly to a federally inspected slaughter plant.
 - (iii) Those cattle consigned directly to a restricted feedlot.
 - (iv) Spayed heifers.
- (c) **Brucellosis calffood vaccinates—female beef cattle.** All female beef breed cattle must be identified as official brucellosis vaccinates before entry, except the following classes of cattle are exempt from this requirement:
- (i) Calves under four months of age.
 - (ii) Registered female beef ((breed)) cattle born before January 1, 1983, with age verification by registration papers.
 - (iii) Cattle sold or consigned to a restricted feedlot.
 - (iv) Cattle sold or consigned to a federally inspected slaughter plant.
 - (v) Cattle sold or consigned to a public livestock market for immediate slaughter only.
 - (vi) Spayed heifers.
 - (vii) Cattle from a certified brucellosis free country where vaccination is prohibited by law: *Provided*, That the state veterinarian, upon being assured that to allow such cattle to enter would not create any jeopardy to the livestock industry of the state of Washington, may issue a special permit for such entry.

(3) **Scabies.** The office of the state veterinarian may require that any cattle from a known infected area be dipped at an official dipping facility within ten days of entry and, except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days, be accompanied by an official interstate health certificate. Ivermectin may be used as an alternative to the dipping procedure for beef and nonlactating dairy animals.

(4) **Vesicular stomatitis.** The office of the state veterinarian may require that:

(a) Any cattle be accompanied by an official interstate health certificate except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days;

(b) Dairy breed cattle be held separate and apart from all other cattle for a period of seven days at the point of destination and rechecked by an accredited veterinarian at the end of that period; except that dairy breed cattle from known infected areas shall not be allowed entry into the state; and

(c) Beef breed cattle from known infected areas be held separate and apart from all other cattle for a period of thirty days either prior to entry or at the point of destination or both.

(5) **Temporary grazing permits.** Herd owners desiring to move cattle into Washington for temporary grazing purposes must obtain a prior permit from the office of the state veterinarian: *Provided*, That the state veterinarian may, if deemed necessary, require a brucellosis herd test and/or an official health certificate for any cattle entering the state for grazing purposes. Applicants must also file an approved herd plan with the office of the state veterinarian to phase out all brucellosis nonvaccinates in the herd prior to January

1, 1988. Grazing permits shall be for one specified season only and shall be valid for movement to only that destination declared on the permit. A copy of the permit shall accompany any vehicle transporting cattle into the state for such temporary grazing purposes.

AMENDATORY SECTION (Amending Order 1172, filed 12/15/70)

WAC 16-54-090 Goats. Goats except those for immediate slaughter, shall be accompanied by a health certificate stating they are clinically free from infectious and communicable disease (~~(and a record of a negative brucellosis and tuberculosis test made)~~). Dairy goats shall be tested negative for brucellosis within thirty days prior to date of entry. Goats under six months of age are exempt from brucellosis test requirement.

AMENDATORY SECTION (Amending Order 1430, filed 2/9/76)

WAC 16-54-101 Sheep. Sheep except those for immediate slaughter, shall be accompanied by a health certificate stating they are clinically free from infectious and communicable disease and in addition shall comply with the following requirements which shall be stated on the health certificate:

(1) Originate from a ((state)) flock in which no ((seabies or)) scrapie has existed for ((one)) three years.

(2) All breeding rams six months of age and over must have a negative ELISA test for brucella ovis within thirty days prior to entry into Washington and be palpated and certified free of brucella ovis or be from a brucella free flock. Each ram must be individually identified with an individual eartag or registration tattoo. This number, along with the test results and date of test, must be entered on the health certificate which must accompany the animal(s).

AMENDATORY SECTION (Amending Order 1780, filed 12/23/82)

WAC 16-54-111 Swine. (1) **Slaughter swine.** Swine not known to be affected with or exposed to infectious or communicable diseases may be moved into the state without health certificate to a federally inspected slaughter establishment or public livestock market specifically approved under Part 76, Title 9, Code of Federal Regulations for immediate slaughter and shall not be diverted enroute for any purpose. The waybills or certificates for movement must state "for immediate slaughter ((only))." Saleyards receiving for slaughter only swine may not offer such swine for sale for any other purpose without meeting all health certificate and test requirements and receive a permit from the state veterinarian.

(2) **Feeder and breeder swine.**

(a) Swine must be accompanied by a permit issued by the department of agriculture state veterinarian, or the state veterinarian's representative, and an official health certificate stating they are clinically free from infectious and contagious disease or exposure thereto. The consignor and consignee will be properly listed with exact mailing address and destination clearly shown. The name and address of the consignee for pet swine shipments will be verified prior to

issuance of the permit to import and a written quarantine will be issued pending post entry pseudorabies testing.

(b) Swine brucellosis. All swine imported for breeding purposes over six months of age entering the state of Washington must be tested and found negative to brucellosis within thirty days prior to entry or originate in a validated brucellosis free herd or state or area. Swine from herds where brucellosis is known to exist will not be admitted.

(c) Swine pseudorabies. All swine being imported into the state of Washington must be:

(i) Tested and found negative to pseudorabies within thirty days prior to the date of importation, and

(ii) Isolated and held in quarantine at the point of final destination until retested and found negative to pseudorabies at least ~~((twenty-one))~~ thirty days and not more than sixty days after the date of importation.

(d) The following classes of swine are exempt from these pseudorabies test requirements:

(i) Swine originating from a pseudorabies qualified negative herd where the qualifying test has been conducted within sixty days of shipment and all new additions since the test have been tested negative.

(ii) Swine being shipped directly to a federally inspected slaughter establishment for immediate slaughter.

(iii) Direct shipment from a stage IV or V state/area.

(iv) Swine from a country determined to be free of pseudorabies.

NEW SECTION

WAC 16-54-135 Llamas. All llamas imported into Washington shall be accompanied by a health certificate stating that the animals are free from signs or exposure to infectious or contagious disease. Llamas six months of age and over must be tested negative for brucellosis and tuberculosis not more than thirty days prior to entry. The tuberculosis test is to be performed just caudal to the elbow joint in a similar manner to the single strength single cervical test.

AMENDATORY SECTION (Amending Order 1172, filed 12/15/70)

WAC 16-54-150 Penalty. Penalty provisions. Revised Code of Washington (RCW 16.36.110) provides: A violation of or a failure to comply with any chapter or any rule adopted under this chapter shall be a gross misdemeanor. Each day upon which a violation occurs shall constitute a separate violation. Any person violating the provisions of RCW 16.36.005, 16.36.020, 16.36.030, 16.36.103, 16.36.105, 16.36.107, 16.36.108 or 16.36.109 may be enjoined from continuing such violation.

WSR 92-21-043

PERMANENT RULES

EASTERN WASHINGTON UNIVERSITY

[Filed October 16, 1992, 9:23 a.m.]

Date of Adoption: September 18, 1992.

Purpose: Provides guidelines for commercial solicitation on campus.

Statutory Authority for Adoption: RCW 28B.35.120.
Pursuant to notice filed as WSR 92-15-128 on July 21, 1992.

Effective Date of Rule: Thirty days after filing.

October 12, 1992

Ann Carrasco

Rules Coordinator

Chapter 172-139 WAC COMMERCIAL ACTIVITIES

NEW SECTION

WAC 172-139-010 Commercial activities. Eastern Washington University facilities shall not be used for commercial solicitation, advertising, or promotional activities except when the activities clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when the commercial activities relate to educational objectives and are conducted under the sponsorship or at the request of a university department or of the executive vice-president or authorized designee: *Provided*, That commercial activities shall not interfere with or operate to the detriment of the conduct of university affairs or the free flow of pedestrian or vehicular traffic.

NEW SECTION

WAC 172-139-020 Commercial activities in the Pence Union Building. Exceptions to WAC 172-139-010 are granted for the Pence Union Building (PUB): *Provided*, That the activity does not duplicate services provided by the university and prior approval is obtained from the director of student auxiliary services. Vendors are assessed charges for use of the PUB.

NEW SECTION

WAC 172-139-030 Handbills. (1) No person shall place in or on any vehicle parked on the university campus, any handbill, except as provided in subsection (2)(c) of this section.

(2) For the purposes of this chapter, the following definition applies: A "handbill" is any printed or written matter, sample, or device which:

(a) Advertises for sale any merchandise, product, service, or commodity; or

(b) Directs attention, either directly or indirectly, to any business or mercantile or commercial establishment, or other activity, for the purpose of promoting an interest in sales or use; or

(c) Directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit: *Provided*, That the terms of this clause shall not apply to a university-sponsored activity for which the handbills have been approved for such distribution by the director of student auxiliary services in the Pence Union Building.

NEW SECTION

WAC 172-139-040 Penalties for violations of commercial activities regulations. (1) Any violation of this chapter by a student of Eastern Washington University is a violation of the student conduct code, WAC 172-120-040.

(2) Nonstudents violating this chapter may be referred to civil authorities for appropriate prosecutions, including violations of the laws of criminal trespass and/or litter control.

WSR 92-21-047**PERMANENT RULES****EASTERN WASHINGTON UNIVERSITY**

[Filed October 16, 1992, 1:24 p.m.]

Date of Adoption: September 18, 1992.

Purpose: To amend the position title of the individual responsible for carrying out the SEPA.

Citation of Existing Rules Affected by this Order:
Amending WAC 172-325-010.

Statutory Authority for Adoption: RCW 28B.35.120.

Pursuant to notice filed as WSR 92-16-062 on August 3, 1992.

Effective Date of Rule: Thirty days after filing.

October 13, 1992

Ann Carrasco

Rules Coordinator

[AMENDATORY SECTION (Amending WSR 92-09-104, filed 4/20/92)]

WAC 172-325-010 State Environmental Policy Act (SEPA). It is the policy of Eastern Washington University that any project shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act (SEPA) and in accordance with chapter 197-11 WAC, guidelines for the State Environmental Policy Act implementation. Further, it is the policy of the university to provide leadership in resource conservation and environmental protection. Environmental issues will be considered in the decision-making and planning process. To this end, Eastern Washington University adopts by reference chapter 197-11 WAC SEPA guidelines and all subsequent amendments thereto.

In compliance with chapter 197-11 WAC, the executive vice-president (~~for administration~~) is the responsible official for carrying out this policy.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 92-21-048**PERMANENT RULES****EASTERN WASHINGTON UNIVERSITY**

[Filed October 16, 1992, 1:29 p.m.]

Date of Adoption: September 18, 1992.

Purpose: To amend rules traditionally applicable to employee organizations and expand their application to student organizations; also other organizations are included. Rules regarding commercial activities are being repealed, rewritten and codified under a new chapter.

Citation of Existing Rules Affected by this Order:
Repealing WAC 172-136-020, 172-136-600, 172-136-610, and 172-136-620; and amending WAC 172-136-010, [new section] 172-136-015, 172-136-030, 172-136-040, 172-136-050, 172-136-060, 172-136-070, 172-136-080, 172-136-090, 172-136-100, 172-136-110, and 172-136-120.

Statutory Authority for Adoption: RCW 28B.35.120.

Pursuant to notice filed as WSR 92-16-063 on August 3, 1992.

Effective Date of Rule: Thirty days after filing.

October 13, 1992

Ann Carrasco

Rules Coordinator

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-010 Introduction. (~~The board of trustees of Eastern Washington State College pursuant to RCW 28B.40.120 has adopted the following rules and regulations relating to the use of college resources by employee organizations at Eastern Washington State College.~~) The regulations set forth in this chapter are designed to control the use of university resources by employee, student, or nonuniversity organizations and their members when conducting the business of such organizations: *Provided, ((however,))* That nothing in this chapter shall be construed to limit the use of university resources by members of these organizations when the members are acting in their capacities as employees or members of recognized student clubs or organizations of Eastern Washington ((State College)) University during the conduct of university business.

NEW SECTION

WAC 172-136-015 Definitions. For the purposes of this chapter, the following definitions apply:

(1) An "employee organization" is an organization having as a primary purpose the improvement of terms and conditions of employment of employees holding faculty, classified staff, or exempt position appointments: *Provided,* That the term "employee organization" shall not include the academic senate as defined in the Eastern Washington University policies and procedures. For the purposes of this chapter, references to limits and scope of activities by employee organizations shall be construed to affect and limit the conduct of persons acting on behalf of employee organizations.

(2) A "student club or organization" is one that has met the requirements under the Associated Students of EWU

(ASEWU) policies and procedures on establishing recognition. These policies and procedures are available in the ASEWU office.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-030 Meeting rooms. Employee and student organizations may schedule most rooms for the conduct of meetings through the scheduling and calendar office ~~((of the director of student activities))~~ on the same basis as other ~~((college))~~ university organizations. Rooms in Showalter Hall are scheduled through the division of business and finance.

AMENDATORY SECTION (Amending Order 73-6, filed 4/6/73 and 3/20/73)

WAC 172-136-040 Use of mail service by employee and student organizations. (1) Employee and student organizations may use the facilities of the campus post office for intra-campus distribution of written organizational material to their membership or to the ~~((college))~~ university community at large ~~((, provided that))~~ on a similar basis as university offices: Provided, That official ((college)) university communications shall be given priority ((of distribution)).

(2) Employee and student organizations may not use ~~((college))~~ university postage or postal permits for the mailing of organizational materials off campus.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-050 Telephone usage. ~~((+))~~ Employee and student organizations may use ~~((college))~~ university telephone ~~((s for intra-campus calls.~~

~~(2) In accordance with the rules of the department of general administration, members and officials of employee organizations may not use college telephones for calls off campus on the state controlled access network (SCAN), the state wide area telephone system (WATS), or the lease lines to Spokane when such calls concern business of the employee organization. Such calls shall be considered to be calls for purposes other than state business)) services as authorized by the university. University telephone services are provided only to university property, or buildings owned, leased, or rented by the university.~~

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-060 Use of duplicating and photocopying equipment. Employee and student organizations may use the facilities of the ~~((college))~~ university central duplicating and photocopying units by paying the regular charges established for ~~((such))~~ these services.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-070 Use of secretarial and other supporting staff services. Employee and student organizations may not use for organizational purposes the services of

~~((college))~~ university secretaries, typists, or other supporting staff during the ~~((college))~~ university duty hours of ~~((such))~~ the staff.

AMENDATORY SECTION (Amending Order 73-6, filed 4/6/73 and 3/20/73)

WAC 172-136-080 Office equipment and supplies. ~~((College))~~ University supplies may not be used by any employee or student organization. Office equipment, such as desks, typewriters, and other ~~((paraphernalia))~~ equipment normally utilized by employees during ~~((the course of))~~ their regular working hours may be used by ~~((such))~~ employees in the conduct of employee organization business ~~((provided such))~~: Provided, That the usage does not take place during their regular working hours.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-090 Travel expense. Travel expenses ~~((of staff members on))~~ associated with employee or student organization business shall not be paid by the ~~((college))~~ university. ~~((College))~~ University vehicles shall not be used for employee or student organization business.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-100 Access to ((college)) university records. Employee and student organizations shall have access to ~~((college))~~ public records of the university on the same basis as any citizen as set forth in chapter ~~((172-09 WAC))~~ 42.17 RCW.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-110 Conduct of employee organization business during scheduled working hours. (1) Faculty members of Eastern Washington ~~((State College))~~ University who belong to employee organizations shall conduct business related to such an organization only in the event that ~~((such))~~ the business does not interfere with the primary obligatory responsibilities ((that the members owe the college as)) which are a condition of employment.

(2) The conduct of business of employee organizations by members of the administrative staff shall not take place during the regularly assigned working hours of the staff members unless ~~((such))~~ the use of staff time is specifically authorized by the president or the appropriate vice-president ~~((, provided that))~~: Provided, That meetings called by the president or a vice-president with representatives of such organizations may be held during regular working hours.

(3) The business of organizations representing classified staff shall not be conducted by any employee of Eastern Washington ~~((State College))~~ University during his or her regular working hours except as may be provided by contract between the organization and the board of trustees or as may be specifically authorized by the president, the executive vice-president ((for business and management,)) or the director of staff personnel.

AMENDATORY SECTION (Amending Order 73-6, filed 3/20/73)

WAC 172-136-120 Conflicts with contractual provisions. Should any provisions of these rules and regulations be in conflict with any provision of a contract between an employee or student organization and the board of trustees, the contractual provisions shall prevail.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 172-136-020 Employee organization defined.
- WAC 172-136-600 Commercial activities.
- WAC 172-136-610 Commercial activities defined.
- WAC 172-136-620 Penalties for violations of commercial activities regulations.

**WSR 92-21-056
PERMANENT RULES
GAMBLING COMMISSION**

[Order 233—Filed October 19, 1992, 1:20 p.m.]

Date of Adoption: October 9, 1992.

Purpose: To change the requirements for Class B and above licensees and to add summary suspension forms to WAC 230-50-580.

Citation of Existing Rules Affected by this Order: Amending WAC 230-04-201, 230-20-670, and 230-50-580.

Statutory Authority for Adoption: RCW 9.46.070.

Pursuant to notice filed as WSR 92-14-018 on June 22, 1992; and WSR 92-15-055 on July 13, 1992.

Effective Date of Rule: Thirty-one days after filing.
October 19, 1992
Frank L. Miller
Director

AMENDATORY SECTION (Amending Order 227, filed 9/18/91, effective 10/19/91)

WAC 230-04-201 Fees. Tables 1 and 2 contain the fees that shall be paid to the commission for gambling licenses, permits, miscellaneous changes, and special investigative and inspection services.

Table 1. (For bona fide nonprofit/charitable organizations)

| LICENSE TYPE | DEFINITION | FEE |
|--------------------|---|-------|
| 1. AMUSEMENT GAMES | (Fee based on annual gross receipts) | |
| Class A | Up to \$ 5,000 | \$ 50 |
| Class B | Up to \$ 15,000 | 150 |
| Class C | Up to \$ 25,000 | 250 |
| Class D | Up to \$ 50,000 | 400 |
| Class E | over \$ 50,000 | 700 |
| 2. BINGO GROUP | (Fee based on annual gross gambling receipts) | |
| I Class A | Up to \$15,000 | \$ 50 |
| Class B | \$ 15,001 to 50,000 | 150 |
| Class C | \$ 50,001 to 100,000 | 300 |

| | | |
|-------------|---------------------------|--------|
| Class D | \$ 100,001 to 300,000 | 800 |
| Class E | \$ 300,001 to 500,000 | 1,350 |
| Class F | \$ 500,001 to 1,000,000 | 2,700 |
| II Class G | \$ 1,000,001 to 1,500,000 | 3,900 |
| Class H | \$ 1,500,001 to 2,000,000 | 5,200 |
| Class I | \$ 2,000,001 to 2,500,000 | 6,500 |
| Class J | \$ 2,500,001 to 3,000,000 | 7,800 |
| III Class K | \$ 3,000,001 to 3,500,000 | 8,750 |
| Class L | \$ 3,500,001 to 4,000,000 | 10,000 |
| Class M | Over \$4,000,000 | 11,250 |

| | | |
|---|--|-----------------|
| 3. BINGO GAME MANAGER | Original Renewal | \$ 150 75 |
| 4. CARD GAMES | | |
| Class A | General (fee to play charged) | \$ 500 |
| Class B | Limited card games - to hearts, rummy, mah-jongg, pitch, pinochle, and/or cribbage - (fee to play charged) | 150 |
| Class C | Tournament only - no more than ten consec. days per tournament | 50 |
| Class D | General (no fee to play charged) | 50 |
| Class R | Primarily for recreation (WAC 230-04-199) | 25 |
| 5. CHANGES | | |
| NAME | (See WAC 230-04-310) | \$ 25 |
| LOCATION | (See WAC 230-04-320) | 25 |
| FRE | (Reno Nite date(s)/time(s)) (See WAC 230-04-325) | 25 |
| LICENSE CLASS | (See WAC 230-04-260) New class fee, less previous fee paid, plus | 25 |
| DUPLICATE LICENSE REPLACEMENT IDENTIFICATION STAMPS | (See WAC 230-04-290) | 25 |
| | (See WAC 230-30-016) | 25 |
| 6. FUND RAISING EVENT | | |
| Class A | One event not more than 24 consec. hrs. | \$ 300 |
| Class B | One event not more than 72 consec. hrs. | 500 |
| Class C | Additional participant in joint event (not lead organization) | 150 |
| Class D | Fund Raising Event Equipment Distributor - Rents or leases, equipment for fund raising event or recreational gaming activity more than 4 times per year. | 200 |
| Class E | Fund Raising Event Equipment Distributor - Rents or leases equipment for fund raising event or recreational gaming activity more than 10 times per year. | 500 |
| NOTE: Charitable and nonprofit organizations licensed to conduct fund raising events may rent equipment up to four occasions without getting licensed as a distributor. | | |
| 7. PERMITS | Agricultural fair/special property bingo One location and event only (see WAC 230-04-191) Recreational gaming activity permit (RGA) (see WAC 230-25-330 and 230-02-505) | \$ 25 50 |
| 8. PUNCHBOARDS/ PULL TABS | (Fee based on annual gross gambling receipts) (One time variance) | |
| Class A | Up to \$ 50,000 | \$ 5,000 \$ 475 |
| Class B | Up to \$ 100,000 | \$ 5,000 850 |
| Class C | Up to \$ 200,000 | \$ 10,000 1,600 |
| Class D | Up to \$ 300,000 | \$ 10,000 2,325 |
| Class E | Up to \$ 400,000 | \$ 10,000 3,000 |

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|---------|----------|-----------|---------------|-------|
| Class F | Up to \$ | 500,000 | \$ 10,000 | 3,625 |
| Class G | Up to \$ | 600,000 | \$ 10,000 | 4,200 |
| Class H | Up to \$ | 700,000 | \$ 10,000 | 4,725 |
| Class I | Up to \$ | 800,000 | \$ 10,000 | 5,200 |
| Class J | Up to \$ | 1,000,000 | \$ 20,000 | 5,900 |
| Class K | Up to \$ | 1,250,000 | \$ 25,000 | 6,550 |
| Class L | Up to \$ | 1,500,000 | \$ 25,000 | 7,150 |
| Class M | Up to \$ | 1,750,000 | \$ 25,000 | 7,650 |
| Class N | Up to \$ | 2,000,000 | \$ 25,000 | 8,100 |
| Class O | Over \$ | 2,000,000 | Nonapplicable | 8,900 |

required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00.

A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260; Provided, a licensee utilizing the variance shall be required to upgrade upon recertification.

| | | | | |
|-----|---|--|-------------|--|
| 9. | RAFFLES | (Fee based on annual gross gambling receipts) | | |
| | Class A | Up to \$ 5,000 | \$ 50 | |
| | Class B | Up to \$ 10,000 | 150 | |
| | Class C | Up to \$ 25,000 | 300 | |
| | Class D | Up to \$ 50,000 | 500 | |
| | Class E | Up to \$ 75,000 | 800 | |
| | Class F | Over \$ 75,000 | 1,200 | |
| 10. | SEPARATE PREMISES BINGO | Occasion (see WAC 230-04-300) | \$ 25 | |
| 11. | SPECIAL FEES | | | |
| | INVESTIGATION IDENTIFICATION AND INSPECTION STAMP | (See WAC 230-04-240) | As required | |
| | EXCEEDING LICENSE CLASS | (See WAC 230-30-015 and 230-30-030) | As required | |
| | | (See WAC 230-04-260) | As required | |
| | | In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less. | | |
| 12. | SIX-MONTH PAYMENT PLAN | The commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments. SIX-MONTH PAYMENT PLAN PROCEDURE: The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six-month period. Licensees exceeding 50% of the authorized level shall be | \$ 25 | |

Table 2. (For commercial stimulant/profit seeking organizations)

| LICENSE TYPE | DEFINITION | FEE |
|--|--|----------|
| 1. CARD GAMES | | |
| Class B | (Fee to play charged) limited card games - to hearts, rummy, pitch, pinochle, mah-jongg, and/or cribbage | \$ 150 |
| Class C | Tournament only, no more than ten consec. days per tournament | 150 |
| Class D | General (no fee to play charged) | 50 |
| Class E | General (fee to play charged) | |
| E-1 | One table only | 350 |
| E-2 | Up to two tables | 600 |
| E-3 | Up to three tables | 1,000 |
| E-4 | Up to four tables | 2,000 |
| E-5 | Up to five tables | 3,000 |
| 2. CHANGES | | |
| NAME | (See WAC 230-04-310) | \$ 25 |
| LOCATION | (See WAC 230-04-320) | 25 |
| BUSINESS CLASSIFICATION | (Same owners - see WAC 230-04-340(3)) | 50 |
| LICENSE CLASS | (See WAC 230-04-260) New class fee, less previous fee paid, plus | 25 |
| DUPLICATE LICENSE | (See WAC 230-04-290) | 25 |
| OWNERSHIP OF STOCK REPLACEMENT IDENTIFICATION STAMPS | (See WAC 230-04-340(1)) | 50 |
| LICENSE TRANSFERS | (See WAC 230-04-125, 230-04-340 and 230-04-350) | 25 |
| 3. DISTRIBUTOR | (Fee based on annual gross sales of gambling related supplies and equipment) | |
| (a) Class A | Nonpunchboard/pull tab only | \$ 500 |
| Class B | Up to \$250,000 | \$ 1,000 |
| Class C | \$250,001 to \$500,000 | \$ 1,500 |
| Class D | \$500,001 to \$1,000,000 | \$ 2,000 |
| Class E | \$1,000,001 to \$2,500,000 | \$ 2,600 |
| Class F | Over \$2,500,000 | \$ 3,200 |
| | In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the initial investigation and inspection necessary for certification. | |
| (b) Fund Raising Event Equipment Distributor | | |
| Class A | Rents or leases equipment for fund raising event or recreational gaming activity up to ten times per year. | \$ 200 |
| Class B | Rents or leases equipment for fund raising event or recreational gaming activity more than ten times per year. | \$ 500 |
| 4. DISTRIBUTOR'S REPRESENTATIVE | | |
| | Original | \$ 200 |
| | Renewal | 125 |

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| 5. MANUFACTURER | (Fee based on annual gross sales of gambling related supplies and equipment) | |
| Class A | Machines only | \$ 500 |
| Class B | Up to \$250,000 | \$ 1,000 |
| Class C | \$250,001 to \$500,000 | \$ 1,500 |
| Class D | \$500,001 to \$1,000,000 | \$ 2,000 |
| Class E | \$1,000,001 to \$2,500,000 | \$ 2,600 |
| Class F | Over \$2,500,000 | \$ 3,200 |

In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the initial investigation and inspection necessary for certification.

| | | |
|----------------------------------|----------|--------|
| 6. MANUFACTURER'S REPRESENTATIVE | Original | \$ 200 |
| | Renewal | 125 |

| | | |
|------------|---|-------|
| 7. PERMITS | Agricultural fair/special property bingo | |
| Class A | One location and event only (see WAC 230-04-191) | \$ 25 |
| Class B | Annual permit for specified different events and locations (see WAC 230-04-193) | 150 |

| | | |
|------------------------------|----------|--------|
| 8. PUBLIC CARD ROOM EMPLOYEE | Original | \$ 150 |
| | Renewal | 75 |

| | | | |
|---------------------------|---|---------------------|--------|
| 9. PUNCHBOARDS/ PULL TABS | (Fee based on annual gross gambling receipts) | (One time variance) | |
| Class A | Up to \$ 50,000 | \$ 5,000 | \$ 475 |
| Class B | Up to \$ 100,000 | \$ 5,000 | 850 |
| Class C | Up to \$ 200,000 | \$ 10,000 | 1,600 |
| Class D | Up to \$ 300,000 | \$ 10,000 | 2,325 |
| Class E | Up to \$ 400,000 | \$ 10,000 | 3,000 |
| Class F | Up to \$ 500,000 | \$ 10,000 | 3,625 |
| Class G | Up to \$ 600,000 | \$ 10,000 | 4,200 |
| Class H | Up to \$ 700,000 | \$ 10,000 | 4,725 |
| Class I | Up to \$ 800,000 | \$ 10,000 | 5,200 |
| Class J | Up to \$ 1,000,000 | \$ 20,000 | 5,900 |
| Class K | Up to \$ 1,250,000 | \$ 25,000 | 6,550 |
| Class L | Up to \$ 1,500,000 | \$ 25,000 | 7,150 |
| Class M | Up to \$ 1,750,000 | \$ 25,000 | 7,650 |
| Class N | Up to \$ 2,000,000 | \$ 25,000 | 8,100 |
| Class O | Over \$ 2,000,000 | Nonapplicable | 8,900 |

A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260; Provided, a licensee utilizing the variance shall be required to upgrade upon recertification.

| | | |
|---|--|-------------|
| 10. SPECIAL FEES | | |
| INVESTIGATION IDENTIFICATION AND INSPECTION STAMP | (See WAC 230-04-240) | As required |
| EXCEEDING LICENSE CLASS | (See WAC 230-30-015 and 230-30-030) | As required |
| | (See WAC 230-04-260) | As required |
| | In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less. | |

| | | |
|---|----------------------|-------|
| REVIEW/EVALUATION/ APPROVAL OF AMUSEMENT GAMES OR DEVICES | (See WAC 230-20-605) | \$100 |
|---|----------------------|-------|

| | | |
|--------------------------------|------------------------|----------------|
| 11. COMMERCIAL AMUSEMENT GAMES | | |
| * Class A | ((Up to \$ 10,000)) | |
| | Premises only | ** \$250/100 |
| Class B | Up to \$ 50,000 | \$ ((500)) 350 |
| Class C | Up to \$ 100,000 | 900 |
| Class D | Up to \$ 250,000 | 2,000 |
| Class E | Up to \$ 500,000 | 3,500 |
| Class F | Up to \$ 1,000,000 | 6,000 |
| Class G | ((Up to \$ 1,500,000)) | |
| | Over \$ 1,000,000 | 7,500 |
| ((Class H | Up to \$ 2,000,000 | 10,000 |
| Class I | Over \$ 2,000,000 | 12,000 |

* Restricts Class A amusement games to only one location for the original license fee of \$250. ** Allows the owner of any location qualified under WAC 230-04-138 (1)(f), (g), (h), (i), or (j) to enter into a contract with a Class B or above commercial amusement game licensee to locate and operate amusement games on their premises.

** Provides for ((the submission of a reduced fee of \$100)) a fee reduction of \$150 when:

- Renewing an annual license;
- Applying for an additional license(s); and/or
- Applying for multiple licenses.

| | | |
|----------------------------|---|------|
| 12. SIX-MONTH PAYMENT PLAN | The commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments. SIX-MONTH PAYMENT PLAN PROCEDURE: The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six-month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00. | \$25 |
|----------------------------|---|------|

AMENDATORY SECTION (Amending Order 227, filed 9/18/91, effective 10/19/91)

WAC 230-20-670 Commercial amusement games— Operating requirements. (1) Each location where commercial amusement games are operated shall be required to obtain a commercial amusement game license.

(2) A person licensed ((as a)) for Class A (premise only) commercial amusement games ((operator)) may enter into a contract with a Class B or above commercial

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amusement game licensee(s) to operate amusement games on their premises. The contract must be written and specific in terms, setting out the time of the contract, revenue sharing plan and all expenses to be borne by each party: Provided, That the revenue sharing plan may be based on a percentage of revenue generated by the activity if the method of distribution is specific. All contracts regarding the operation of amusement games shall be submitted to the commission and become part of the licensee file.

(3) ((It shall be the responsibility of the commercial amusement game operator providing the games to ensure that each premises is licensed with the commission prior to operating at that location.)) No Class B or above commercial amusement game operator shall locate a game at a premises which is not licensed by the commission.

AMENDATORY SECTION (Amending WSR 90-13-022, filed 6/11/90, effective 7/31/90)

WAC 230-50-580 Adjudicated proceedings—Hearings—Forms. The following formats shall be utilized in all adjudicated proceedings:

(1)

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the (Suspension/
Revocation/ Denial) of the
(License/Application) to Con-
duct Gambling Activities of

Licensee.

NO. _____

NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATED
PROCEEDING

(Director's Name) alleges as follows:

I

He is the Director of the Washington State Gambling Commission and makes these charges in his official capacity.

II

Jurisdiction of this proceeding is based on Chapter 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, and Title 230 WAC.

III

..... has been issued the following license(s) by the Washington State Gambling Commission, which license(s) (was/were) issued subject to compliance by the licensee with state laws and rules of the Commission.

- A. License Number Authorizing Activity
- B. License Number Authorizing Activity
- C. License Number Authorizing Activity

IV

(Attach Recital Of Charges)

(Appropriate Roman Numeral)

The charges specified in paragraphs . . . through . . . above constitute grounds for the . . . day suspension, or revocation of the license(s) held by . . . to conduct authorized gambling activity under authority of RCW 9.46.075 and WAC 230-04-400.

(Appropriate Roman Numeral)

The (licensee/applicant) shall be afforded the opportunity to have an Adjudicated Proceeding, which includes a hearing on the alleged violations. In order to commence an Adjudicative Proceeding, the enclosed APPLICATION FOR ADJUDICATED PROCEEDING AND REQUEST FOR HEARING MUST BE COMPLETED IN FULL by the LICENSEE OR REPRESENTATIVE and returned to the Gambling Commission within 20 days from the date of receipt of this notice. FAILURE TO RETURN THIS DOCUMENT WILL RESULT IN THE ENTRY OF A DEFAULT

ORDER PURSUANT TO RCW 34.05.440 AND WAC 230-50-010, THE IMPOSITION OF THE PENALTY SET OUT ABOVE OR ONE OF LESSER DEGREE AND SHALL CONSTITUTE A WAIVER OF ANY FURTHER RIGHTS TO A HEARING OR REVIEW IN THIS MATTER.

STATE OF WASHINGTON }
COUNTY OF THURSTON } ss.

(Director's Name), being first duly sworn on oath, deposes and says: That he has read the foregoing Notice of Administrative Charges and Opportunity for Adjudicated Proceeding, knows the contents thereof, and believes the same to be true, and that he is the Director of the Washington State Gambling Commission and in that capacity has executed said Statement of Charges.

.....
(Director's Name)

SUBSCRIBED AND SWORN TO before me this
day of, ((1989)) 19

.....
NOTARY PUBLIC in and for the State of Washington
residing at

(2) STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the (Suspension/
Revocation/Denial) of the
(License/Application) to Con-
duct Authorized Gambling
Activities of

(Licensee/Applicant.)

NO. _____

APPLICATION FOR ADJUDICATED
PROCEEDING AND RE-
QUEST FOR HEARING

THIS IS AN IMPORTANT NOTICE WHICH DETERMINES WHETHER OR NOT YOU WILL HAVE THE RIGHT TO A HEARING IN THIS MATTER. PLEASE READ THIS NOTICE CAREFULLY. IF YOU HAVE ANY QUESTIONS REGARDING YOUR LEGAL RIGHTS IN THIS MATTER YOU SHOULD CONTACT AN ATTORNEY.

In order to request and preserve your right to a hearing you MUST complete and sign this form, then return it by mail within 20 days to:

The Washington State Gambling Commission
((4511 Woodview Drive SE Mail Stop QB 11))
649 Woodland Square Loop, SE
P.O. Box 42400
((Lacey)) Olympia, Washington 98504-((8124)) 2400

FAILURE TO COMPLETE AND RETURN THIS FORM AS INSTRUCTED WILL RESULT IN THE ENTRY OF A DEFAULT ORDER AGAINST YOU PURSUANT TO RCW 34.05.440, and WAIVER of your rights to appeal in this matter.

YOU HAVE 20 DAYS FROM THE DATE OF RECEIPT OF THIS FORM TO COMPLETE AND RETURN IT TO THE ADDRESS ABOVE.

~~((NO EXTENSIONS BEYOND THE 20 DAYS WILL BE GRANTED.))~~

BRIEF EXPLANATION OF RIGHTS AND PROCEEDINGS:

You have the right to apply for an ADJUDICATIVE PROCEEDING, which includes a hearing on the allegations set forth in the notice of administrative charges. The hearing will be conducted by a state Administrative Law Judge pursuant to state law and administrative codes. You have the right to be represented by an attorney of your choice and at YOUR OWN EXPENSE.

You have the right to produce witnesses, and evidence relevant to the violations alleged. See WAC 230-50 for additional rights.

You have the right to have an interpreter for the proceedings if you or any witness which you will call is a limited English speaking person OR a hearing impaired person.

In order to request an interpreter, you MUST complete the attached REQUEST FOR INTERPRETER FORM and RETURN IT along with this form to the Gambling Commission. THIS SERVICE IS FREE OF CHARGE.

INSTRUCTIONS - Place a check mark and your signature next to the statement which describes your request(s) in this matter.

PERMANENT

Check Mark Signature

1) I want to have a hearing in this Adjudicated Proceeding

2) I will be represented by an attorney in this matter, his/her name, address and phone number are as follows:
 Name
 Address
 Phone Number

3) I will NOT be represented by an attorney in this matter.

4) I DO NOT want a HEARING AND WAIVE MY RIGHTS TO A HEARING IN THIS MATTER.

Please indicate those charges, if any, which you admit occurred.

You may attach a letter or a statement of your position in this matter if you choose to do so. Please indicate whether or not you attached either.

I attached a letter or statement . . .
 I did NOT attach a letter or statement . . .

A HEARING, if requested, shall be conducted by a state Administrative Law Judge in a location near your place of business or residence, but not necessarily in the city or county in which you do business or reside. You will be notified at least seven (7) days in advance of the proceeding.

If you do not understand any portion of these documents, you are strongly encouraged to contact an attorney.

You MUST complete, sign, date and then mail this document together with the REQUEST FOR INTERPRETER form, to the Washington State Gambling Commission at the address as stated on this form WITHIN 20 days of receipt of these documents. FAILURE TO DO SO WILL RESULT IN A WAIVER OF YOUR RIGHTS TO A HEARING IN THIS MATTER AND ENTRY OF A DEFAULT ORDER PURSUANT TO RCW 34.05.440 AND WAC 230-50-010.

Dated this day of, ((1989)) 19

****SIGN HERE****

LICENSEE OR REPRESENTATIVE

(3) STATE OF WASHINGTON
 GAMBLING COMMISSION

In the Matter of the (Suspension/Revocation/Denial) of the (License/Application) to Conduct Authorized Gambling Activities of (Licensee/Applicant)

NO. _____
 APPLICATION FOR AN ADJUDICATED PROCEEDING AND REQUEST FOR HEARING WITH OFFER OF SETTLEMENT

THIS IS AN IMPORTANT NOTICE WHICH DETERMINES WHETHER OR NOT YOU WILL HAVE THE RIGHT TO A HEARING IN THIS MATTER. PLEASE READ THIS NOTICE CAREFULLY. IF YOU HAVE ANY QUESTIONS REGARDING YOUR LEGAL RIGHTS IN THIS MATTER YOU SHOULD CONTACT AN ATTORNEY.

In order to request and preserve your right to a hearing you MUST complete and sign this form, then return it by mail within 20 days to:

The Washington State Gambling Commission
 ((4511 Woodview Drive SE Mail Stop QB-11))
 649 Woodland Square Loop, SE
 P.O. Box 42400
 ((Lacey)) Olympia, Washington 98504-((8124)) 2400

FAILURE TO COMPLETE AND RETURN THIS FORM AS INSTRUCTED WILL RESULT IN THE ENTRY OF A DEFAULT ORDER AGAINST YOU PURSUANT TO RCW 34.05.440, and WAIVER of your rights to appeal in this matter.

YOU HAVE 20 DAYS FROM THE DATE OF RECEIPT OF THIS FORM TO COMPLETE AND RETURN IT TO THE ADDRESS ABOVE.
 ((NO EXTENSIONS BEYOND THE 20 DAYS WILL BE GRANTED.))

BRIEF EXPLANATION OF RIGHTS AND PROCEEDINGS:

You have the right to apply for an ADJUDICATIVE PROCEEDING which includes a hearing on the allegations set forth in the notice of administrative charges. The hearing will be conducted by a state Administrative Law Judge pursuant to state law and administrative codes. You have the right to be represented by an attorney of your choice and at YOUR OWN EXPENSE.

You have the right to produce witnesses, and evidence relevant to the violations alleged. See WAC 230-50 for additional rights.

You have the right to have an interpreter for the proceedings if you or any witness which you will call is a limited English speaking person OR a hearing impaired person.

In order to request an interpreter, you MUST complete the attached REQUEST FOR INTERPRETER FORM and RETURN IT along with this form to the Gambling Commission. THIS SERVICE IS FREE OF CHARGE.

INSTRUCTIONS - Place a check mark and your signature next to the statement which describes your request(s) in this matter.

Check Mark Signature

1) I WANT TO HAVE A HEARING IN THIS ADJUDICATED PROCEEDING

2) I will be represented by an attorney in this matter, his/her name, address and phone number are as follows:
 Name
 Address
 Phone Number

3) I will NOT be represented by an attorney in this matter.

4) I DO NOT want a HEARING AND WAIVE MY RIGHTS TO A HEARING IN THIS MATTER.

5) I will agree to a stipulated settlement as stated on Page 3 and have signed the order on page 4.

Please indicate those charges, if any, which you admit occurred.

You may attach a letter or a statement of your position in this matter if you choose to do so. Please indicate whether or not you attached either.

I attached a letter or statement . . .
 I did NOT attach a letter or statement . . .

A hearing, if requested, shall be conducted by a state Administrative Law Judge in a location near your place of business or residence, but not necessarily in the city or county in which you do business or reside. You will be notified at least seven (7) days in advance of the proceeding.

If you do not understand any portion of these documents, you are strongly encouraged to contact an attorney.

You MUST complete, sign, date and then mail this document together with the REQUEST FOR INTERPRETER form, to the Washington State Gambling Commission at the address as stated on this form WITHIN 20 days of receipt of these documents. FAILURE TO DO SO WILL RESULT IN A WAIVER OF YOUR RIGHTS TO A HEARING IN THIS ADJUDICATIVE PROCEEDING AND ENTRY OF A DEFAULT ORDER PURSUANT TO RCW 34.05.440 AND WAC 230-50-010.

Dated this day of, ((1989)) 19

****SIGN HERE****

LICENSEE OR REPRESENTATIVE

PERMANENT

I will agree to a stipulated settlement in this matter and the entry of the attached order on the following terms:

- A suspension of days for my gambling license(s).
..... A fine of in lieu of the day suspension of my gambling license(s).

The order finds that the violation(s) were in fact committed.

The dates for the suspension or fine will be as stated in the order. (Insert name of commission staff member) of the staff of the Commission can be contacted regarding changing the dates for the suspension and/or payment of the fine before the order is signed.

The dates of the suspension as set are no more than 90 calendar days from the date of mailing of this form to you and the fine is due PRIOR to the dates of the suspension.

By signing as indicated I agree to this settlement.

SIGN HERE
LICENSEE OR REPRESENTATIVE
DATE

YOU MUST ALSO SIGN THE ORDER ON PAGE FOUR WHERE INDICATED.

(4)

STATE OF WASHINGTON GAMBLING COMMISSION

An Adjudicated Proceeding in the matter of the Suspension or Revocation of the license(s) to conduct Gambling Activities of:
((Licensee))

No.
STIPULATED SETTLEMENT FROM WRITTEN PRE HEARING OFFER

I

The licensee named hereon stipulates that the charges as set forth in the statement of charges attached hereto occurred and agrees to entry of a finding as such and conclusion of law or the violations.

II

That (Licensee's Name) has been issued (a) license(s) to conduct gambling activity(ies), as follows:

License Number Authorizing
(Insert License #) (Type of Activity)
(Insert License #) (Type of Activity)
(Insert License #) (Type of Activity)

III

That the following is entered as the Final Order on these charges.

That the license(s) of (Licensee's Name) to conduct (Type of activity) activity(ies) is hereby suspended for a term of () days commencing (date suspension to start) and running through and including (date suspension will end). Provided further, that in lieu of said suspension the licensee may pay a fine of (\$ amount) on or before (Date).

Signed and dated this day of, ((1990)) 19

(Name)
Administrative Law Judge

(Licensee) or representative

..... Chair
(Asst. Attorney General) Approved by Commission

(5)

STATE OF WASHINGTON GAMBLING COMMISSION

An Adjudicated Proceeding In the Matter of the (Suspension/Revocation/Denial) of the (License/Application) to Conduct Authorized Gambling Activities of (Licensee/Applicant).

No.
NOTICE OF HEARING

I

(ATTACH RECITAL OF CHARGES)

II

That the licensee(s) (was/were) previously notified of the administrative charges pending and (has/have) made a timely application for adjudicated proceeding and request for hearing. Based upon that request, a hearing will be conducted by, Administrative Law Judge of, phone number, on all charges as stated pursuant to WAC 230-50-010.

III

That the agency will be represented at the hearing by, Assistant Attorney General of, phone number, The licensee will be represented by, of, phone number

IV

That the hearing is set for at the hour of, in the city of at, The hearing is being conducted under the authority of chapter 9.46 RCW and amendments thereto, and will be conducted pursuant to chapter 34.05 RCW and 230-50 WAC. Should the licensee and representatives fail to appear at the hearing as scheduled a default order pursuant to RCW 34.05.440 will be entered.

The proceeding will determine whether a suspension/revocation/or denial should be imposed.

(Director's Name)

(6)

STATE OF WASHINGTON GAMBLING COMMISSION

An Adjudicated Proceeding In the Matter of the (Suspension/Revocation/Denial) of the (License/Application) to Conduct Gambling Activities of:
Licensee.

No.
REQUEST FOR INTERPRETER AND/OR TRANSLATION OF DOCUMENTS

I,, being a party in this proceeding hereby state that I am a limited English speaking person or hearing impaired person or that I will be calling a witness who is a limited English speaking or hearing impaired person and that (I/they) require an interpreter as indicated below:

(Check all items that apply and fill in the blank spaces.)

- I will require an interpreter for the language.
.... I will require an interpreter for a hearing impairment.
.... I will be calling a limited English speaking witness who will require an interpreter in the language.
.... I will be calling a hearing impaired person who will require an interpreter.
.... I request all documents in this proceeding be translated into the ... language.

Signed:
Dated:

PERMANENT

(7)

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Summary
Suspension of the License to
Operate Gambling Activities of:

(Licensee's Name)
Licensee.

NO.
FINDINGS, CONCLUSIONS, AND
ORDER OF SUMMARY SUSPENSION
OF LICENSES

Pursuant to RCW 34.05.422(4), the Commission may summarily suspend
a license pending proceedings for revocation or other action. The
Commission has authorized the Director to summarily suspend a license
pursuant to WAC 230-50-012. This matter then having been brought before
the Director for a summary disposition pursuant to this authority on (date),
and the Director acting pursuant to this authority has issued this order and
caused it to be served upon the licensee. The order contained herein shall
be deemed effective immediately upon its service to the licensee, authorized
representative, or agent thereof, unless otherwise specified herein. By this
authority, an authorized agent of the Commission shall under the terms
hereof seize all current licenses authorizing gambling activity and all such
gambling activity shall cease as ordered herein.

FINDINGS OF FACT

I

That (director's name) is the Director of the Washington State Gambling
Commission and issues this order in that capacity.

II

That (licensee's name) has been issued (a) license(s) to operate the
following authorized gambling activity(ies):

- License Number 211- Authorizing Activity
License Number 211- Authorizing Activity
License Number 211- Authorizing Activity

Which license(s) (was/were) issued subject to compliance with all of the
applicable statutes and regulations governing gambling activities.

III

After a thorough review of the affidavit(s) of the special agent(s) of the
Commission concerning the facts in this matter, which are attached hereto
and labelled as Attachment(s) (list), the Director accepts (this/these) as a
verity and makes the determination that the action as ordered herein is
warranted.

IV

(State charge)
That the violation(s) as stated require the immediate cessation of the
gambling activity in that the safety and welfare of the public is affected as
follows:

(State reason(s) affected from WAC 230-50-012 (2)(a) through (k), as
applicable)

CONCLUSIONS OF LAW

I

Based on the foregoing Findings of Fact, the Director, (director's name),
makes the following CONCLUSIONS:

II

(select from WAC 230-50-012 (2)(a) through (k), as applicable)

III

That the circumstances as set forth in paragraph(s) through
above constitute grounds for the suspension or revocation of the
license(s) issued by the Washington State Gambling Commission under
RCW 9.46.075 and WAC 230-04-400, and further constitute an immediate
danger to the public safety and welfare.

IV

Immediate cessation of the licensed or permitted activities by the licensee
or permittee is necessary for the protection or preservation of the welfare of
the community within which these activities are being conducted.

v

(Director's Name), Director, has the authority pursuant to WAC 230-50-012
to issue the following ORDER:

ORDER

Based upon the foregoing FINDINGS OF FACT AND CONCLUSIONS, it
is the ORDER of the undersigned Director, pursuant to authority granted to
him by RCW 34.05.422 and WAC 230-50-012, that the license of
(licensee's name) to operate (type(s) of activity) within the state of
Washington is hereby suspended pending a formal hearing by an
Administrative Law Judge or the Commission for suspension or revocation
of said license, said suspension or revocation to be effective (immediately)
(as of (date), at (time)).

STATEMENT OF RIGHTS

(1) You have a right to a prompt hearing on this matter. You may request
a hearing by completing and returning to the Commission the enclosed
Application for Adjudicated Proceeding and Request for Hearing. Failure
to submit the Application for Adjudicated Proceeding and Request for
Hearing form within twenty (20) days of service of this order upon you
shall result in a waiver of your right to an adjudicated proceeding and entry
of an order in default under RCW 34.05.440. If a timely application for a
hearing is received, a hearing shall be conducted not sooner than seven (7)
days nor later than 90 days from the date of service of this Order unless
otherwise agreed to by the parties: Provided, That you may waive the
seven (7) day notice rule of WAC 230-50-030(2) and request a hearing at
an earlier date.

(2) You have a right to petition for a stay of this order. You may request
a stay by filing a written request with the Commission. Any request for a
stay must be received by the Commission within fifteen (15) days of service
of this order upon you. If a timely request for a stay is received by the
Commission, a hearing regarding a request for stay will be conducted in
accordance with WAC 230-50-015. A request for a stay does not constitute
a request for a hearing as provided in paragraph (1) of this Statement of
Rights.

Dated this day of , 199 .

(Director's Name)
Director

STATE OF WASHINGTON
COUNTY OF THURSTON

ss.

(Director's Name), being first duly sworn on oath, deposes and says:
That he has read the foregoing Order of Summary Suspension of License
and Notice of Hearing, knows the contents thereof, and believes the same
to be true, and that he is the duly appointed and qualified Director of the
Washington State Gambling Commission and in that capacity has executed
said Order of Summary Suspension of the License and Notice of Hearing.

(Director's Name)
Director

SUBSCRIBED AND SWORN TO before me this
day of , 199 .

NOTARY PUBLIC in and for the State of Washington
residing at

WSR 92-21-057
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed October 19, 1992, 2:20 p.m.]

Date of Adoption: October 14, 1992.
Purpose: To delete this rule in its entirety and replace
it with a new rule, WAC 314-12-180.

PERMANENT

Citation of Existing Rules Affected by this Order:
Repealing WAC 314-16-170.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 92-18-071 on
September 1, 1992.

Effective Date of Rule: Thirty-one days after filing.
October 15, 1992
Paula O'Connor
Chairman

REPEALER

The following section of Washington Administrative
Code is repealed:

WAC 314-16-170 Suspension notices, posting of
 other closing notices
 prohibited.

Reviser's note: The typographical error in the above repealer
occurred in the copy filed by the agency and appears in the Register
pursuant to the requirements of RCW 34.08.040.

WSR 92-21-058
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed October 19, 1992, 2:22 p.m.]

Date of Adoption: October 14, 1992.

Purpose: To clarify what activities may occur at liquor
licensed establishments.

Citation of Existing Rules Affected by this Order:
Amending [new section] WAC 314-16-055.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 92-18-073 on
September 1, 1992.

Effective Date of Rule: Thirty-one days after filing.
October 15, 1992
Paula O'Connor
Chairman

NEW SECTION

WAC 314-16-055 Entertainment — Hours permitted. Music, dancing or entertainment may be conducted on any licensed premises between the hours of 6:00 a.m. and 2:00 a.m., provided the licensee or applicant obtains prior Board approval and complies with the provisions of RCW 66.28.080. The Board may approve exceptions to the hours such music, dancing or entertainment may be conducted where it can be demonstrated to the satisfaction of the Board that such a variance will not adversely impact public safety. Any municipality may fix later starting hours or earlier ending hours than those specified in this rule; provided, however, that such later starting hours or earlier ending hours shall apply to all licensed premises.

WSR 92-21-059
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed October 19, 1992, 2:24 p.m.]

Date of Adoption: October 14, 1992.

Purpose: To instruct the public about suspension
procedures and to clarify what business activities a liquor
licensee may conduct when their liquor license privileges
have been suspended.

Citation of Existing Rules Affected by this Order:
Amending [new section] WAC 314-12-180.

Statutory Authority for Adoption: RCW 66.08.010.

Pursuant to notice filed as WSR 92-18-070 on Septem-
ber 1, 1992.

Effective Date of Rule: Thirty-one days after filing.
October 15, 1992
Paula O'Connor
Chairman

NEW SECTION

**WAC 314-12-180 Suspension notices, posting or
advertising of—Other- Closing notices prohibited.** (1)
Licensees are required to maintain compliance with all liquor
laws and regulations during any period of suspension.
Whenever the board shall suspend the license of any
licensee, the board shall on the date the suspension becomes
effective cause to be posted in a conspicuous place on or
about the licensed premises a notice in a form to be pre-
scribed by the board, stating that the license or licenses have
been suspended by order of the board because of violation
of the Washington State liquor act or the regulations.

(2) During the period of suspension:

(a) No person shall remove, alter, cover, or in any way
disturb the posted notice(s) of suspension;

(b) Place, permit or allow to be placed in, at, or upon
the licensed premises, any notice or statement of reasons or
purpose indicating that the premises have been closed for
any reason other than as stated in the notice of suspension;
PROVIDED FURTHER, that the prohibition of this subsec-
tion shall apply to any nearby or adjacent property, such as a
parking lot area that is owned by or under the control of the
licensee.

(c) Neither the licensee nor his/her or its employees
shall advertise, either by newspaper, radio, television,
handbill, brochure, flyer or by any means whatever, that the
licensed premises are closed for any reason(s) other than
those stated in the Board's suspension notices.

(3) A retail liquor licensee may operate the business
during the period of suspension provided there is no sale,
delivery, service, consumption, removal or receipt of liquor.
Further, no banquet permit or special occasion function may
be held on the premises during a period of liquor license
suspension.

(4) A nonretail licensee may operate the business during
the period of suspension provided there is no sale, delivery,
service, consumption, removal or receipt of liquor. Further,
no manufacturer may receive any agricultural products used
in the production of alcohol, crush fruit, or bottle alcohol
during a period of suspension. A manufacturer of alcohol
may do whatever is necessary as a part of the manufacturing
process to keep current stock on hand at the time of the

suspension from spoiling or becoming unsaleable during a suspension provided it does not include bottling the product.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 92-21-060
PERMANENT RULES
LIQUOR CONTROL BOARD
 [Filed October 19, 1992, 2:26 p.m.]

Date of Adoption: October 14, 1992.
 Purpose: To clarify existing statutes.
 Citation of Existing Rules Affected by this Order:
 Amending WAC 314-12-115.
 Statutory Authority for Adoption: RCW 66.08.030.
 Pursuant to notice filed as WSR 92-18-072 on September 1, 1992.
 Effective Date of Rule: Thirty-one days after filing.
 October 15, 1992
 Paula O'Conner
 Chairman

NEW SECTION

WAC 314-12-115 Expired card of identification is not valid for proof of age. (1) For purposes of RCW 66.16.040 and Rcw 66.20.170, a "Card of Identification" must be current for it to be acceptable as proof of age of a purchaser of alcoholic beverages or to frequent a cocktail lounge or tavern. "Current" means the card of identification is not expired and has not been officially invalidated.

(2) An expired Washington Driver's License which has been invalidated, together with a temporary Washington Driver's License which is current and for the same person pictured and described in the invalidated Washington Driver's License with a photo, will be acceptable identification for liquor service.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 92-21-061
PERMANENT RULES
LIQUOR CONTROL BOARD
 [Filed October 19, 1992, 2:30 p.m.]

Date of Adoption: October 14, 1992.
 Purpose: To reduce government paperwork.
 Citation of Existing Rules Affected by this Order:
 Amending WAC 314-12-080.
 Statutory Authority for Adoption: RCW 66.08.030.
 Pursuant to notice filed as WSR 92-18-088 on September 2, 1992.
 Effective Date of Rule: Thirty-one days after filing.
 October 15, 1992
 Paula O'Connor
 Chairman

AMENDATORY SECTION (Amending Rule 7, filed 6/13/63)

WAC 314-12-080 Limitation on transfers and reapplications. (1) Except as provided herein, no application for transfer of any license shall be made for a period of ninety days following the issuance ((of)) or transfer of such license.

(2) This limitation shall not apply in any of the circumstances set forth in WAC 314-12-060.

(3) In the event of the withdrawal of a partner, the license may be transferred to the remaining partner or partners within the prohibited period.

(4) Unless otherwise approved by the board no reapplication for a license shall be made within a period of ((ninety days)) one year following a denial of ((such license)) any license application.

WSR 92-21-084
PERMANENT RULES
DEPARTMENT OF ECOLOGY
 [Order 92-40—Filed October 21, 1992, 9:16 a.m.]

Date of Adoption: October 20, 1992.
 Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.
 Citation of Existing Rules Affected by this Order:
 Amending WAC 173-19-360 San Juan County shoreline master program.
 Statutory Authority for Adoption: RCW 90.58.200 Shoreline Management Act of 1971.
 Pursuant to notice filed as WSR 92-15-110 on July 21, 1992.
 Effective Date of Rule: Thirty-one days after filing.
 October 20, 1992
 Carol Jolly
 Special Assistant
 to the Director

AMENDATORY SECTION (Amending Order 92-31, filed 8/19/92, effective 9/19/92)

WAC 173-19-360 San Juan County. San Juan County master program approved May 28, 1976. Revision approved October 29, 1976. Revision approved April 13, 1981. Revision approved October 30, 1984. Revision approved April 19, 1989. Revision approved March 14, 1990. Revision approved May 15, 1990. Revision approved June 19, 1990. Revision approved February 5, 1991. Revision approved June 4, 1991. Revision approved August 18, 1992. Revision approved October 20, 1992.

WSR 92-21-089
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 312—Filed October 21, 1992, 9:43 a.m.]

Date of Adoption: October 15, 1992.

PERMANENT

Purpose: Revise fees to meet cost of operating the transient accommodations program.

Citation of Existing Rules Affected by this Order: Amending WAC 246-360-990.

Statutory Authority for Adoption: RCW 70.62.220, 70.62.230, and 43.70.250.

Pursuant to notice filed as WSR 92-17-034 on August 13, 1992.

Changes Other than Editing from Proposed to Adopted Version: Proposed fees are reduced due to public comment.

Effective Date of Rule: Thirty-one days after filing.

October 15, 1992

Kristine M. Gebbie

Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-360-990 Transient accommodations licensing and inspection fees. (1) ((For licensing periods starting on or after July 1, 1987,)) The annual license and survey fee shall be:

| Size of Facility (No. of Rooms) | License Fee |
|------------------------------------|-------------|
| 3 - 10 | \$ 80 |
| 11 - 24 | \$ 95 |
| 25 - 49 | \$ 165 |
| 50 - 74 | \$ 225 |
| 75 - 99 | \$ 300 |
| 100 - 199 | \$ 380 |
| 100 - 199 | \$ 380 |
| 200 or more | \$ 470)) |

| Size of Facility (No. of Rooms) | License Fee |
|------------------------------------|-------------|
| 3 - 4 | \$ 102 |
| 5 - 10 | \$ 118 |
| 11 - 24 | \$ 140 |
| 25 - 49 | \$ 243 |
| 50 - 74 | \$ 330 |
| 75 - 99 | \$ 440 |
| 100 - 199 | \$ 560 |
| 200 - 399 | \$ 690 |
| over 400 | \$ 800 |

(2) The fee for new facilities constructed during the year shall be prorated as shown below based upon the date of application.

(3) The fee for a change in ownership or name of a facility shall be ((prorated as shown below based upon the effective date of the ownership change)) fifty dollars.

| Size of Facility (No. of Rooms) | Prorated License Fee | | | | | | | | | | | |
|------------------------------------|----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|------|
| | J | F | M | A | M | J | J | A | S | O | N | D |
| 3 - 10 | 80 | 71 | 65 | 58 | 52 | 45 | 39 | 32 | 26 | 19 | 13 | 6 |
| 11 - 24 | 95 | 87 | 79 | 71 | 63 | 55 | 47 | 39 | 31 | 23 | 15 | 7 |
| 25 - 49 | 165 | 151 | 138 | 124 | 110 | 96 | 83 | 69 | 55 | 41 | 28 | 14 |
| 50 - 74 | 225 | 206 | 188 | 169 | 150 | 131 | 113 | 94 | 75 | 56 | 38 | 19 |
| 75 - 99 | 300 | 275 | 250 | 225 | 200 | 175 | 150 | 125 | 100 | 75 | 50 | 25 |
| 100 - 199 | 380 | 348 | 317 | 285 | 253 | 222 | 190 | 158 | 127 | 95 | 63 | 32 |
| 200 or more | 470 | 431 | 392 | 352 | 313 | 274 | 235 | 196 | 156 | 117 | 78 | 39)) |

| Size of Facility (No. of Rooms) | Prorated License Fee | | | | | | | | | | | |
|------------------------------------|----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|
| | J | F | M | A | M | J | J | A | S | O | N | D |
| 3 - 4 | 102 | 94 | 85 | 77 | 68 | 60 | 51 | 43 | 34 | 26 | 17 | 9 |
| 5 - 10 | 118 | 109 | 99 | 89 | 79 | 69 | 60 | 50 | 40 | 30 | 20 | 10 |
| 11 - 24 | 140 | 128 | 117 | 105 | 93 | 82 | 70 | 58 | 47 | 35 | 23 | 12 |
| 25 - 49 | 243 | 222 | 202 | 182 | 162 | 141 | 121 | 101 | 81 | 61 | 40 | 20 |
| 50 - 74 | 330 | 303 | 275 | 248 | 220 | 193 | 165 | 138 | 110 | 83 | 55 | 28 |
| 75 - 99 | 440 | 404 | 367 | 330 | 294 | 257 | 220 | 184 | 147 | 110 | 74 | 37 |
| 100 - 199 | 560 | 514 | 467 | 420 | 374 | 327 | 280 | 234 | 187 | 140 | 94 | 47 |
| 200 - 399 | 690 | 633 | 575 | 518 | 460 | 403 | 345 | 288 | 230 | 173 | 115 | 58 |
| over 400 | 800 | 734 | 667 | 600 | 534 | 467 | 400 | 334 | 267 | 200 | 134 | 67 |

(4) Persons planning to convert an existing structure to a transient accommodation shall:

(a) Request a feasibility survey by the department to determine modifications required to meet chapter ((248-144)) 246-360 WAC, and

(b) Pay a nonrefundable fee of ((seventy-five)) one hundred dollars for the department conducted feasibility survey.

(5) Licenses not renewed by January fifteenth of each calendar year shall be considered past due. The department shall charge a late fee of twenty-five dollars for each two months a license is past due.

(6) For transient accommodations in noncompliance with chapter 246-360 WAC, there shall be a one hundred fifty dollar fee assessed for the third survey and three hundred dollars for each additional survey in any calendar year.

WSR 92-21-098
PERMANENT RULES
OFFICE OF
INSURANCE COMMISSIONER
[Order R 92-14—Filed October 21, 1992, 10:59 a.m.]

Date of Adoption: September 30, 1992.

Purpose: Assist enrolled participants in determining the extent of their contractual entitlements by providing uniform guidelines for defining services which health maintenance organizations consider experimental or investigational and subject to exclusion from or limitation of coverage; requiring notice to enrolled participants of the operative definition of experimental or investigational services subject to exclusion or limitation; requiring a health maintenance organization to identify the authority it will use to determine whether a particular service is experimental or investigational; requiring each health maintenance organization to establish a procedure for the appeal of and timely consideration of appeals from denials of benefits or refusals to preauthorize services based on an experimental or investigational exclusion or limitation; requiring health maintenance organizations to provide written notice, within established time frames, to enrolled participants of denials of benefits or refusals to preauthorize services based on experimental or investigational exclusions or limitations; requiring that enrolled participants be given written notice of the appeal process and written notice, within established time frames of the outcome of the appeals process.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a) and 48.46.200.

PERMANENT

Pursuant to notice filed as WSR 92-17-079 on August 19, 1992.

Changes Other than Editing from Proposed to Adopted Version: In subsection (2) the words "or authorities" were added in the first sentence following the word "authority" to acknowledge the fact that some carriers may rely on multiple authorities to determine if services are experimental or investigational. At the end of the second sentence of subsection (2) there were added two sentences as examples of acceptable manners of setting out the criteria used to determine whether a service is experimental or investigational. The last sentence of subsection (2) was amended by deleting "disclosed" and adding "made available for inspection." This change acknowledges the possible burden of sending volumes of supporting documents and instead only requires the documentation to be made available to the subscriber for inspection. Near the end of the first sentence of subsection (3) the word "fifteen" was deleted and replaced by the word "twenty." This change acknowledges the fact that documenting the need and assessing the criteria for experimental and investigational services is more time consuming than for more general services. Near the end of the first sentence of subsection (3) the word "the" was deleted and "a fully documented" was inserted. This change was intended to make it clear that the time frame for making a decision denying benefits or refusing preauthorization because of experimental or investigational exclusions or limitations runs from the receipt of a complete and documented request. After the first sentence in subsection (3), one sentence was added which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on benefits or on requests for preauthorization. This procedure allows an extension beyond 20 working days from the receipt of a fully documented request, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision. Near the end of subsection (4)(a)(i) the word "fifteen" was deleted and replaced with the word "twenty." This change acknowledges the fact that documenting the appeal from a denial based on experimental and/or investigational service exclusions and limitations is extremely difficult and time consuming. Near the end of subsection (4)(a)(i) the words "fully documented" were added immediately before the word "appeal." This change was intended to clarify the point that the time frame for making a decision on appeal runs from the receipt of a complete and fully documented appeal notice. At the end of subsection (4)(a)(i) was added one sentence which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on the appeal. This procedure allows an extension beyond 20 working days from the receipt of a fully documented appeal notice, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision.

Effective Date of Rule: Thirty-one days after filing.

September 30, 1992

Dick Marquardt
Insurance Commissioner
by Allen Morrow
Deputy Insurance Commissioner

NEW SECTION

WAC 284-46-507 Experimental and investigational prescriptions, treatments, procedures, or services—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every health maintenance agreement which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the agreement and any certificate of coverage issued thereunder, a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the health maintenance organization specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the agreement and any certificate of coverage issued thereunder. As an example, and not by way of limitation, the requirement to set forth criteria in the agreement or any certificate of coverage thereunder may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, the plan will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, the plan will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every health maintenance organization that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the agreement and any certificate of coverage thereunder, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The health maintenance organization may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must

identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every health maintenance organization must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The health maintenance organization may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the health maintenance organization in each agreement and any certificate of coverage issued thereunder which contains an experimental or investigational exclusion or limitations.

particular service is experimental or investigational; requiring each health care service contractor to establish a procedure for the appeal of and timely consideration of appeals from denials of benefits or refusals to preauthorize services based on an experimental or investigational exclusion or limitation; requiring health care service contractors to provide written notice, within established time frames, to enrolled participants of denials of benefits or refusals to preauthorize services based on experimental or investigational exclusions or limitations; requiring that enrolled participants be given written notice of the appeal process and written notice, within established time frames of the outcome of the appeals process.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a) and 48.44.050.

Pursuant to notice filed as WSR 92-17-080 on August 19, 1992.

Changes Other than Editing from Proposed to Adopted Version: In subsection (2) the words "or authorities" were added in the first sentence following the word "authority" to acknowledge the fact that some carriers may rely on multiple authorities to determine if services are experimental or investigational. At the end of the second sentence of subsection (2) there were added two sentences as examples of acceptable manners of setting out the criteria used to determine whether a service is experimental or investigational. The last sentence of subsection (2) was amended by deleting "disclosed" and adding "made available for inspection." This change acknowledges the possible burden of sending volumes of supporting documents and instead only requires the documentation to be made available to the subscriber for inspection. Near the end of the first sentence of subsection (3) the word "fifteen" was deleted and replaced by the word "twenty." This change acknowledges the fact that documenting the need and assessing the criteria for experimental and investigational services is more time consuming than for more general services. Near the end of the first sentence of subsection (3) the word "the" was deleted and "a fully documented" was inserted. This change was intended to make it clear that the time frame for making a decision denying benefits or refusing preauthorization because of experimental or investigational exclusions or limitations runs from the receipt of a complete and documented request. After the first sentence in subsection (3), one sentence was added which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on benefits or on requests for preauthorization. This procedure allows an extension beyond 20 working days from the receipt of a fully documented request, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision. Near the end of subsection (4)(a)(i) the word "fifteen" was deleted and replaced with the word "twenty." This change acknowledges the fact that documenting the appeal from a denial based on experimental and/or investigational service exclusions and limitations is extremely difficult and time consuming. Near the end of subsection (4)(a)(i) the words "fully documented" were added immediately before the word "appeal." This change

WSR 92-21-099
PERMANENT RULES
OFFICE OF

INSURANCE COMMISSIONER

[Order 92-15—Filed October 21, 1992, 11:02 a.m.]

Date of Adoption: September 30, 1992.

Purpose: Assist enrolled participants in determining the extent of their contractual entitlements by providing uniform guidelines for defining services which health care service contractors consider experimental or investigational and subject to exclusion from or limitation of coverage; requiring notice to enrolled participants of the operative definition of experimental or investigational services subject to exclusion or limitation; requiring a health care service contractor to identify the authority it will use to determine whether a

was intended to clarify the point that the time frame for making a decision on appeal runs from the receipt of a complete and fully documented appeal notice. At the end of subsection (4)(a)(i) was added one sentence which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on the appeal. This procedure allows an extension beyond 20 working days from the receipt of a fully documented appeal notice, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision.

Effective Date of Rule: Thirty-one days after filing.

September 30, 1992

Dick Marquardt
Insurance Commissioner
by Allen Morrow
Deputy Insurance Commissioner

NEW SECTION

WAC 284-44-043 Experimental and investigational prescriptions, treatments, procedures, or services—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every health care service contract which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the contract and any certificate of coverage issued thereunder, a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the health care service contractor specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the contract and any certificate of coverage issued thereunder. As an example, and not by way of limitation, the requirement to set forth criteria in the contract and any certificate of coverage issued thereunder may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, the plan will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, the plan will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every health care service contractor that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the contract and any certificate of coverage thereunder, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The health care service contractor may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every health care service contractor must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The health care service contractor may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the health care service contractor in each contract and any certificate of coverage issued thereunder which contains an experimental or investigational exclusion or limitation.

WSR 92-21-100
PERMANENT RULES
OFFICE OF
INSURANCE COMMISSIONER

[Order R 92-16—Filed October 21, 1992, 11:03 a.m.]

Date of Adoption: September 30, 1992.

Purpose: Assist covered individuals in determining the extent of their contractual entitlements by providing uniform guidelines for defining services which disability insurers writing group coverages consider experimental or investigational and subject to exclusion from or limitation of coverage; requiring notice to covered individuals of the operative definition of experimental or investigational services subject to exclusion or limitation; requiring disability insurers writing group coverages to identify the authority it will use to determine whether a particular service is experimental or investigational; requiring disability insurers writing group coverages to establish a procedure for the appeal of and timely consideration of appeals from denials of benefits or refusals to preauthorize services based on an experimental or investigational exclusion or limitation; requiring disability insurers writing group coverages to provide written notice, within established time frames, to covered individuals of denials of benefits or refusals to preauthorize services based on experimental or investigational exclusions or limitations; requiring that covered individuals be given written notice of the appeal process and written notice, within established time frames, of the outcome of the appeals process.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a) and 48.18.120.

Pursuant to notice filed as WSR 92-17-081 on August 19, 1992.

Changes Other than Editing from Proposed to Adopted Version: In subsection (2) the words "or authorities" were added in the first sentence following the word "authority" to acknowledge the fact that some carriers may rely on multiple authorities to determine if services are experimental or investigational. At the end of the second sentence of subsection (2) there were added two sentences as examples of acceptable manners of setting out the criteria used to determine whether a service is experimental or investigational. The last sentence of subsection (2) was amended by deleting "disclosed" and adding "made available for inspection." This change acknowledges the possible burden of sending volumes of supporting documents and instead only requires the documentation to be made available to the subscriber for inspection. Near the end of the first sentence of subsection (3) the word "fifteen" was deleted and replaced by the word "twenty." This change acknowledges the fact that documenting the need and assessing the criteria for experimental and investigational services is more time consuming than for more general services. Near the end of the first sentence of subsection (3) the word "the" was deleted and "a fully documented" was inserted. This change was intended to make it clear that the time frame for making a decision denying benefits or refusing preauthorization because of experimental or investigational exclusions or limitations runs from the receipt of a complete and documented request. After the first sentence in subsection (3), one sentence was added which provides the possibility,

with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on benefits or on requests for preauthorization. This procedure allows an extension beyond 20 working days from the receipt of a fully documented request, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision. Near the end of subsection (4)(a)(i) the word "fifteen" was deleted and replaced with the word "twenty." This change acknowledges the fact that documenting the appeal from a denial based on experimental and/or investigational service exclusions and limitations is extremely difficult and time consuming. Near the end of subsection (4)(a)(i) the words "fully documented" were added immediately before the word "appeal." This change was intended to clarify the point that the time frame for making a decision on appeal runs from the receipt of a complete and fully documented appeal notice. At the end of subsection (4)(a)(i) was added one sentence which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on the appeal. This procedure allows an extension beyond 20 working days from the receipt of a fully documented appeal notice, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision.

Effective Date of Rule: Thirty-one days after filing,
 September 30, 1992
 Dick Marquardt
 Insurance Commissioner
 by Allen Morrow
 Deputy Insurance Commissioner

Chapter 284-96 WAC
GROUP AND BLANKET DISABILITY INSURANCE

NEW SECTION

WAC 284-96-010 Purpose. The purpose of this chapter is to provide a consolidated location within Title 284 of the Washington Administrative Code for regulations applying to disability insurance companies marketing group and blanket disability insurance as it is defined in chapter 48.21 RCW.

NEW SECTION

WAC 284-96-015 Experimental and investigational prescriptions, treatments, procedures, or services—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every group disability insurance policy which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include

within the policy and any certificate of coverage issued thereunder, a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the group disability insurer specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the policy and any certificate of coverage issued thereunder. As an example, and not by way of limitation, the requirement to set forth criteria in the policy and any certificate of coverage issued thereunder may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, we will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, we will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every group disability insurer that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the policy and any certificate of coverage thereunder, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The group disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every group disability insurer must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of

receipt of the fully documented appeal. The group disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the group disability insurer in each policy and any certificate of coverage issued thereunder which contains an experimental or investigational exclusion or limitation.

WSR 92-21-101

PERMANENT RULES

OFFICE OF

INSURANCE COMMISSIONER

[Order R 92-17—Filed October 21, 1992, 11:05 a.m.]

Date of Adoption: September 30, 1992.

Purpose: Assist covered individuals in determining the extent of their contractual entitlements by providing uniform guidelines for defining services which disability insurers writing individual coverages consider experimental or investigational and subject to exclusion from or limitation of coverage; requiring notice to covered individuals of the operative definition of experimental or investigational services subject to exclusion or limitation; requiring disability insurers writing individual coverages to identify the authority it will use to determine whether a particular service is experimental or investigational; requiring disability insurers writing individual coverages to establish a procedure for the appeal of and timely consideration of appeals from denials of benefits or refusals to preauthorize services based on an experimental or investigational exclusion or limitation; requiring disability insurers writing individual coverages to provide written notice, within established time frames, to covered individuals of denials of benefits or refusals to preauthorize services based on experimental or investigational exclusions or limitations; requiring that covered individuals be given written notice of the appeal process and written notice, within established time frames, of the outcome of the appeals process.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a) and 48.18.120.

Pursuant to notice filed as WSR 92-17-082 on August 19, 1992.

September 30, 1992

Dick Marquardt

Insurance Commissioner

by Allen Morrow

Deputy Insurance Commissioner

Changes Other than Editing from Proposed to Adopted Version: In subsection (2) the words "or authorities" were added in the first sentence following the word "authority" to acknowledge the fact that some carriers may rely on multiple authorities to determine if services are experimental or investigational. At the end of the second sentence of subsection (2) there were added two sentences as examples of acceptable manners of setting out the criteria used to determine whether a service is experimental or investigational. The last sentence of subsection (2) was amended by deleting "disclosed" and adding "made available for inspection." This change acknowledges the possible burden of sending volumes of supporting documents and instead only requires the documentation to be made available to the subscriber for inspection. Near the end of the first sentence of subsection (3) the word "fifteen" was deleted and replaced by the word "twenty." This change acknowledges the fact that documenting the need and assessing the criteria for experimental and investigational services is more time consuming than for more general services. Near the end of the first sentence of subsection (3) the word "the" was deleted and "a fully documented" was inserted. This change was intended to make it clear that the time frame for making a decision denying benefits or refusing preauthorization because of experimental or investigational exclusions or limitations runs from the receipt of a complete and documented request. After the first sentence in subsection (3), one sentence was added which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on benefits or on requests for preauthorization. This procedure allows an extension beyond 20 working days from the receipt of a fully documented request, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision. Near the end of subsection (4)(a)(i) the word "fifteen" was deleted and replaced with the word "twenty." This change acknowledges the fact that documenting the appeal from a denial based on experimental and/or investigational service exclusions and limitations is extremely difficult and time consuming. Near the end of subsection (4)(a)(i) the words "fully documented" were added immediately before the word "appeal." This change was intended to clarify the point that the time frame for making a decision on appeal runs from the receipt of a complete and fully documented appeal notice. At the end of subsection (4)(a)(i) was added one sentence which provides the possibility, with prior notice to the covered individual, of a short extension of the 20-day time frame for making a decision on the appeal. This procedure allows an extension beyond 20 working days from the receipt of a fully documented appeal notice, only with the informed written consent of the covered individual. This extension will be allowed only in extraordinary circumstances in which there is a documented difficulty in obtaining all information reasonably necessary to make a decision.

Effective Date of Rule: Thirty-one days after filing.

NEW SECTION

WAC 284-50-377 Experimental and investigational prescriptions, treatments, procedures, or service—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every individual disability insurance policy which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the policy a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the individual disability insurer specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the policy. As an example, and not by way of limitation, the requirement to set forth criteria in the policy may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, we will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, we will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every individual disability insurer that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the policy, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The individual disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every individual disability insurer must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The individual disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the individual disability insurer in each policy which contains an experimental or investigational exclusion or limitation.

WSR 92-21-005
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 92-125—Filed October 9, 1992, 3:06 p.m.]

Date of Adoption: October 9, 1992.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-32-05100S and 220-33-01000J.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of fall chinook are available in the area between Bonneville Dam and McNary Dam. Harvestable numbers of fall chinook and coho salmon are available in the Columbia River. This rule is consistent with the actions of the October 8, 1992, meeting of the Columbia River Compact.

Effective Date of Rule: Immediately.

October 9, 1992
 Judith Freeman
 Acting Deputy
 for Robert Turner
 Director

NEW SECTION

WAC 220-32-05100T Columbia River salmon seasons above Bonneville. (1) Notwithstanding the provisions of WAC 220-32-051 and 220-32-052, 220-32-053, 220-32-056, 220-32-057, and 220-32-058, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla or Nez Perce treaties may fish or possess salmon, sturgeon and shad under the following provisions:

(a) Open for salmon and shad: 6 a.m. October 5, 1992 to 6 p.m. October 10, 1992, and 6 a.m. October 12, 1992 to 6 p.m. October 17, 1992.

Sturgeon may be retained only for subsistence purposes.

(b) Open area: SMCRA 1F, 1G, and 1H

(c) Mesh: no mesh restriction

(2) Notwithstanding the provisions of WAC 220-32-058, closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River and 1/2 mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of

the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located one-half mile downstream from the west bank upstream to light "35".

(f) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 1/4 miles downstream from the west bank and 1/2-mile upstream from the east bank.

(g) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1 1/8 miles downstream from the west bank.

(h) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between Light "27" upstream to a marker located approximately one-half mile upstream from the eastern shoreline.

(i) **Spring Creek** is those waters of the Columbia River within a 50 foot radius of the Spring Creek Hatchery fishway.

(3) Notwithstanding the provisions of WAC 220-22-010, as used in this rule:

(a) Area 1F (Bonneville Pool) includes those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids located approximately 1.8 miles below the Dalles Dam.

(b) Area 1G includes those waters of the Columbia River upstream from a line drawn between a deadline marker on the Oregon shore located approximately 3/4 mile above the Dalles Dam fishway exit, thence at a right angle to the thread of the river to a point in midriver, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H includes those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in midriver, then downstream to a fishing boundary marker on the Washington shore approximately opposite the mouth of the John Day River, and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

NEW SECTION

WAC 220-33-01000K Columbia River salmon seasons below Bonneville. Notwithstanding the provisions of WAC 220-33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia

River SMCRA 1A, 1B, 1C, 1D and 1E except as provided in the following subsections.

FISHING PERIODS

(1) 6:00 p.m. October 11, 1992 to 6:00 p.m. October 13, 1992, and 6:00 p.m. October 18, 1992 to 6:00 p.m. October 20, 1992 in SMCRA 1A, 1B, 1C, 1D, and 1E.

GEAR

(2) It is unlawful to fish for salmon, shad and sturgeon with gill net gear that:

- (a) exceeds 1,500 feet in length along the corkline;
- (b) is constructed of monofilament webbing; and
- (c) has lead or weight on the leadline that exceeds two pounds in any one fathom, measurement to be taken along the corkline of the net; and

(d) the mesh size is greater than 7 inches.

(3) It is unlawful to gaff a sturgeon.

(4) White sturgeon less than 48 inches or greater than 60 inches may not be retained for commercial purposes and shall be returned immediately to the water.

SANCTUARIES

(4) During the season provided for in subsection 1 of this section, the following sanctuaries, as defined in WAC 220-33-005, are closed to fishing:

Grays River

Elokomin-A

Cowlitz

Kalama-A

Lewis River-A

Washougal

Sandy River and

all tributaries flowing into the Columbia River.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-32-05100S Columbia River salmon seasons above Bonneville. (92-119)

WAC 220-33-01000J Columbia River salmon seasons below Bonneville. (92-123)

WSR 92-21-006

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 92-126—Filed October 9, 1992, 3:09 p.m., effective October 11, 1992, 6:00 p.m.]

Date of Adoption: October 9, 1992.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-40-02700E.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon

adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable coho are not available in sufficient numbers to continue a directed fishery on coho and allow for incidental impacts during the chum fishery later in the month.

Effective Date of Rule: October 11, 1992, 6:00 p.m.

October 9, 1992

Judith Freeman

Acting Deputy

for Robert Turner

Director

REPEALER

The following section of the Washington Administrative Code is repealed, effective 6:00 p.m. October 11, 1992.

WAC 220-40-02700E Willapa Bay salmon — Fall fishery. (92-79)

WSR 92-21-013

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3468—Filed October 12, 1992, 1:03 p.m., effective October 13, 1992]

Date of Adoption: October 12, 1992.

Purpose: To ensure that an SSI grant eligible person does not participate in the cost of waived services.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-200 Community options program entry system (COPES); 388-83-210 Community alternatives program (CAP) and outward bound residential alternatives (OBRA) program; and 388-83-220 Coordinated community AIDS service alternatives (CASA) program.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Language clarification. To ensure that a supplemental security income person does not participate in the cost of waived services, regardless of the amount of income received.

Effective Date of Rule: October 13, 1992.

October 12, 1992

Leslie F. James, Director

Administrative Services

AMENDATORY SECTION (Amending Order 3220, filed 8/1/91, effective 9/1/91)

WAC 388-83-200 Community options program entry system (COPES). (1) An eligible person for COPES is a person eighteen years of age or over who:

(a) Meets the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized person. For the purposes of COPES, a person is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(b) Requires the level of care provided in a nursing facility;

(c) Has a department-approved plan of care ~~((and the total cost for this plan of care, including the MNIL for one person, is less than ninety percent of the department's state-wide average nursing facility rate))~~ that meets the eligibility requirements for COPES personal care as described under WAC 388-15-610 (1)(f); ((and))

(d) Is able and chooses to reside at home with community support services, in a congregate care facility, or in a licensed adult family home~~((s))~~; and

(e) Effective October 31, 1992, has received COPES services on or after April 1, 1992 or applied for COPES services between April 1, 1992 and October 31, 1992 under WAC 388-15-610 (3).

(2) The department shall not require an SSI eligible COPES client to participate in the cost of care.

(3) The department shall allocate available income of the SSI-related nongrant eligible COPES ((recipient)) client as described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), (3), (4), and (5)((-except)). The ((recipient)) client shall retain((s)) an amount equal to the medically needy income level (MNIL) for one person for the ((recipient's)) client's maintenance needs.

~~((3))~~ (4) The ((recipient)) SSI-related nongrant eligible client residing in an adult family home or congregate care facility shall:

(a) Retain from a maintenance needs amount a specified personal needs allowance as described under WAC 388-29-130 and 388-29-280; and

(b) Pay the lessor of the remaining maintenance needs amount or the facility room and board rate to the facility for the cost of board and room.

~~((4))~~ (5) The department shall include the remaining income ((remaining)) after allocations ((shall be)) as the participation amount for COPES services as described under WAC 388-15-620.

AMENDATORY SECTION (Amending Order 3008, filed 5/31/90, effective 7/1/90)

WAC 388-83-210 Community alternatives program (CAP) and outward bound residential alternatives (OBRA) program. (1) An eligible person for CAP is ~~((an individual))~~ a person:

(a) Meeting the requirements and eligible for services of the division of developmental disabilities and disabled according to SSI rules;

(b) Meeting the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized ~~((individual))~~ person. For the purposes of CAP and OBRA, ~~((an individual))~~ a person is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(c) The department assesses as requiring the level of care provided in an intermediate care facility for the mentally retarded (IMR);

(d) For whom the department approves an individual plan of care describing the provided community support services; and

(e) Able and choosing to reside in the community with community support services according to the plan of care.

(2) An eligible person for the OBRA home and community-based services program is ~~((an individual))~~ a person:

(a) Meeting the CAP eligibility standards in WAC 388-83-210(1) of this section; and

(b) Residing in a Title XIX nursing facility at the time of application for OBRA services.

(3) The department shall not require the SSI eligible CAP or OBRA client to participate in the cost of CAP/OBRA services.

(4) The department shall allocate available total income, including amounts disregarded in determining eligibility, of a SSI-related nongrant eligible CAP or OBRA ((recipient)) client as follows:

(a) For a ~~((recipient))~~ client residing in the ~~((recipient's))~~ client's residence, including a ~~((recipient))~~ client receiving intensive tenant support services, an amount equal to a maximum of three hundred percent of the SSI federal benefit rate for one person shall be protected for the ~~((recipient's))~~ client's maintenance needs;

(b) For a ~~((recipient))~~ client residing in a state-contracted or state-operated group home, adult family home, or congregate care facility, the following amounts shall be protected for the ~~((recipient's))~~ client's maintenance needs:

(i) A specified personal needs allowance, as described under WAC 388-29-130 and 388-29-280;

(ii) An amount equal to the monthly room and board cost for the facility where the ~~((recipient))~~ client resides;

(iii) The first twenty dollars per month of earned or unearned income; and

(iv) The first sixty-five dollars plus one-half of the remaining earned income not previously excluded.

(c) For a ~~((recipient))~~ client described in subsection (3)(b) of this section, the maximum amount allowed for any ~~((recipient's))~~ client's individual maintenance needs shall not exceed three hundred percent of the SSI federal benefit rate. A ~~((recipient))~~ client shall not be allowed an individual maintenance needs deduction of less than the SSI payment standard;

(d) For a ~~((recipient))~~ client with a spouse at home who is not receiving CAP or OBRA services, an amount is protected for the spouse's maintenance needs as computed in WAC 388-95-360 (2)(d);

(e) For a ~~((recipient))~~ client with a dependent relative residing with the spouse not receiving CAP or OBRA services, an amount is protected for the relative's maintenance needs as computed in WAC 388-95-360 (2)(e);

(f) Amounts for incurred medical expenses not subject to third-party payment shall be protected, including:

(i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and

(ii) Necessary medical care recognized under state law but not covered under Medicaid.

(g) Income remaining after deductions in ~~((subdivision))~~ subsection (4)(a), (b), (c), (d), (e), and (f) of this ((subsection)) section will be the participation amount for CAP or OBRA services.

AMENDATORY SECTION (Amending Order 3052, filed 8/21/90, effective 9/21/90)

WAC 388-83-220 Coordinated community AIDS service alternatives ((CCASA)) CASA program. (1) An eligible person for ((CCASA)) CASA shall be ((an individual)) a person:

(a) Meeting the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized ((individuals)) person. For the purposes of ((CCASA)) CASA, the department shall consider ((an individual)) a person institutionalized the date the ((individual)) person meets other eligibility criteria, except institutional status;

(b) Having a diagnosis of acquired immune deficiency syndrome or disabling class IV human immunodeficiency virus disease or P2 HIV/AIDS diagnosis, if fourteen years of age or under, as defined by the centers for disease control or Washington state department of health;

(c) Determined medically at risk of need for the level of hospital-provided care;

(d) Certified by the person's physician or nurse practitioner as in the terminal stage of life;

(e) Agreeing to receive services in the person's own home, a licensed congregate care facility, or adult family home; and

(f) Having a department-approved and department of health approved plan of care.

(2) The department shall not require the SSI eligible client to participate in the cost of CASA services regardless of income.

(3) The department shall allocate available total income, including amounts disregarded in determining eligibility of a ((CCASA recipient)) SSI-related nongrant eligible CASA client residing at home:

(a) The ((recipient)) client retains as maintenance needs an amount equal to the medically needy income level (MNIL) for one person; and

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), and (f), (3), (4), and (5).

~~((3))~~ (4) The department shall allocate available total income, including amounts disregarded in determining eligibility of a ((CCASA recipient)) SSI-related nongrant eligible CASA client residing in an adult family home or congregate care facility as follows:

(a) The ((recipient)) client shall retain a specified personal needs allowance as described under WAC 388-29-130 or 388-29-280;

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), and (3), (4), and (5); and

(c) Pay remaining income up to the MNIL to the facility for the cost of board and room.

~~((4))~~ CCASA recipient's (5) The SSI-related nongrant eligible CASA client's income remaining after deductions in subsection (2) or (3) of this section shall be the participation amount for ((CCASA)) CASA services.

(5) When the department has determined that the client has financial participation under subsection (4), the client must meet the participation obligation to remain eligible.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 92-21-015
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
 [Order 92-36—Filed October 12, 1992, 3:28 p.m.]

Date of Adoption: October 12, 1992.

Purpose: Redefine and establish a waste discharge general permit program.

Citation of Existing Rules Affected by this Order: Amending chapters 173-216 and 173-220 WAC.

Statutory Authority for Adoption: RCW 90.48.035, 90.48.160, and 90.48.260.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Existing rules governing the adoption and administration of waste discharge general permits define a permitting process which makes compliance with recent federal stormwater regulations administratively impossible.

Effective Date of Rule: Immediately.

October 12, 1992

Fred Olson

Acting Director

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-216-010 Purpose. (1) The purpose of this chapter is to implement a state permit program, applicable to the discharge of waste materials from industrial, commercial, and municipal operations into ground and surface waters of the state and into municipal sewerage systems. However, this regulation ~~((excludes the point source discharge of pollutants into navigable waters of the state which is regulated by National Pollutant Discharge Elimination System (NPDES) Permit Program, chapter 173-220 WAC. This regulation also excludes the injection of fluids through wells which is regulated by underground injection control program, chapter 173-218 WAC))~~ does not apply to the following:

(a) The injection of fluids through wells which are regulated by the Underground injection control program, chapter 173-218 WAC.

(b) The point source discharge of pollutants into navigable waters of the state which are regulated by the National Pollutant Discharge Elimination System (NPDES) Permit Program, chapter 173-220 WAC.

(c) The discharge of pollutants into waters of the state which are regulated by the Waste discharge general permit program, chapter 173-226 WAC.

(2) Permits issued under this chapter are designed to satisfy the requirement for discharge permits under the Water Pollution Control Act, chapter 90.48 RCW and to implement applicable pretreatment requirements under section 307 of the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.).

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-216-030 Definitions. For the purposes of this chapter the following definitions shall be applicable:

(1) "Beneficial uses" shall include, but not be limited to, use for domestic water, irrigation, fish, shellfish, game, and other aquatic life, municipal, recreation, industrial water, generation of electric power, and navigation.

(2) "Dangerous wastes" means any discarded, useless, unwanted, or abandoned nonradioactive substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

(a) Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or

(b) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means (Hazardous Waste Disposal Act, chapter 70.105 RCW).

(3) "Department" means department of ecology.

(4) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such ground water infiltration or surface waters as may be present (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(5) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater together with such industrial waste as may be present. In case of subsurface sewage treatment and disposal, the term is restricted to mean those facilities treating and disposing of domestic wastewater only from:

(a) A septic tank with subsurface sewage treatment and disposal and an ultimate design capacity exceeding fourteen thousand five hundred gallons per day at any common point; or

(b) A mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity exceeding three thousand five hundred gallons per day at any common point (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(6) "FWPCA" means Federal Water Pollution Control Act as amended by 1981 amendment (33 U.S.C. § 466 et seq.).

(7) "General permit" means a permit which covers multiple dischargers within a designated geographical area, in lieu of individual permits being issued to each discharger.

(8) "Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities (Submission of

plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

~~((8))~~ (9) "Interfere with" means a discharge by an industrial user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the FWPCA, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D or the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

~~((9))~~ (10) "Municipal sewerage system" or "publicly owned treatment works (POTW)" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility that is under contract to a municipality.

~~((10))~~ (11) "NPDES" means National Pollutant Discharge Elimination System permit program under section 402 of FWPCA.

~~((11))~~ (12) "New source" means any building, structure, facility, or installation from which there is or may be a discharge, the construction of which commenced; after proposal of Pretreatment Standards under section 307(c) of the FWPCA which are applicable to such sources.

~~((12))~~ (13) "Pass through" means the discharge of pollutants through a municipal sewerage system into waters of the state in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of water quality standards for waters of state of Washington, chapter 173-201 WAC, or of the NPDES or state waste discharge permit, including an increase in the magnitude or duration of a violation (section 307 of FWPCA). Failure to obtain approval of an application for a new or increased discharge or change in the nature of the discharge according to WAC 173-216-110(5) would constitute such a violation.

~~((13))~~ (14) "Person" includes any political subdivision, local, state or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

~~((14))~~ (15) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

~~((15))~~ (16) "Pretreatment requirements" means any substantive or procedural state, local, or federal requirements or standards developed under chapter 90.48 RCW and sections 307 and/or 402 of the FWPCA.

~~((16))~~ (17) "Pretreatment standards," "categorical standards," or "standards," means any pollutant discharge limitations, including those developed under section 307(b) and (c) of the FWPCA and implemented through regulations in 40 CFR Subchapter N, that apply to the discharge of

nondomestic wastes to POTWs. This term includes prohibitive discharge limits established pursuant to WAC 173-216-060.

~~((17))~~ (18) "Subsurface sewage treatment and disposal" means the physical, chemical, or biological treatment and disposal of domestic wastewater within the soil profile by placement beneath the soil surface in trenches, beds, seepage pits, mounds, or fills (Submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

~~((18))~~ (19) "Waste materials" means any discarded, abandoned, unwanted or unrecovered material(s), except the following are not waste materials for the purposes of this chapter:

(a) Discharges into the ground or ground water of return flow, unaltered except for temperature, from a ground water heat pump used for space heating or cooling: *Provided*, That such discharges do not have significant potential, either individually, or collectively, to affect ground water quality or uses.

(b) Discharges of stormwater that is not contaminated or potentially contaminated by industrial or commercial sources.

~~((19))~~ (20) "Waters of the state" means all lakes, rivers, ponds, streams, inland waters, ground waters, salt waters, and all other waters and water courses within the jurisdiction of the state of Washington.

~~((20))~~ (21) In the absence of other definitions as set forth herein, the definitions as set forth in 40 CFR Part 403.3 shall be used for circumstances concerning the discharge of waste into sewerage systems.

AMENDATORY SECTION (Amending Order DE 83-29, filed 11/18/83)

WAC 173-216-040 Authorization required. (1) No waste materials may be discharged from any commercial or industrial operation into waters of the state, or into any municipal sewerage system, nor may waste materials be discharged from any municipal sewerage system into waters of the state, except as authorized pursuant to this chapter ~~((21))~~, chapter 173-220 or 173-226 WAC.

(2) Any person who constructs or modifies or proposes to construct or modify wastewater facilities must first comply with the regulations for submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC.

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-216-050 Discharges not subject to permits. (1) The following discharges are not subject to permits under this chapter:

(a) Discharges to municipal sewerage systems of domestic wastewater from residential, commercial, or industrial structures.

(b) Any industrial or commercial discharge to a municipal sewerage system for which authority to issue permits has been granted to the municipality under RCW 90.48.165.

(c) Any industrial or commercial discharge to a municipal sewerage system operating under, and in compliance with, the applicable requirements of a local pretreatment program approved under section 307 of FWPCA and WAC 173-216-150. In the event of noncompliance, this exemption

no longer applies and the discharger is immediately subject to enforcement action under chapter 90.48 RCW for discharging without a waste discharge permit.

(d) Discharges to municipal sewerage systems of wastes from industrial or commercial sources whose wastewater is similar in character and strength to normal domestic wastewater: *Provided*, That such discharges do not have the potential to adversely affect performance of the system. Examples of this type of discharge sources may include hotels, restaurants, laundries and food preparation establishments.

(e) Discharges for which an NPDES permit from the department is required pursuant to chapter 173-220 WAC.

(f) Discharges which are otherwise subject to the permit requirements of this chapter but which are covered under a general permit issued pursuant to chapter 173-226 WAC.

(g) Discharges of domestic wastewater from a septic tank with subsurface sewage treatment and disposal and an ultimate design capacity less than or equal to fourteen thousand five hundred gallons per day. These systems are governed by on-site sewage disposal systems, chapter ~~((248-96))~~ 246-272 WAC which is administered by the Washington state department of ~~((social-and))~~ health ~~((services))~~.

~~((248-96))~~ (h) Discharges of domestic wastewater from a mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity less than or equal to three thousand five hundred gallons per day. These systems are governed by on-site sewage disposal systems, chapter ~~((248-96))~~ 246-272 WAC which is administered by the Washington state department of ~~((social-and))~~ health ~~((services))~~.

(2) A permit is required for any source subject to pretreatment standards promulgated under section 307 of FWPCA, unless exempted under subsections (1)(b) and (c) of this section.

(3) These exemptions shall not relieve any discharger from the requirement to apply all known, available, and reasonable methods to prevent and control waste discharges to the waters of the state, nor the requirement to obtain approval of plans and reports for the construction of wastewater facilities. Nothing herein shall limit the authority of the department to take enforcement action for any unlawful discharge of waste materials or other violations of the Water Pollution Control Act, chapter 90.48 RCW.

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-216-070 Application for a permit. (1) Any person not exempt under WAC 173-216-050, who proposes to discharge waste materials into waters of the state or into a municipal sewerage system, must file an application with the department at least sixty days prior to discharging, or in the case of an expiring permit, at least sixty days prior to the expiration of the permit.

(2) Applications for permits shall be on forms as prescribed by the department.

(3) The applicant must pay applicable fees pursuant to Wastewater discharge permit fees, chapter ~~((173-222))~~ 173-224 WAC.

(4) The requirement for a permit application will be satisfied, if the discharger files:

- (a) A completed permit application;
- (b) When applicable, signature of approval by an authorized representative of the municipal sewerage system; and
- (c) Any other information determined as necessary by the department.

(5) The application shall be signed in case of:

- (a) Corporations, by a principal executive officer of at least the level of vice-president;
- (b) A partnership, by a general partner;
- (c) A sole proprietorship, by the proprietor;
- (d) A municipal, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

(6) In the case of application by a corporation, the principal executive officer shall personally examine the application and certify its truth, accuracy, and completeness.

AMENDATORY SECTION (Amending Order 88-8, filed 5/26/88, effective 7/1/88)

WAC 173-216-130 Modification, suspension, and revocation of permits. (1) Any permit issued under this chapter can be modified, suspended, or revoked, in whole or in part by the department for the following causes:

- (a) Violation of any permit term or condition;
- (b) Obtaining a permit by misrepresentation or failure to fully disclose all relevant facts;
- (c) A material change in quantity or type of waste disposal;
- (d) A material change in the condition of the waters of the state; or
- (e) Nonpayment of permit fees assessed pursuant to RCW 90.48.610.

(2) The department may modify a permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, which includes promulgation or revisions of categorical standards.

(3) Any permit issued under this chapter shall remain in effect until terminated in writing by the department, except that continuation of an expired permit (pursuant to RCW 90.48.200), shall terminate upon coverage under a general permit issued pursuant to chapter 173-226 WAC.

AMENDATORY SECTION (Amending Order DE 83-29, filed 11/18/83)

WAC 173-216-140 Relationship with NPDES permits. For a given facility, permit requirements under this chapter and NPDES permit requirements under Water Pollution Control Act, RCW 90.48.260, shall under normal circumstances, be contained in a single permit document(~~except for general permits as provided for in NPDES permit program, WAC 173-220-045~~).

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-010 Purpose. The purpose of this chapter is to establish a state individual permit program, applicable to the discharge of pollutants and other wastes and materials to the surface waters of the state, operating under state law as a part of the National Pollutant Discharge

Elimination System (NPDES) created by section 402 of the Federal Water Pollution Control Act (FWPCA). Permits issued under this chapter are designed to satisfy the requirements for discharge permits under both section 402(b) of the FWPCA and chapter 90.48 RCW.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-020 Permit required. No pollutants shall be discharged to any surface water of the state from a point source, except as authorized by an individual (~~or general~~) permit issued pursuant to this chapter or as authorized by a general permit issued pursuant to chapter 173-226 WAC.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-030 Definitions. For purposes of this chapter, the following definitions shall be applicable:

(1) "Administrator" means the administrator of the United States Environmental Protection Agency.

(2) "Combined waste treatment facility" means any publicly owned waste treatment facility in which the maximum monthly average influent from any one industrial category, or categories producing similar wastes, constitutes over eighty-five percent of the design load for biochemical oxygen demand or suspended solids. Each single industrial category must contribute a minimum of ten percent of the applicable load.

(3) "Department" means department of ecology.

(4) "Director" means the director of the department of ecology or his/her authorized representative.

(5) "Discharge of pollutant" and the term "discharge of pollutants" each means (a) any addition of any pollutant or combination of pollutants to surface waters of the state from any point source, (b) any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source, other than a vessel or other floating craft which is being used as a means of transportation.

(6) "Discharger" means owner or operator of any facility or activity subject to regulation under the NPDES program.

(7) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration or surface waters as may be present.

(8) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim or dispose of domestic wastewater together with such industrial waste as may be present. This term applies only to facilities discharging to surface water.

(9) "Effluent limitation" means any restriction established by the state or administrator on quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources into surface waters of the state.

(10) "FWPCA" means the Federal Water Pollution Control Act as amended, 33 U.S.C. 1251 et seq.

(11) "General permit" means (~~an NPDES~~) a permit which covers multiple dischargers of a point source category

within a designated geographical area, in lieu of individual permits being issued to each discharger.

(12) "Individual permit" means a permit for a single point source or a single facility.

(13) "Major discharger" means any discharger classified as such by the administrator in conjunction with the director and published in the annual state-EPA agreement.

(14) "Minor discharger" means any discharger not designated as major or covered under a general permit.

(15) "NPDES" means the National Pollutant Discharge Elimination System.

(16) "Permit" means an authorization, license, or equivalent control document issued by the director to implement this chapter.

(17) "Person" includes any political subdivision, local, state, or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

(18) "Point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

(19) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

(20) "Regional administrator" means the regional administrator of Region X of the Environmental Protection Agency (EPA) or his/her authorized representative.

(21) "Surface waters of the state" means all waters defined as "waters of the United States" in 40 CFR 122.2 that are within the boundaries of the state of Washington. This includes lakes, rivers, ponds, streams, inland waters, wetlands, ocean, bays, estuaries, sounds, and inlets.

(22) "Water quality standards" means the state of Washington's water quality standards for surface waters of the state, which are codified in chapter 173-201 WAC.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-040 Application for permit. (1) Any person presently discharging pollutants to surface waters of the state must file an application with the department on a form prescribed by the department. For the purpose of satisfying the requirements of this subsection, any completed application filed with the Environmental Protection Agency prior to the approval by the administrator under section 402(b) of the FWPCA of this state permit program shall constitute a filing with the department.

(2) Any person proposing to commence a discharge of pollutants to surface waters of the state must file an application with the department on a form prescribed by the

department, (a) no less than one hundred eighty days in advance of the date on which it is desired to commence the discharge of pollutants, or (b) in sufficient time prior to commencement of the discharge of pollutants to insure compliance with the requirements of section 306 of the FWPCA and any other applicable water quality standards or effluent standards and limitations.

(3) The applicant must pay any applicable fees required pursuant to RCW 90.48.610.

(4) The requirement for permit application will be satisfied if the discharger files:

(a) A complete application form which is appropriate for the type, category, or size of discharge per 40 CFR 122.21; or

(b) A complete request for coverage ~~((by))~~ under a general permit; and

(c) Any additional information required by the department pertaining to pollutant discharge.

(5) The application form shall bear a certification of correctness to be signed:

(a) In the case of corporations, by a responsible corporate officer.

(b) In the case of a partnership, by a general partner.

(c) In the case of sole proprietorship, by the proprietor.

(d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

(6) Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity shall be submitted by the public entity.

(7) No discharge of pollutants into the surface waters of the state is authorized until such time as a permit has been issued consistent with the terms and conditions of this chapter.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-050 Public notice. (1) Public notice of every draft permit determination regarding an individual permit ~~((or general permit, and request for coverage by a general permit,))~~ shall be circulated in a manner designed to inform interested and potentially affected persons of the proposed discharge and of the proposed determination to issue or deny a permit for the proposed discharge, as follows:

(a) ~~((For individual permits,))~~ Notice shall be circulated within the geographical area of the proposed discharge; such circulation may include any or all of the following, as directed by the department:

(i) Posting by the applicant for a period of thirty days in the post office, public library, and public places of the municipality nearest the premises of the applicant in which the effluent source is located;

(ii) Posting by the applicant for a period of thirty days near the entrance of the applicant's premises and nearby places;

(iii) Publishing by the applicant, at his own cost within such time as the director shall prescribe, through a notice form provided by the department, in major local newspapers of general circulation serving the area in which the discharge

occurs: *Provided*, That if an applicant fails to publish notice within thirty days of the time prescribed by the director, the department may publish the notice and bill the applicant for the cost of publication;

(iv) Publishing by the applicant of paid advertisements;

(v) Publishing by the department of news releases or newsletter articles.

(b) ~~((For general permits, such circulation shall include the following:~~

~~(i) Publishing by the department of a notice of intent to issue a general permit in a major local newspaper of general circulation in each affected area; and~~

~~(ii) Posting or publishing by the applicant of a request for coverage by a general permit in accordance with any or all methods listed in (a)(i), (ii), (iii), (iv), or (v) of this subsection, as directed by the department.~~

~~(e))~~ Notice shall be mailed to any person upon request; and

~~((d))~~ (c) The department shall add the name of any person upon request to a mailing list to receive copies of notices within the state or within a certain geographical area.

(2) The department shall provide a period of not less than thirty days following the date of the public notice during which time interested persons may submit their written views on a draft permit determination ~~((or a request for coverage by a general permit))~~. All written comments submitted during the thirty-day comment period shall be retained by the department and considered in the formulation of its final determination with respect to the application. The period for comment may be extended at the discretion of the department.

(3) The department shall prepare the contents of the public notice, which shall, at a minimum, summarize the following:

(a) Name, address, phone number of agency issuing the public notice;

~~(b) ((Except when unknown in the case of general permit issuance,))~~ Name and address of each applicant, and if different, of the facility or activity to be regulated;

(c) Each applicant's activities or operations which result in a discharge (e.g., municipal waste treatment, steel manufacturing, drainage from mining activities);

~~(d) ((Except in the case of general permit issuance,))~~ Name of waterway to which each discharge is made and the location of each discharge on the waterway, indicating whether such discharge is a new or an existing discharge;

(e) The tentative determination to issue or deny a permit for the discharge;

~~(f) ((Where coverage by a general permit is replacing a current individual permit, notice of termination of the individual permit;~~

~~(g))~~ The procedures for the formulation of final determinations, including the thirty-day comment period required by subsection (2) of this section and any other means by which interested persons may comment upon those determinations; and

~~((h))~~ (g) Address and phone number of state premises at which interested persons may obtain further information.

(4) The department shall provide copies of permit applications, draft permit determinations, ~~((requests for coverage, and general permits upon request))~~ and final permits.

(5) The department shall notify the applicant and persons who have submitted written comments or requested notice of the final permit decision. This notification shall include response to comments received and reference to the procedures for contesting the decision.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-060 Fact sheets. (1) The department shall prepare a fact sheet for every draft permit determination ~~((regarding major dischargers, minor dischargers, and general permits))~~. Such fact sheets shall, at a minimum, summarize the following:

(a) The type of facility or activity which is the subject of the application;

(b) The location of the discharge in the form of a sketch or detailed description;

(c) The type and quantity of the discharge, including at least the following:

(i) The rate or frequency of the proposed discharge;

(ii) For thermal discharges, the average summer and winter temperatures; and

(iii) The average discharge in pounds per day, or other appropriate units, of any pollutants which are present in significant quantities or which are subject to limitations or prohibition under RCW 90.48.010, 90.52.040, 90.54.020 and sections 301, 302, 306, or 307 of the FWPCA and regulations published thereunder;

(d) The conditions in the proposed permit;

(e) The legal and technical grounds for the draft permit determination, including an explanation of how conditions meet both the technology-based and water quality-based requirements of the FWPCA and chapters 90.48, 90.52, and 90.54 RCW;

(f) The effluent standards and limitations applied to the proposed discharge;

(g) The applicable water quality standards, including identification of the uses for which receiving waters have been classified;

(h) How the draft permit addresses use or disposal of residual solids generated by wastewater treatment; and

(i) The procedures for the formulation of final determinations (in more detailed form than that given in the public notice) including:

(i) The thirty-day comment period required by WAC 173-220-050(2);

(ii) Procedures for requesting a public hearing and the nature thereof; and

(iii) Any other procedures by which the public may participate in the formulation of the final determinations.

(2) The department shall send a fact sheet to the applicant and, upon request, to any other person.

(3) The department shall add the name of any person upon request to a mailing list to receive copies of fact sheets.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-070 Notice to other government agencies. The department shall notify other appropriate government agencies of each draft permit determination ~~((or~~

request for coverage)) and shall provide such agencies an opportunity to submit their written views and recommendations. Such notification shall include the following:

(1) Unless the regional administrator has agreed to waive review, transmission of an application, fact sheet, and draft permit to the regional administrator for comment or objection within thirty days (~~((ninety days for general permits))),~~ or a longer period if requested up to a maximum of ninety days.

(2) At the time of issuance of public notice pursuant to WAC 173-220-050, transmission of the public notice to any other states whose waters may be affected by the issuance of a permit. Each affected state shall be afforded an opportunity to submit written recommendations to the department and to the regional administrator which the department may incorporate into the permit if issued. Should the department fail to incorporate any written recommendations thus received, it shall provide to the affected state or states (and to the regional administrator) a written explanation of its reasons for failing to accept any of the written recommendations.

(3) Unless waived by the respective agency, the public notice shall be sent to the appropriate district engineer of the Army Corps of Engineers, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the state departments of fisheries, natural resources, wildlife, and social and health services, the archaeology and historic preservation office, the agency responsible for the preparation of an approved plan pursuant to section 208(b) of the FWPCA, applicable Indian tribes and any other applicable government agencies.

(4) A copy of any written agreement between the department and an agency identified in subsection (3) of this section which waives the receipt of public notices shall be forwarded to the regional administrator and shall be made available to the public for inspection and copying.

(5) Copies of public notices shall be mailed to any other federal, state, or local agency, Indian tribe or any affected country, upon request. Such agencies shall have an opportunity to respond, comment, or request a public hearing pursuant to WAC 173-220-090.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-090 Public hearings. The applicant, any affected state, any affected interstate agency, any affected country, the regional administrator, or any interested agency or person may request a public hearing with respect to a draft permit determination (~~((or request for coverage by a general permit))).~~ Any such request for a public hearing shall be filed within the thirty-day period prescribed in WAC 173-220-050(2) and shall indicate the interest of the party filing such request and the reasons why a hearing is warranted. The department shall hold a hearing if it determines there is a significant public interest. Instances of doubt will be resolved in favor of holding the hearing. Any hearing brought pursuant to this subsection shall be held at a time and place deemed appropriate by the department.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-100 Public notice of public hearings.

(1) The department shall circulate public notice of any hearing held pursuant to WAC 173-220-090 at least as widely as was the notice pursuant to WAC 173-220-050. Procedures for the circulation of public notice for hearings held under WAC 173-220-090 shall include at least the following:

(a) Notice shall be published in at least one major local newspaper of general circulation within the geographical area of the discharge;

(b) Notice shall be sent to all persons and government agencies who received a copy of the notice pursuant to WAC 173-220-050 or the fact sheet;

(c) Notice shall be mailed to any person upon request; and

(d) Notice shall be effected pursuant to (a) and (c) of this subsection at least thirty days in advance of the hearing.

(2) The contents of public notice of any hearing held in pursuant to WAC 173-220-090 shall include at least the following:

(a) Name, address, and phone number of agency holding the public hearing;

(b) A reference to the public notice issued pursuant to WAC 173-220-050, including identification number and date of issuance;

(c) The time and location for the hearing;

(d) The purpose of the hearing;

(e) Address and phone number of premises at which interested persons may obtain information;

(f) The nature of the hearing;

(g) The issues raised by the persons requesting the hearing, and any other appropriate issues which may be of interest to the public;

~~((i) Except when unknown in the case of general permit determinations,))~~ (h) The name and address of each applicant whose proposed discharge will be considered at the hearing;

~~((ii) Except when unknown in the case of general permit determinations,))~~ (i) The name of waterway to which each discharge is made and the location of each discharge on the waterway.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-110 Permit preparation. The department will prepare tentative staff determinations with respect to a permit application (~~((or a determination that a class of dischargers is appropriately covered by a general permit,))~~) in advance of public notice of the proposed issuance or denial of a permit. Such tentative determinations shall include at least the following:

(1) A proposed determination to issue or deny a permit for the discharge described in the application; and

(2) If the determination is to issue the permit, the following shall be included in a draft permit:

(a) Proposed effluent limitations for those pollutants proposed to be limited;

(b) A proposed schedule of compliance, including interim dates and requirements, for meeting the proposed effluent limitations; and

(c) A brief description of any other proposed special conditions which will have a significant impact upon the discharge described in the application.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-225 Appeals. ~~((4))~~ Individual permits are subject to appeals as specified in chapter 43.21B RCW.

~~((2) For general permits: (a) The terms and conditions of a general permit as they apply to the appropriate class of dischargers is subject to appeal within thirty days of issuance of a general permit in accordance with chapter 43.21B RCW; (b) the terms and conditions of a general permit as they apply to an individual discharger are subject to appeal in accordance with chapter 43.21B RCW within thirty days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or nonapplicability to that discharger. Appeal of general permit coverage of an individual discharger does not affect any other individual dischargers. If the terms and conditions of a general permit are found to be inapplicable to any discharger, the matter shall be remanded to the department for consideration of issuance of an individual permit.))~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 173-220-045 General permits.

**Chapter 173-226 WAC
WASTE DISCHARGE GENERAL PERMIT
PROGRAM**

NEW SECTION

WAC 173-226-010 Purpose. The purpose of this chapter is to establish a state general permit program, applicable to the discharge of pollutants, wastes, and other materials to waters of the state. Permits issued under this chapter are designed to satisfy the requirements for discharge permits under sections 307 and 402(b) of the federal Water Pollution Control Act (33 U.S.C. §1251) and the state law governing water pollution control (chapter 90.48 RCW).

NEW SECTION

WAC 173-226-020 Permit required. No pollutants shall be discharged to waters of the state from any point source, except as authorized by an individual permit issued pursuant to chapters 173-216 and 173-220 WAC, or as authorized through coverage under a general permit issued pursuant to this chapter. Coverage under a valid general permit issued prior to the existence of this chapter will satisfy the permit requirements of this section.

NEW SECTION

WAC 173-226-030 Definitions. For purposes of this chapter, the following definitions shall be applicable:

(1) "Administrator" means the administrator of the United States Environmental Protection Agency.

(2) "Application for coverage" means a form developed by, or approved by the department, which is used by a discharger to apply for coverage under a general permit.

(3) "Best management practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of the waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(4) "Department" means the Washington state department of ecology.

(5) "Director" means the director of the department of ecology or the director's authorized representative.

(6) "Discharge of pollutant" and "discharge of pollutants" mean the addition of any pollutant or combination of pollutants to waters of the state, respectively.

(7) "Discharger" means the owner or operator of any operation, facility, or activity subject to regulation under chapter 90.48 RCW.

(8) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration or surface waters as may be present.

(9) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater, together with such industrial waste as may be present.

(10) "Effluent limitation" means any restriction established by the department or the administrator on quantities, rates, and concentrations of chemical, physical, biological, and other constituents discharged from point sources into waters of the state.

(11) "FWPCA" means the federal Water Pollution Control Act, as amended, 33 U.S.C. §1251 et seq.

(12) "Existing operation" means an operation that is not a new operation.

(13) "General permit" means a permit that covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

(14) "Individual permit" means a permit for a single point source or a single facility.

(15) "Municipal sewerage system" means a publicly owned domestic wastewater facility or privately owned domestic wastewater facility that is under contract to a municipality.

(16) "New operation" means an operation that begins activities that result in a discharge, or a potential discharge to waters of the state on or after the effective date of the general permit for which an application for coverage has been made.

(17) "Notice of intent" means an application for a general permit, a request for coverage under a general permit, or a registration form for a general permit.

(18) "NPDES" means the National Pollutant Discharge Elimination System.

(19) "Permit" means an authorization, license, or equivalent control document issued by the director to implement this chapter.

(20) "Person" includes any political subdivision, local, state, or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

(21) "Point source" means any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

(22) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

(23) "Regional administrator" means the regional administrator of Region X of the Environmental Protection Agency (EPA) or his/her authorized representative.

(24) "Small business" has the meaning given in RCW 43.31.025(4).

(25) "Surface waters of the state" means all waters defined as "waters of the United States" in 40 CFR 122.2 that are within the boundaries of the state of Washington. This includes lakes, rivers, ponds, streams, inland waters, wetlands, ocean, bays, estuaries, sounds, and inlets.

(26) "Waters of the state" means all waters defined as "surface waters of the state" and all waters defined as "waters of the state" in RCW 90.48.020.

(27) "Water quality standards" means the state of Washington's water quality standards for ground waters of the state (chapter 173-200 WAC) and the state of Washington's water quality standards for surface waters of the state (chapter 173-201 WAC).

NEW SECTION

WAC 173-226-040 Relationship to chapters 173-216 and 173-220 WAC. This chapter defines a waste discharge general permit program within Washington state. Chapters 173-216 and 173-220 WAC define and establish permit programs for the development and issuance of individual permits.

NEW SECTION

WAC 173-226-050 General permit coverage. (1) The director may issue general permits to satisfy any or all of the waste water discharge permit requirements of chapter 90.48 RCW and the FWPCA.

(2) The director may issue general permits to cover categories of dischargers for geographic areas as described

under subsection (3) of this section. The area shall correspond to existing geographic or political boundaries, such as:

(a) Designated planning areas under section 208 or 303 of the FWPCA; (b) Sewer districts or other special purpose districts;

(c) City, county, or state political boundaries;

(d) State or county highway systems;

(e) Standard metropolitan statistical areas as defined by the federal Office of Management and Budget;

(f) Urbanized areas as designated by the Bureau of the Census; or

(g) Any other appropriate division or combination of boundaries.

(3) General permits may be written to cover the following within a described area:

(a) Storm water sources; or

(b) Categories of dischargers that meet all of the following requirements:

(i) Involve the same or substantially similar types of operations;

(ii) Discharge the same or substantially similar types of wastes;

(iii) Require the same or substantially similar effluent limitations or operating conditions, and require similar monitoring; and

(iv) In the opinion of the director are more appropriately controlled under a general permit than under individual permits.

NEW SECTION

WAC 173-226-060 General permit preparation—Preliminary determination. (1) For all general permits, the department shall make a preliminary determination to develop a general permit. Interested persons may petition the director requesting that a category of dischargers be considered for the development of a general permit. The department shall respond to such a petition within ninety days of receipt.

(2) The department shall provide public notice of all preliminary determinations to develop a general permit pursuant to WAC 173-226-130(1).

(3) In the event that the department determines not to develop a general permit after publishing a preliminary determination pursuant to WAC 173-226-130(2), the department shall provide public notice to that effect in the same manner as the preliminary determination public notice was provided.

NEW SECTION

WAC 173-226-070 Permit effluent limitations. Any general permit issued by the department shall apply and insure compliance with all of the following, whenever applicable:

(1) Technology-based treatment requirements and standards reflecting all known, available, and reasonable methods of prevention, treatment, and control required under RCW 90.48.010, 90.48.520, 90.52.040, and 90.54.020 may be imposed through any or all of the following methods:

(a) Effluent limitations and standards promulgated pursuant to sections 301, 302, 306, and 307 of the FWPCA;

(b) Discharge standards contained in chapters 173-221 and 173-221A WAC;

(c) On a case-by-case basis under section 402 of the FWPCA; and/or

(d) Through the use of best management practices.

(2) Water quality-based effluent limitations.

(a) Water quality-based effluent limitations shall be incorporated into a general permit if such limitations are necessary to comply with chapter 173-200 and/or 173-201 WAC for the majority of the dischargers intended to be covered under the general permit and:

(i) The department determines that the use of a general permit rather than individual permits is appropriate; and

(ii) The conditions of coverage contained in WAC 173-226-050 are met.

(b) Water quality-based effluent limitations shall be developed for all pollutants or pollutant parameters which the department determines are or may be discharged at a level which will cause, have the potential to cause, or contribute to an exceedance of state ground or surface water quality standards.

(3) Any more stringent limitations or requirements, including those necessary to:

(a) Meet water quality standards, sediment quality standards, treatment standards, or schedules of compliance established pursuant to any state law or regulation under authority preserved to the state by section 510 of the FWPCA;

(b) Meet any federal law or regulation other than the FWPCA or regulations thereunder;

(c) Implement any legally applicable requirements necessary to implement total maximum daily loads established pursuant to section 303(d) and incorporated in the continuing planning process approved under section 303(e) of the FWPCA and any regulations and guidelines issued pursuant thereto;

(d) Prevent or control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or materials handling or storage;

(e) Meet the permit by rule provisions of the state dangerous waste regulation, WAC 173-303-802 (4) or (5);

(f) Comply with a plan approved pursuant to section 208(b) of the FWPCA; and/or

(g) Meet such conditions as the department determines are necessary to carry out the provisions of the FWPCA, prior to promulgation by the administrator of applicable effluent standards and limitations pursuant to sections 301, 302, 306, and 307 of the FWPCA.

(4) In addition to the other applicable requirement of this chapter, general permits authorizing the discharge into a municipal sewerage system shall satisfy the applicable pretreatment requirements of the FWPCA.

(5) Requirements pursuant to other laws, including the state's Hazardous Waste Management Act (chapter 70.105 RCW), the Solid Waste Management—Reduction and Recycling Act (chapter 70.95 RCW), the Resource Conservation and Recovery Act of 1976 (Public Law 95.190), or any other applicable local ordinances, state or federal statute, to the extent that they pertain to the prevention or control of waste discharges into the waters of the state;

(6) In the application of effluent standards and limitations, water quality standards and other legally applicable

requirements pursuant to subsections (1) through (4) of this section, each general permit shall specify:

(a) For industrial wastewater facilities, average monthly and maximum daily quantitative mass and/or concentration limitations, or other such appropriate limitations for the level of pollutants and the authorized discharge;

(b) For domestic wastewater facilities, average weekly and monthly quantitative concentration and mass limitations, or other such appropriate limitations for the level of pollutants and the authorized discharge; and

(c) If a dilution zone is authorized within which water quality standards are modified, the dimensions of such dilution zone.

NEW SECTION

WAC 173-226-080 Other terms and conditions. (1) In addition to the requirements of WAC 173-226-070, 173-226-090, and 173-226-180, each general permit shall require:

(a) All discharges authorized by the general permit shall be consistent with the terms and conditions of the permit.

(b) Any facility expansions, production increases, or process modifications that would result in new or increased discharges of pollutants causing effluent limitations in the general permit to be exceeded or beyond which was reported in the application for coverage, must be reported to the department by submission of a new application or supplement thereto.

(c) Unless notified to the contrary by the department all notices submitted pursuant to (b) of this subsection shall comply with the application requirements of WAC 173-226-200(3).

(d) Any discharge of any pollutant more frequent than or at a level in excess of that identified and authorized by the general permit shall constitute a violation of the terms and conditions of the general permit.

(e) The director may terminate coverage under a general permit for cause. Cases where coverage under a general permit may be terminated include, but are not limited to, those contained in WAC 173-226-240(1).

(f) The director may require any discharger to apply for and obtain an individual permit, or to apply for and obtain coverage under another more specific general permit.

(g) General permits may be issued, modified, revoked and reissued, or terminated in accordance with the other provisions of this chapter. Grounds for modification or revocation and reissuance include but are not limited to those contained in WAC 173-226-230.

(h) The permittee shall allow the department or its authorized representative, upon the presentation of credentials and such other documents as may be required by law, at reasonable times:

(i) To enter upon permittee's premises in which an effluent source is located or in which any records are required to be kept under terms and conditions of the permit;

(ii) To have access to, and to copy at reasonable cost, any records required to be kept under terms and conditions of the permit;

(iii) To inspect any monitoring equipment or method required in the permit; and/or

(iv) To sample any discharge of pollutants.

(i) The permittee shall at all times properly operate and maintain any facilities or systems of control to achieve compliance with the terms and conditions of the general permit. Where design criteria have been established, the permittee shall not allow flows or waste loadings to exceed approved design criteria, or approved revisions thereto.

(j) The discharge of pollutants resulting from activities not covered under the general permit for which the discharger has requested coverage, shall be a violation of the terms and conditions of the general permit.

(2) General permits shall specify the contents of the application for coverage, the deadlines for submitting applications for coverage, the date(s) and/or the process by which coverage is granted, and the criteria for coverage.

(3) Any discharger authorized by a general permit may request to be excluded from coverage under the general permit by applying for and being issued an individual permit. The discharger shall submit to the director an application as described in WAC 173-220-040, with reasons supporting the request. The director shall either issue an individual permit or deny the request with a statement explaining the reason for denial.

(4) When an individual permit is issued to a discharger otherwise subject to a general permit, the applicability of the general permit to that permittee is automatically terminated on the effective date of the individual permit.

NEW SECTION

WAC 173-226-090 Monitoring, recording, and reporting. (1) Monitoring.

(a) Any discharge authorized by a general permit may be subject to such monitoring requirements as may be reasonably required by the department, including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). These monitoring requirements would normally include but are not limited to:

(i) Flow (in gallons per day or other appropriate units);

(ii) All pollutants on which limitations have been placed pursuant to WAC 173-226-070;

(iii) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) that are subject to reduction or elimination under the terms and conditions of the permit;

(iv) Pollutants that the department finds could have a significant impact on the quality of waters and sediments of the state; and

(v) Pollutants specified by the administrator, in regulations issued pursuant to the FWPCA, as subject to monitoring.

(b) Each effluent flow or pollutant required to be monitored pursuant to (a) of this subsection shall be monitored at intervals sufficiently frequent to yield data that reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant.

(c) Monitoring for compliance with limitations imposed pursuant to WAC 173-226-070 shall be no less than once per year.

(d) Variable effluent flows and pollutant levels may be monitored at more frequent intervals than relatively constant

effluent flows and pollutant levels, which may be monitored at less frequent intervals.

(e) Monitoring of intake water, influent to treatment facilities, internal waste streams, and/or receiving waters may be required by the department, to verify compliance with net discharge limitations or removal requirements, to verify that proper waste treatment or control practices are being maintained, or to determine the effects of the discharge on the waters and sediments of the state.

(2) Recording of monitoring activities and results. Any general permit which requires monitoring of an authorized discharge shall require that:

(a) The permittee maintain records of all information resulting from any monitoring activities required as a condition of the application for, or as a condition of coverage under a general permit;

(b) Any records of monitoring activities and results shall include for all samples:

(i) The date, exact place, and time of sampling;

(ii) The dates analyses were performed;

(iii) Who performed the analyses;

(iv) The analytical techniques/methods used; and

(v) The results of such analyses; and

(c) The permittee retain for a minimum of five years any records of monitoring activities and all results of those activities including all original strip chart recording for continuous monitoring instrumentation and calibration and maintenance records. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee, or when requested by the department or regional administrator.

(3) Reporting of monitoring results.

(a) The department may require the permittee to periodically report on the proper reporting form, the monitoring results obtained pursuant to monitoring requirements in a general permit. In addition to the required reporting form, the department may require submission of such other reports as it determines to be necessary.

(b) Monitoring reports shall be signed by:

(i) In the case of corporations, a responsible corporate officer or duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

(ii) In the case of a partnership, a general partner.

(iii) In the case of a sole proprietorship, the proprietor.

(iv) In the case of a municipal, state, or other public facility, either a principal executive officer, ranking elected official, or other duly authorized employee.

(4) Except for flow, temperature, and internal process control parameters, all monitoring data required as a condition of a general permit, or required as part of an application for coverage under a general permit shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC no later than:

(a) July 1, 1992, for major dischargers;

(b) July 1, 1993, for permittees with a permitted average flow rate greater than five million gallons per day;

(c) July 1, 1994, for all other permittees.

NEW SECTION

WAC 173-226-100 Prohibited discharges. (1) No general permit issued by the department shall authorize any person to:

(a) Discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into waters of the state;

(b) Discharge any pollutants that the Secretary of the Army acting through the Chief, Corps of Engineers, finds would substantially impair anchorage and navigation;

(c) Discharge any pollutant which the regional administrator, not having waived his/her right to object pursuant to section 402(e) of the FWPCA, has objected in writing pursuant to section 402(d) of the FWPCA;

(d) Discharge any pollutant in conflict with plans or amendment thereto approved pursuant to section 208(b) of the FWPCA;

(e) Discharge any pollutant subject to a toxic pollutant discharge prohibition under section 307 of the FWPCA; or

(f) Discharge any dangerous waste as defined in the Dangerous waste regulations, chapter 173-303 WAC, into a subsurface disposal system such as a well or drainfield.

(2) The following discharges to municipal sewerage systems are also prohibited:

(a) Waste materials that pass through the treatment works untreated or interfere with its operation or performance;

(b) Liquids, solids, or gases that, by reason of their nature or quantity, are or may be sufficient either alone or by interaction to:

(i) Cause fire or explosion;

(ii) Create a public nuisance or hazard to life;

(iii) Prevent entry into the sewers for their maintenance and repair; or

(iv) Be injurious in any other way to the operation of the system or the operating personnel;

(c) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the system;

(d) Any wastewater having a pH less than 5.0 or greater than 11.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system, unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under this chapter;

(e) Wastewater that would cause the influent temperature to exceed 40°C (104°F), unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under this chapter. In any case, any wastewater having a temperature which will interfere with the biological activity in the system is prohibited;

(f) Waste materials, including, but not limited to, oxygen demanding waste materials (BOD, etc.) released in either a slug load or continuous discharge of such volume or strength as to cause interference to the system;

(g) Any other discharge prohibited by federal or state law or regulation; and

(h) Any of the following discharges, unless approved by the department under extraordinary circumstances (such as lack of direct discharge alternatives due to combined sewer

service or need to augment sewage flows due to septic conditions):

(i) Noncontact cooling water in significant volumes;

(ii) Storm water and other direct inflow sources;

(iii) Waste waters significantly affecting system hydraulic loading that do not require treatment or would not be afforded a significant degree of treatment by the system.

NEW SECTION

WAC 173-226-110 Fact sheets. (1) The department shall prepare a fact sheet for every draft general permit determination. Such fact sheets shall summarize the following:

(a) The type of facility or activity which is the subject of the general permit;

(b) The geographical area for which the general permit is valid;

(c) The criteria for which coverage under a general permit will be approved;

(d) A listing or some other means of identifying the facilities proposed to be covered under the general permit;

(e) The information required by WAC 173-226-200(3), to be submitted as part of the application for coverage under the general permit;

(f) The effluent characteristics for the category of dischargers being authorized under the general permit, including the following:

(i) The average rate or frequency of the proposed discharge;

(ii) For thermal discharges, the average summer and winter temperatures; and

(iii) The average and estimated range in pounds per day, or other appropriate units, of any pollutants which are present in significant quantities or which are subject to limitations or prohibition under RCW 90.48.010, 90.52.040, 90.54.020, and sections 301, 302, 306, or 307 of the FWPCA and regulations published thereunder;

(g) The effluent standards and limitations applied;

(h) The applicable water quality standards, including identification of the uses for which receiving waters have been classified;

(i) The conditions in the proposed general permit;

(j) The legal and technical grounds for the conditions contained in the general permit, including:

(i) An explanation of how conditions meet both the technology-based and water quality-based requirements of the FWPCA and chapters 90.48, 90.52, and 90.54 RCW;

(ii) An explanation of how the conditions meet the water quality standards of chapters 173-200 and 173-201 WAC; and

(iii) An explanation of how the conditions meet the sediment standards contained in chapter 173-204 WAC;

(k) If a dilution zone is authorized, pursuant to chapter 173-201 WAC, within which water quality standards are modified:

(i) A description of the allowed dilution zone;

(ii) The legal basis for providing a dilution zone; and

(iii) The technical basis for allowing a dilution zone and the basis for determining the size of the dilution zone;

(l) Any compliance schedules proposed as part of the general permit or as a part of the application process pursuant to WAC 173-226-180 and 173-226-200;

(m) How the draft permit addresses use or disposal of residual solids generated by wastewater treatment; and

(n) The procedures for the formulation of final determinations (in more detailed form than that given in the public notice) including:

(i) The thirty-day comment period required by WAC 173-226-130(3);

(ii) The time and place of the public hearing(s); and

(iii) Any other procedures by which the public may participate in the formulation of the final determination.

(2) The department shall provide copies of general permit fact sheets to any interested person upon request.

NEW SECTION

WAC 173-226-120 Small business economic impact analysis. (1) The department shall prepare an economic impact analysis on all draft general permits developed and intended for issuance pursuant to this chapter. The economic impact analysis shall be prepared on the draft general permit for which public notice is being provided pursuant to WAC 173-226-130(3).

(2) The purpose of the economic impact analysis is to reduce the economic impact of the general permit on small business by doing one or more of the following when it is legal and feasible in meeting the stated objectives of the FWPCA and chapter 90.48 RCW:

(a) Establishing differing compliance or reporting requirements or timetables for small businesses;

(b) Clarifying, consolidating, or simplifying the compliance and reporting requirements under the general permit for small businesses;

(c) Establishing performance rather than design standards;

(d) Exempting small businesses from parts of the general permit.

(3) The contents of an economic impact analysis of a proposed general permit shall include, at a minimum, the following:

(a) A brief description of the compliance requirements of the general permit, including:

(i) The minimum technology based treatment requirements identified as necessary under WAC 173-226-070;

(ii) The monitoring requirements contained in the general permit;

(iii) The reporting and recordkeeping requirements; and

(iv) Any plan submittal requirements;

(b) The estimated costs of compliance, based upon existing data for facilities intended to be covered under the general permit. Costs shall include, consistent with subsection (2) of this section the following:

(i) The costs associated with (a) of this subsection; and

(ii) The costs of equipment, supplies, labor, and any increased administrative costs;

(c) A comparison, to the greatest extent possible, of the cost of compliance for small businesses with the cost of compliance for the largest ten percent of the facilities intended to be covered under the general permit. The

economic impact analysis shall use one or more of the following as a basis for comparing costs:

(i) Cost per employee;

(ii) Cost per hour of labor;

(iii) Cost per one hundred dollars of sales.

(4) The following compliance costs associated with a general permit shall not be included in the economic impact analysis:

(a) The costs necessary to comply with chapters 173-200, 173-201, 173-204, and 173-224 WAC; and

(b) The costs associated with requirements of the general permit which result from conformity or compliance, or both, with federal law or regulations.

NEW SECTION

WAC 173-226-130 Public notice. The department shall provide public notice of all preliminary determinations to develop a general permit, all determinations not to develop a general permit after publishing such a preliminary determination, all draft general permit determinations, and the issuance of a final general permit. All public notices shall be circulated in a manner designed to inform interested and potentially affected persons of the proposed general permit.

(1) The department shall provide public notice of all preliminary determinations to develop a general permit as follows:

(a) The public notice shall be circulated within the geographical area of the proposed general permit. Such notice may include any or all of the following:

(i) Publishing, as a paid advertisement or legal notice, the department's preliminary determination in one or more major local newspapers throughout the area of proposed coverage;

(ii) Issuance of news releases, focus sheets, or newsletters;

(b) The department shall request comments on whether a general permit is appropriate for the proposed category of dischargers or whether individual permits are necessary;

(c) The public notice shall provide an opportunity for any interested or potentially affected party to submit information on dischargers proposed to be covered under a general permit including:

(i) Any documented information on the characteristics of the discharge including effluent quantity, quality, and any receiving water impacts. Information may be from an individual facility or be representative of the category as a whole; and

(ii) Any other relevant information;

(d) The department shall add the name of any person upon request to a general permit specific mailing list to receive information and notices related to the development of the general permit.

(2) In the event that the department determines not to develop a general permit after publishing a preliminary determination pursuant to subsection (1) of this section, the department shall provide public notice to that effect in the same manner as the preliminary determination public notice was provided.

(3) The department shall provide public notice of every draft general permit as follows:

(a) The notice shall be circulated throughout the geographical area covered by the general permit. Such circulation may include any or all of the following:

(i) Posting for a period of thirty days in post offices, public libraries, and public places within the geographical area covered by the general permit;

(ii) Publishing the notice as a paid advertisement, display advertisement, or legal notice, in one or more major local newspapers of general circulation serving the area covered by the general permit;

(iii) Issuance of news releases, focus sheets, or newsletters.

(b) Notice shall be mailed to any person upon request, including all persons on the general permit specific mailing list established pursuant to subsection (1)(d) of this section and all persons on the mailing lists established pursuant to WAC 173-220-050 (1)(d).

(c) At least thirty days before the public hearing on the general permit the department shall have the following published in the State Register:

(i) The public notice contents contained in (f) of this subsection;

(ii) A reference to the relevant sections of chapter 90.48 RCW as the statutory authority for issuing the general permit;

(iii) The date on which the agency intends to issue the general permit;

(iv) A short explanation of the permit, its purpose, and anticipated effects; and

(v) A summary of the economic impact analysis required in WAC 173-226-120.

(d) The department shall provide a period of not less than thirty days following the last publication of the public notice, during which time interested persons may submit their written views on a draft general permit determination. All written comments submitted during the comment period shall be retained by the department and considered in the formulation of its final determination with respect to the draft general permit. The period for comment may be extended at the discretion of the department.

(e) The department shall make available during the public comment period:

(i) The draft general permit;

(ii) The fact sheet on the draft general permit required pursuant to WAC 173-226-110;

(iii) The small business economic impact analysis required pursuant to WAC 173-226-120; and

(iv) A copy of the proposed application for coverage.

(f) The contents of the draft general permit public notice shall, at a minimum, summarize the following:

(i) The name, address, and phone number of the agency issuing the public notice;

(ii) The type of facilities and activities which are the subject of the general permit;

(iii) The geographical area for which the general permit is valid;

(iv) The criteria for which coverage under a general permit will be approved;

(v) A listing or some other means of generally identifying the facilities proposed to be covered under the general permit;

(vi) The tentative determination to issue a general permit;

(vii) The procedures for the formulation of final determinations, including the thirty-day comment period required by (d) of this subsection and any other means by which interested persons may comment upon those determinations;

(viii) The date, time, and place when public hearings will be held on the draft general permit;

(ix) The address and phone number of state premises at which interested persons may obtain further information; and

(x) The date and time after which comments will not be considered by the department in formulating the final determination on the draft general permit.

(4) The department shall provide public notice of the issuance of a final general permit as follows:

(a) The notice of general permit issuance shall be circulated in a manner similar to that used to circulate the notice on the draft general permit in subsection (3)(a) of this section and shall be published in the State Register; and

(b) The notice of general permit issuance shall be provided to all persons on the general permit specific mailing list established pursuant to subsection (1)(d) of this section and all persons on the mailing lists established pursuant to WAC 173-220-050 (1)(d).

(c) The public notice of the issuance of a general permit shall contain:

(i) The name, address, and phone number of the agency issuing the public notice;

(ii) The type of facilities and activities which are the subject of the general permit;

(iii) The geographical area for which the general permit is valid;

(iv) The criteria for which coverage under a general permit will be approved;

(v) A listing or some other means of generally identifying the facilities proposed to be covered under the general permit;

(vi) A summary of the application process by which eligible dischargers may obtain coverage under the general permit;

(vii) A notice that the terms and conditions of the general permit may be appealed only by filing an appeal with the pollution control hearings board and by serving it upon the department within thirty days, and the process for doing so as contained in RCW 43.21B.310; and

(viii) The date after which the general permit shall be effective. The effective date of a general permit shall be no sooner than thirty days after the publication in the State Register of the public notice required pursuant to (a) of this subsection.

(5) For new operations, or for operations previously under permit for which an increase in volume or change in the character of the effluent is requested over that which was previously authorized, only:

(a) The applicant for coverage under a general permit shall cause notice to be circulated within the geographical area of the proposed discharge. Such circulation shall include:

(i) Publishing twice a notice in a newspaper of general circulation within the county in which the discharge is proposed to be made; and

(ii) Any other method the department may direct.

(b) The notice published pursuant to (a) of this subsection shall contain:

(i) The name, address, and location of the facility requesting coverage under the general permit;

(ii) The applicant's activities or operations that result in a discharge (e.g., storm water, fish farming, gravel washing);

(iii) The name of the general permit under which coverage is being requested; and

(iv) The statement: "Any person desiring to present their views to the department of ecology regarding this application may do so in writing within thirty days of the last date of publication of this notice. Comments shall be submitted to the department of ecology. Any person interested in the department's action on this application may notify the department of their interest within thirty days of the last date of publication of this notice."

NEW SECTION

WAC 173-226-140 Notice to other government agencies. The department shall notify other appropriate government agencies of each draft general permit determination and shall provide such agencies an opportunity to submit their written views and recommendations. Such notification for NPDES and combined NPDES/state waste discharge general permits only, shall include the following:

(1) Transmission of the fact sheet, application form, and draft general permit to the regional administrator for comment or objection. The regional administrator shall be provided ninety days to comment on the draft permit prior to issuance by the department unless an alternative time period is mutually agreed on by the director and the regional administrator.

(2) Immediately following issuance, the department shall transmit a copy of every fact sheet, application form, and general permit along with any and all terms, conditions, requirements, or documents which are a part of the general permit or which affect the authorization by the general permit, of the discharge of pollutants, to the regional administrator.

(3) At the time of issuance of the public notices pursuant to WAC 173-226-130 (1)(a), (3)(a), and (4)(a) the department shall transmit the public notices to any other states whose waters may be affected by the issuance of the general permit. Each affected state shall be afforded an opportunity to submit written comments pursuant to WAC 173-226-130 (1)(b) and (3)(d), to the department and to the regional administrator, which the department may incorporate into the permit if issued. Should the department fail to incorporate any written recommendations thus received, it shall provide to the affected state or states (and to the regional administrator) a written explanation of its reasons for failing to accept any of the written recommendations or comments.

(4) Unless waived by the respective agency, the public notices issued pursuant to WAC 173-226-130 (1)(a), (2), (3)(a), and (4)(a) shall be sent to the appropriate district engineer of the Army Corps of Engineers, the United States

Fish and Wildlife Service, the National Marine Fisheries Service, the state departments of fisheries, health, natural resources, wildlife, and social and health services, the office of archaeology and historic preservation, the agency responsible for the preparation of an approved plan pursuant to section 208(b) of the FWPCA, applicable Indian tribes, and any other applicable government agencies.

(5) A copy of any written agreement between the department and an agency identified in subsection (4) of this section which waives the receipt of public notices shall be forwarded to the regional administrator and shall be made available upon request to the public for inspection and copying.

(6) Copies of public notices issued pursuant to WAC 173-226-130 (1)(a), (2), (3)(a), and (4)(a) shall be mailed to any other federal, state, or local agency, Indian tribe, or any affected country, upon request. Such agencies shall have an opportunity to respond or comment on the draft general permit pursuant to WAC 173-226-130 (1)(b) and (3)(d).

NEW SECTION

WAC 173-226-150 Public hearings. (1) The department shall hold one or more public hearing(s) on all draft general permits. The public hearing shall be held during the public comment period provided pursuant to WAC 173-226-130 (3)(d).

(2) The date, time, and place will be at the discretion of the department provided:

(a) At least thirty days is provided between the time the public notice is published pursuant to WAC 173-226-130 (3)(a) and (c), and the time the hearing is held; and

(b) The hearing location is within the geographical area covered by the general permit.

(3) For new operations or for operations previously under permit for which an increase in volume or change in the character of the effluent has occurred only, any interested person may request a public hearing within thirty days of the last date of publication of the public notice required pursuant to WAC 173-226-130(5).

(a) All requests for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

(b) The department shall only consider issues regarding the general permits applicability or nonapplicability to the discharger when considering the need to hold a public hearing.

NEW SECTION

WAC 173-226-160 Public access to information. (1) In accordance with chapter 42.17 RCW and its published policy describing disclosure of public records, the department shall make identifiable public records relating to all general permits available to the public for inspection and copying.

(2) The department shall provide, upon request, the names and any other information submitted as part of an application for coverage under a general permit.

(3) The department shall add the name of any person, upon request, to a mailing list to receive copies of applications for coverage under a general permit.

(4) The department shall provide facilities for the inspection of information relating to general permits and

shall insure that employees honor requests for such inspection promptly without undue requirements or restrictions. The department shall either:

(a) Insure that a machine or device for the copying of papers and documents is available for a reasonable fee; or

(b) Otherwise provide for, or coordinate with copying facilities or services such that requests for copies of nonconfidential, identifiable public records be honored promptly.

(5) Pursuant to chapters 42.17, 43.21A, 70.105, and 90.52 RCW, the department shall protect any information (other than information on the effluent) contained in applications as confidential upon a showing by any person that such information, if made public, would divulge methods or processes entitled to protection as trade secrets of such person.

(6) Any information accorded confidential status, whether or not contained in an application form, shall be disclosed, upon request, to the regional administrator.

NEW SECTION

WAC 173-226-170 Issuance of general permits. (1) At the close of the public comment period required pursuant to WAC 173-226-130 (3)(d) the department shall prepare a response to all relevant comments received and shall briefly describe any changes, other than editing changes, and the principal reasons for making the changes to the draft general permit.

(2) General permits shall be deemed issued upon signing by the director or by a person delegated the authority to issue general permits pursuant to chapter 173-06 WAC.

(3) The department shall provide public notice of the issuance of all final general permits pursuant to WAC 173-226-130 (4)(a).

(4) General permits become effective thirty days after the date of publication in the State Register of the public notice required pursuant to WAC 173-226-130 (4)(a) unless a later date is specified by the department.

NEW SECTION

WAC 173-226-180 Compliance schedules. (1) The department may establish schedules and permit conditions as necessary to achieve compliance with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements contained in a general permit in any or all of the following ways:

(a) As a condition or schedule in a general permit;

(b) In an administrative order issued pursuant to chapter 90.48 RCW; and

(c) By any other method deemed appropriate by the department.

(2) Schedules of compliance shall reflect the shortest reasonable period of time necessary to achieve compliance consistent with the guidelines and requirements of the FWPCA.

(3) In any case where the period of time for compliance specified in subsection (1)(a) of this section exceeds one year, a schedule of compliance shall be specified that will set forth interim requirements and the dates for their achievement; however, in no event shall more than one year elapse between interim dates. If the time necessary for completion of the interim requirement (such as construction of a

treatment facility) is more than one year and is not readily divided into stages of completion, interim dates shall be specified for the submission of reports of progress toward completion of the interim requirement.

(4) Either before or up to fourteen days following each interim date and the final date of compliance, the permittee shall provide the department with written notice of the permittee's compliance or noncompliance with each interim or final requirement.

(5) If a permittee fails or refuses to comply with an interim or final requirement contained in a general permit, or as submitted as part of an application for coverage under a general permit, such noncompliance shall constitute a violation of the general permit for which the department may revoke coverage under the general permit or take direct enforcement action pursuant to chapter 90.48 RCW.

NEW SECTION

WAC 173-226-190 Appeals. (1) The terms and conditions of a general permit as they apply to the appropriate class of dischargers are subject to appeal within thirty days of issuance of a general permit in accordance with chapter 43.21B RCW.

(2) The terms and conditions of a general permit, as they apply to an individual discharger, are appealable, within thirty days of the effective date of coverage of that discharger, in accordance with chapter 43.21B RCW. This appeal is limited to the general permit's applicability or nonapplicability to that individual discharger.

(3) The appeal of general permit coverage of an individual discharger does not affect any other dischargers covered under the general permit. If the terms and conditions of a general permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to the department for consideration of issuance of an individual permit or permits.

NEW SECTION

WAC 173-226-200 Applications for coverage under a general permit. (1) Following the public notice by the department of the issuance of a general permit, or at an alternate date as designated by the department, all dischargers who desire to be covered under the general permit shall notify the department of that fact on a form prescribed by the department no later than the following, unless a shorter application period is allowed in the general permit under which coverage is requested:

(a) For existing operations, applications for coverage shall be submitted no later than ninety days after the issuance date of the general permit under which coverage is requested;

(b) For new operations, applications for coverage shall be submitted no later than one hundred eighty days prior to the commencement of the activity that may result in the discharge to waters of the state.

(2) Unless specified otherwise in the general permit under which coverage is requested or the department responds in writing, coverage of a discharger under a general permit will automatically commence on the later of the following:

(a) The effective date of the general permit;

(b) The thirty-first day following the end of the thirty-day comment period required by WAC 173-226-130(4);

(c) The thirty-first day following receipt by the department of a completed application for coverage under a general permit; or

(d) A date specified by the department in the general permit.

(3) All applications for coverage under a general permit shall:

(a) Contain information necessary for adequate program implementation;

(b) Contain the legal name and address of the owner or operator, the facility name and address, type of facility or discharges, and the receiving streams;

(c) Bear a certification of correctness;

(d) Be signed:

(i) In the case of corporations, by a responsible corporate officer.

(ii) In the case of a partnership, by a general partner.

(iii) In the case of sole proprietorship, by the proprietor.

(iv) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official; and

(e) Include any other information deemed relevant by the department.

(f) For new operations, or for operations for which an increase in volume of wastes or change in character of effluent is requested over that previously authorized, applications for coverage shall also contain:

(i) A certification by the applicant that the public notice requirements of WAC 173-226-130(5) have been met; and

(ii) A certification by the applicant that the applicable SEPA requirements under chapter 197-11 WAC have been met.

(4) The department shall develop an application form for each general permit and shall make the application form available during the draft general permit public notice period. The department shall provide the application form to the regional administrator along with the draft and final general permit as required in WAC 173-226-140.

(5) Any previously issued individual permit shall remain in effect until terminated in writing by the department, except that continuation of an expired individual permit, pursuant to WAC 173-220-180(5), shall terminate upon coverage by the general permit.

(6) Where the department has determined that a discharger should not be covered under a general permit, it shall respond in writing within sixty days of receipt of an application for coverage stating the reason(s) why coverage cannot become effective and any actions needed to be taken by the discharger in order for coverage under the general permit to become effective.

(7) When an individual permit is issued to a discharger otherwise subject to a general permit, the applicability of the general permit to that permittee is automatically terminated on the effective date of the individual permit.

(8) Coverage under a general permit for domestic wastewater facilities shall be issued only to a public entity, except in the following circumstances:

(a) Facilities existing or approved for construction with private operation on or before the effective date of this chapter, until such time as the facility is expanded; or

(b) Facilities that serve a single nonresidential, industrial, or commercial establishment. Commercial/industrial complexes serving multiple owners or tenants and multiple residential dwelling facilities, such as mobile home parks, apartments, and condominiums, are not considered single commercial establishments for the purpose of this subsection.

(9) Coverage under a general permit for domestic wastewater facilities that are owned by nonpublic entities and under contract to a public entity, shall be issued to the public entity.

NEW SECTION

WAC 173-226-210 Transfer of permit coverage.

Coverage under a general permit is automatically transferred to a new discharger if:

(1) A written, signed agreement between the old and new discharger containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the director; and

(2) The director does not notify the old and new discharger of the director's intent to revoke coverage under the general permit. If this notice is not given, the transfer is effective on the date specified in the agreement mentioned in subsection (1) of this section.

NEW SECTION

WAC 173-226-220 Duration and replacement of permits. (1) General permits shall be issued for fixed terms not exceeding five years from the effective date.

(2) All permittees covered under a general permit shall submit a new application for coverage under a general permit or an application for an individual permit at least one hundred eighty days prior to the expiration date of the general permit under which the permittee is covered.

(3) When a permittee has made timely and sufficient application for the renewal of coverage under a general permit, an expiring general permit remains in effect and enforceable until:

(a) The application has been denied;

(b) A replacement permit has been issued by the department; or

(c) The expired general permit has been canceled by the department.

(4) Coverage under an expired general permit for permittees who fail to submit a timely and sufficient application shall expire on the expiration date of the general permit.

NEW SECTION

WAC 173-226-230 Modification and revocation of general permits. (1) A general permit may be modified, revoked and reissued, or terminated, during its term for cause including, but not limited to, the following:

(a) A change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under the general permit;

(b) Effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or chapter 90.48 RCW,

for the category of dischargers covered under the general permit;

(c) A water quality management plan containing requirements applicable to the category of dischargers covered under the general permit is approved;

(d) Information is obtained which indicates that cumulative effects on the environment from dischargers covered under the general permit are unacceptable; or

(e) A toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the FWPCA for a toxic pollutant which is more stringent than any limitation upon such pollutant in the permit.

(2) In the event that the director has determined to modify or revoke, in whole or in part, a general permit pursuant to subsection (1) of this section the director shall notify, in writing, all dischargers covered under the general permit. The notification shall include:

(a) The reason(s) why the general permit is being revoked or modified;

(b) The process for appealing the determination pursuant to RCW 43.21B.310;

(c) An application form and a time limit for submitting the application; and

(d) Any other information determined to be relevant by the department.

NEW SECTION

WAC 173-226-240 Revocation of coverage under a general permit. (1) The director may terminate coverage under a general permit for cause. Cases where coverage under a general permit may be terminated include, but are not limited to, the following:

(a) Violation of any term or condition of the general permit;

(b) Obtaining coverage under a general permit by misrepresentation or failure to disclose fully all relevant facts;

(c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(d) A determination that the permitted activity endangers human health, safety, or the environment, or contributes to water or sediment quality standards violations;

(e) Incorporation of an approved local pretreatment program into a municipality's permit;

(f) Failure of the permittee to satisfy the public notice requirements of WAC 173-226-130(5);

(g) Failure or refusal of the permittee to allow entry as required in RCW 90.48.090; or

(h) Nonpayment of permit fees assessed pursuant to RCW 90.48.465.

(2) The director may require any discharger to apply for and obtain an individual permit, or to apply for and obtain coverage under another more specific general permit. In cases where the director requires any discharger to apply for an individual permit, or for another general permit, the discharger must be notified in writing that another permit is required. This notice shall include a statement of why another permit is being required, an application form, and a time limit for submitting the application.

(3) Any interested person may petition the director to require a discharger authorized by a general permit to apply for and obtain an individual permit.

(4) Any discharger authorized by a general permit may request to be excluded from coverage under a general permit by applying for an individual permit. The discharger shall submit to the director an application as described in WAC 173-220-040 with reasons supporting the request. The director shall either issue an individual permit or deny the request with a statement explaining the reason for denial.

(5) Where the department has determined that a discharger should no longer be covered under a general permit it shall notify the discharger in writing stating the reason(s) why coverage is no longer appropriate, and any actions required of the discharger in order for coverage under the general permit to remain effective.

(6) The discharger shall have thirty days to respond to any notification provided pursuant to subsection (5) of this section before coverage under a general permit shall be automatically revoked.

NEW SECTION

WAC 173-226-250 Enforcement. (1) The department, with the assistance of the attorney general, may sue in courts of competent jurisdiction to enjoin any threatened or continuing violations of any general permits or conditions thereof without the necessity of a prior revocation of coverage under the general permit.

(2) The department may enter any premises in which an effluent source is located or in which records are required to be kept under terms or conditions of a general permit, and otherwise be able to investigate, inspect, or monitor any suspected violations of water quality standards, or effluent standards and limitations, or of general permit terms or conditions thereof.

(3) The department may assess or, with the assistance of the attorney general, sue to recover in court, such civil fines, penalties, and other civil relief as may be appropriate for the violation by any person of:

(a) Any effluent standards and limitations or water quality standards;

(b) Any general permit or term or condition thereof;

(c) Any filing requirements;

(d) Any duty to permit or carry out inspection, entry, or monitoring activities; or

(e) Any rules, regulations, or orders issued by the department.

(4) The department may request the prosecuting attorney to seek criminal sanctions for the violation by such persons of:

(a) Any effluent standards and limitations or water quality standards;

(b) Any permit or term or condition thereof; or

(c) Any filing requirements.

(5) The department, with the assistance of the prosecuting attorney, may seek criminal sanctions against any person who knowingly makes any false statement, representation, or certification in any form or any notice or report required by the terms and conditions of any issued permit or knowingly renders inaccurate any monitoring device or method required to be maintained by the department.

WSR 92-21-024
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 92-14—Filed October 13, 1992, 3:58 p.m.]

Date of Adoption: October 13, 1992.

Purpose: To amend WAC 392-145-030 so it is not in conflict with RCW 46.61.370.

Citation of Existing Rules Affected by this Order: Amending WAC 392-145-030(5).

Statutory Authority for Adoption: RCW 46.61.380.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The addition of the words, "on the roadway" needs to be added to WAC 392-145-030(5) so that the WAC is consistent with RCW 46.61.370. Our rules must accurately require school bus drivers to follow state laws for the safety of students while loading and unloading.

Effective Date of Rule: Immediately.

October 13, 1992
 Judith A. Billings
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 45, filed 2/26/91, effective 3/29/91)

WAC 392-145-030 Additional rules for school bus drivers. (1) All school buses shall stop at all railroad crossings except:

(a) Where traffic is controlled by a police officer or duly authorized flagman;

(b) Where traffic is regulated by a traffic control signal;

(c) Where traffic is protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;

(d) Where an official traffic control device gives notice that the stopping requirements do not apply.

(2) The driver shall open the door to listen for approaching trains and shall not proceed until the door is closed, visibility is clear, and the bus can proceed with safety. Drivers shall not change gears while the bus is crossing a railroad track.

(3) No bus shall stop on a curve or a hill where visibility is not at least 500 feet. If it is impossible to secure a distance of at least 500 feet for a bus stop, the school authorities, the state patrol and the traffic engineering department of the jurisdiction responsible for the roadway shall be advised and the stop shall be changed or proper signs installed.

(4) All changes in the direction of a school bus shall be indicated by the use of electrical directional signals on the bus.

(5) Prior to stopping the school bus on the roadway for the purpose of receiving or discharging passengers, school bus drivers shall activate the alternating amber flashing

warning lamps by means of a master sequencing switch. The driver shall activate the amber warning lamps:

(a) No less than 100 feet and no more than 300 feet from the bus stop where the posted speed limit is 35 miles per hour or less; and

(b) No less than 300 feet and no more than 500 feet from the bus stop where the posted speed limit is more than 35 miles per hour.

(6) No school bus shall pull over to the left-hand side of the road to load or unload.

(7) The stop sign and red, alternately flashing lamps shall be displayed whenever a school bus is stopped on the roadway to receive or discharge school children.

(8) Whenever school children have to cross the roadway, the school bus shall stop on the roadway and display the stop sign and red, alternately flashing lamps. A school bus driver shall not allow school children to cross any roadway having three or more marked traffic lanes or any highway divided into separate roadways as provided in RCW 46.61.150.

(9) The stop sign and red, alternately flashing lamps on a school bus shall not be used to indicate that the bus is going to stop.

(10) Amber, simultaneously flashing hazard warning lamps shall be activated whenever a school bus is stopped off the roadway to receive or discharge school children.

(11) School bus drivers shall proceed with caution when passing or meeting a school bus but are not required to come to a stop unless the school bus stop sign and red flashing lights of the other bus are displayed.

(12) In order to lessen the potential for collisions, school bus drivers may use 4-way hazard warning lights within 500 feet prior to stopping for a railroad crossing or where a special hazard exists such as dense traffic conditions or adverse weather conditions, or where the necessary school bus speed is substantially below the posted speed limit. This procedure shall be used only on buses equipped with amber 4-way hazard warning lights on the front and rear of the school bus.

WSR 92-21-028
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 92-127—Filed October 14, 1992, 4:04 p.m., effective October 15, 1992, 6:00p.m.]

Date of Adoption: October 14, 1992.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-40-027.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon

adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of chum salmon are available.

Effective Date of Rule: October 15, 1992, at 6:00 p.m.
October 14, 1992
Judith Freeman
Acting Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-40-02700F Willapa Bay salmon — Fall fishery. Notwithstanding the provisions of WAC 220-40-027, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

FISHING PERIOD

(1) Gill net gear may be used to fish for salmon from: 6:00 p.m. October 15, 1992 to 6:00 p.m. October 17, 1992, 6:00 p.m. October 19, 1992 to 6:00 p.m. October 21, 1992, 6:00 p.m. October 23, 1992 to 6:00 p.m. October 25, 1992, and 6:00 p.m. October 27, 1992 to 6:00 p.m. October 29, 1992 in SMCRA 2J, 2K, 2M and that part of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy 10 and west of Willapa River Channel Marker 24;

(2) The Tokeland Boat Basin is closed to commercial fishing during the openings in SMCRA 2G described in this section. The Tokeland Boat Basin means that portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall and on the north and east by a line from the Tokeland Channel Marker "3" (flashing green, 4-second) to Tokeland Channel Marker "4" to the tip of the seawall.

GEAR

(3) Gill net gear shall be used as provided in WAC 220-40-015, except that there is no maximum mesh size.

WSR 92-21-029

EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 92-128—Filed October 14, 1992, 4:06 p.m., effective October 26, 1992, 6:00 a.m.]

Date of Adoption: October 14, 1992.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-32-057.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of sturgeon are available in Area 1F and these rules are adopted

to conform with regulations adopted by the treaty tribes to harvest their allotment of available sturgeon in Area 1F.

Effective Date of Rule: October 26, 1992, at 6:00 a.m.
October 14, 1992
Judith Freeman
Acting Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-32-05700M Columbia River sturgeon seasons above Bonneville. (1) Notwithstanding the provisions of WAC 220-32-057, it is unlawful for a person to take sturgeon with set line gear or to possess sturgeon taken with set line gear for commercial purposes from Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, except that those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish for sturgeon in **Area 1F** using set line gear from **6:00 a.m. October 26, 1992 to 6:00 p.m. November 30, 1992.**

(2) During the season specified in section 1, it is unlawful:

(a) To retain for commercial purposes sturgeon less than 48 inches or greater than 72 inches in length.

(b) To remove the head or tail from a sturgeon prior to its sale to a wholesale dealer licensed under RCW 75.28.300.

(c) To sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of the sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300.

(3) During the season specified in section 1, it shall be unlawful to use set line gear:

(a) With more than 100 hooks per set line;

(b) With hooks less than the minimum size of 9/0;

(c) With treble hooks; or

(d) Without visible buoys attached and with buoys that do not specify operator and tribal identification.

(4) Notwithstanding the provisions of WAC 220-22-010, during the season specified in section 1:

(a) Area 1F (Bonneville Pool) includes those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids.

(b) Area 1G (Dalles Pool) includes those waters of the Columbia River upstream from a line drawn between a point one mile above the fishway exit on the Washington shore and a point one mile above the fishway exit on the Oregon shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H (John Day Pool) includes those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 92-21-030
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 92-129—Filed October 14, 1992, 4:10 p.m.]

Date of Adoption: October 14, 1992.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 220-57-335 and 220-57-510.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Unusual low water conditions necessitate recreational fishery restrictions to ensure orderly fisheries and address hatchery escapement needs.

Effective Date of Rule: Immediately.

October 14, 1992
 Judith Freeman
 Acting Deputy
 for Robert Turner
 Director

NEW SECTION

WAC 220-57-33500F Naselle River Notwithstanding the provisions of WAC 220-57-335, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from those waters of the Naselle River from the Big Hill Bridge downstream to the Highway 4 Bridge.

NEW SECTION

WAC 220-57-51000H Willapa River Notwithstanding the provisions of WAC 220-57-510, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from those waters of the Willapa River from the mouth of Fork Creek downstream to the Highway 6 Bridge, approximately 2 miles below the mouth of Trap Creek.

WSR 92-21-037
EMERGENCY RULES
DEPARTMENT OF HEALTH
 [Order 310—Filed October 15, 1992, 2:53 p.m.]

Date of Adoption: October 8, 1992.

Purpose: Amendment establishes a per licensee fee to fund the impaired practical nurse program.

Citation of Existing Rules Affected by this Order:
 Amending WAC 246-838-990 Practical nurse fees.

Statutory Authority for Adoption: RCW 43.70.250.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time

requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: It is imperative that the amendment be implemented as soon as possible to establish a funding base to allow continued access to the substance abuse monitoring program as a alternative to the traditional administrative proceedings. The impaired practical nurse program allows nurses to be treated so that they can return or continue to practice their profession in a way that safeguards the public.

Effective Date of Rule: Immediately.

October 8, 1992
 Kristine M. Gebbie
 Secretary

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-838-990 Practical nurse fees. The following fees shall be charged by the professional licensing division of the department of health:

| Title of fee | FEE |
|---|---------|
| Application (examination and reexamination) | \$65.00 |
| License renewal | 35.00 |
| <u>Impaired practical nurse assessment</u> | 4.00 |
| Late renewal penalty | 35.00 |
| Inactive renewal | 20.00 |
| Inactive late renewal penalty | 20.00 |
| Endorsement - reciprocity | 65.00 |
| Duplicate license | 20.00 |
| Certification | 40.00 |
| Interim permits | 15.00 |

WSR 92-21-040
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
 (Water Resources Program)
 [Filed October 16, 1992, 8:58 a.m.]

Date of Adoption: October 16, 1992.

Purpose: This emergency rule establishes a new chapter to withdraw from appropriation the unappropriated waters of the Snake River main stem, with certain specified exceptions, and to direct the disposition of pending and future water right applications.

Statutory Authority for Adoption: Chapters 34.05, 43.21A, 43.27A, 90.03, 90.44, and 90.54 RCW.

Other Authority: Chapter 173-500 WAC.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time

EMERGENCY

requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The department has determined that it is lacking sufficient information to determine whether water is available for further appropriation and whether the public interest will be impaired by such appropriation. The proposed rule is needed immediately to provide notice to the public that water right applications will not be acted upon until sufficient information is available to make water right decisions. Additionally, the United States has listed Snake River sockeye salmon as an endangered species, resulting in the need for immediate action by the state.

Effective Date of Rule: Immediately.

October 16, 1992

Carol Jolly

Special Assistant

**Chapter 173-564 WAC
WATER RESOURCES MANAGEMENT PROGRAM
FOR THE MAIN STEM OF THE SNAKE RIVER IN
WASHINGTON STATE**

NEW SECTION

WAC 173-564-010 Background and purpose. The Snake River is an interstate river with waters subject to laws of five states and the federal government. The flows and levels of the river in Washington state are heavily influenced by the operation of federally owned and federally licensed dams located upstream from Washington and within Washington, as well as by water diversions in the various states. The waters of the river support extensive irrigation, navigation, municipal, industrial, and power generation uses as well as nationally significant anadromous fish runs. These fish runs require for their survival clean, flowing water assured by minimum flows and special actions by all agencies sharing in the management of the river.

The department of ecology of the state of Washington recognizes that, under our federal constitutional system, regulatory power over the Snake River is shared between the United States and the states and that by various federal actions the state's powers may in some cases be superseded through the mandates of the Supremacy Clause of the United States Constitution.

This chapter is adopted to promote the proper utilization of the water resources of the Snake River and to protect and insure the viability of the instream resource values associated with the main stem of the river in the future.

NEW SECTION

WAC 173-564-020 Authority. These rules are adopted under the authority of chapters 34.05, 43.21A, 43.27A, 90.03, 90.44, and 90.54 RCW, and in relation to chapter 173-500 WAC.

NEW SECTION

WAC 173-564-030 Applicability. (1) This chapter applies to public surface waters of the main stem of the Snake River in Washington and to any ground water where the ground water is determined by the department of ecology to be part of or tributary to the surface waters of the main stem of the Snake River. For purposes of this chapter, the main stem of the Snake River extends from the Idaho, Oregon and Washington border, in the extreme southeastern corner of the state of Washington, at river mile 175, to the confluence with the Columbia River near Pasco, Washington at river mile 0.

(2) Nothing in this chapter shall affect existing water rights, riparian, appropriative, or otherwise, existing on the effective date of this chapter, including existing water right permits and certificates.

NEW SECTION

WAC 173-564-040 Withdrawal of unappropriated waters. (1) New information and changing conditions place into question whether sufficient information and data is available for making sound decisions on water availability and the public interest for additional appropriations from the main stem of the Snake River. These changing conditions include the listing on December 20, 1991 of Snake River sockeye salmon as endangered and the May 17, 1992, listing of Snake River spring/summer and fall chinook salmon as threatened under the Federal Endangered Species Act and related federal, regional, and state activities to assure the protection of Columbia basin salmon runs.

(2) Pursuant to subsection (1) of this section, the waters of the main stem of the Snake River that are unappropriated by water rights for which applications were accepted for filing by the department prior to December 20, 1991, are withdrawn from further appropriation, except that the department may issue a permit to withdraw water for:

(a) Nonrecurring temporary projects of no more than four months duration; and

(b) Nonconsumptive uses which, for the purposes of this section, are defined as uses where:

(i) There is no diversion from the water source; or

(ii) The water is diverted and returned immediately to the source at the point of diversion following its use, in the same quantity as diverted and meeting water quality standards for the source.

(3) All water right applications which the department accepted for filing prior to December 20, 1991, for diversion or pumping of surface water from the main stem of the Snake River, or for withdrawal of ground water which is part of or tributary to the main stem of the Snake River, shall be processed in accordance with existing policies and procedures and are not subject to this withdrawal of waters.

(4) With the exceptions specified in subsection (2) of this section, all water right applications which the department accepted for filing on or after December 20, 1991, for diversion or pumping of surface water from the main stem of the Snake River, or for withdrawal of ground water which is part of or tributary to the main stem of the Snake River where such withdrawal requires a permit under RCW 90.44.050, are subject to this withdrawal of waters and will

be acted upon, without loss of priority date, after the expiration of the withdrawal of waters.

(5) The department shall inform applicants of the status of their applications under this section.

(6) This section will expire on June 30, 1994, or upon further amendment of the chapter, whichever occurs first.

WSR 92-21-041
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
(Water Resources Program)
[Filed October 16, 1992, 9:00 a.m.]

Date of Adoption: October 16, 1992.

Purpose: This emergency rule amends chapter 173-563 WAC adding a section to withdraw from appropriation the unappropriated waters of the Columbia River main stem, with certain specified exceptions, and to direct the disposition of pending and future water right applications.

Citation of Existing Rules Affected by this Order: Amending chapter 173-563 WAC.

Statutory Authority for Adoption: Chapters 34.05, 43.21A, 43.27A, 90.03, 90.44, and 90.54 RCW.

Other Authority: Chapter 173-500 WAC and WAC 173-563-075.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The department has determined that it is lacking sufficient information to determine whether water is available for further appropriation and whether the public interest will be impaired by such appropriation. The proposed rule is needed immediately to provide notice to the public that water right applications will not be acted upon until sufficient information is available to make water right decisions. Additionally, the United States has listed Snake River sockeye salmon as an endangered species, resulting in the need for immediate action by the state.

Effective Date of Rule: Immediately.

October 16, 1992
Carol Jolly
Special Assistant

NEW SECTION

WAC 173-563-015 Withdrawal of unappropriated waters. (1) New information and changing conditions place into question whether sufficient information and data is available for making sound decisions on water availability and the public interest for additional appropriations from the main stem of the Columbia River. These changing conditions include the listing on December 20, 1991, of Snake River sockeye salmon as endangered and the May 17, 1992, listing of Snake River spring/summer and fall chinook salmon as threatened under the Federal Endangered Species

Act and related federal, regional, and state activities to assure the protection of Columbia basin salmon runs.

(2) Pursuant to subsection (1) of this section, the waters of the main stem of the Columbia River that are unappropriated by water rights for which applications were accepted for filing by the department prior to December 20, 1991, are withdrawn from further appropriation, except that the department may issue a permit to withdraw water for:

(a) Applications filed by the United States for uses of water withdrawn under chapter 90.40 RCW;

(b) Nonrecurring temporary projects of no more than four months duration; and

(c) Nonconsumptive uses which, for the purposes of this section, are defined as uses where:

(i) There is no diversion from the water source; or

(ii) The water is diverted and returned immediately to the source at the point of diversion following its use, in the same quantity as diverted and meeting water quality standards for the source.

(3) All water right applications which the department accepted for filing prior to December 20, 1991, for diversion or pumping of surface water from the main stem of the Columbia River, or for withdrawal of ground water which is part of or tributary to the main stem of the Columbia River, shall be processed in accordance with existing policies and procedures and are not subject to this withdrawal of waters.

(4) With the exceptions specified in subsection (2) of this section, all water right applications which the department accepted for filing on or after December 20, 1991, for diversion or pumping of surface water from the main stem of the Columbia River, or for withdrawal of ground water which is part of or tributary to the main stem of the Columbia River where such withdrawal requires a permit under RCW 90.44.050, are subject to this withdrawal of waters and will be acted upon, without loss of priority date, after the expiration of the withdrawal of waters.

(5) The department shall inform applicants of the status of their applications under this section.

(6) This section will expire on June 30, 1994, or upon further amendment of the chapter, whichever occurs first.

WSR 92-21-051
EMERGENCY RULES
WILDLIFE COMMISSION
[Order 573—Filed October 16, 1992, 4:45 p.m.]

Date of Adoption: October 16, 1992.

Purpose: To identify deleterious exotic wildlife and restrict their importation, possession, propagation, sale, transfer and/or release.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-017.

Statutory Authority for Adoption: RCW 77.12.020 and 77.12.040.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon

adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The director of the Department of Wildlife and the commission have found the additional species of animals to be dangerous to the environment and/or the wildlife of the state. An immediate restriction on further importation, possession, propagation, sale, release, and transfer is necessary to prevent harm to the environment and/or wildlife of the state. The presence of deleterious exotic wildlife in the state creates the following threats to native wildlife and public health and welfare: Introduction of disease and parasites, such as tuberculosis, brucellosis, and meningial worm, into resident wildlife populations; hybridization of exotic animals with resident wildlife and resulting genetic pollution; and habitat degradation or direct competition with resident wildlife. Public health and safety is threatened by the spread of tuberculosis and the importation of certain exotic species. The magnitude of each of these threats increases with time and any unregulated increase in the number of exotic animals. In the absence of these emergency regulations, there is currently no ability in the state to control the activities associated with the commercial farming of exotic species. This emergency rule will serve to protect native wildlife and public welfare until a permanent rule can be promulgated.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This emergency rule is related to, but not identical or substantially similar to, a previous emergency rule adopted on June 19, 1992, and published in the State Register as WSR 92-14-015. Changed conditions, such as interim litigation, proposed rule adoption by the Department of Agriculture and additional information regarding the location and number of exotic species, and threats posed by these animals, necessitate the adoption of this emergency rule.

Effective Date of Rule: Immediately.

October 16, 1992
Ray Ryan
Deputy Director
for Dean A. Lydig
Chair

AMENDATORY SECTION (Amending Order 482, filed 1/17/91)

WAC 232-12-017 Deleterious exotic wildlife.

~~((Deleterious exotic wildlife includes:))~~

(1) ~~((Fish))~~ The following animals are hereby designated as deleterious exotic wildlife:

(a) Fish

~~((a))~~ (i) In the family Claridae, (walking catfish) all members of the family.

~~((b))~~ (ii) In the family ~~((Cyprinidae))~~ Cyprinidae, (Diploid Grass carp,) Ctenopharyngodon idella

~~((c))~~ (iii) In the family Amiidae, (bowfin, mudfish or grannel) Amia calva

~~((d))~~ (iv) In the family Characidae, the piranha (also pirameba, caribe, pira, piraya, chupita, rodoleira, palometa), all species of the genera Serrasalmus, Rooseveltiella and Pygocentrus

~~((e))~~ (v) In the family Cyprinidae, the rudd (Scadinus erythrophthalmus) and Ide (silver orfe or golden orfe (leuciscus idus))

~~((f))~~ (vi) In the family Lepiosteidae, the gar-pikes

~~((g))~~ (vii) In the family Channidae, the snakeheads (China fish) and all forms of the genus Channa (Ophicephalus)

~~((2))~~ (b) Amphibians

~~((a))~~ (i) In the family Pipidae, the African clawed frog (Xenopus laevis)

~~((3))~~ (c) Birds

~~((a))~~ (i) In the family Anatidae, the mute swan (Cygnus olor)

~~((4))~~ (d) Mammals

~~((a))~~ (i) In the family Viverridae, the mongoose (all members of the genus Herpestes)

~~((b))~~ (ii) In the family Suidae, the wild boar, (Sus scrofa and all wild hybrids)

~~((e))~~ (iii) In the family Tayassuidae, the collared peccary (Javelina) (Tayassu tajacu)

~~((d))~~ (iv) In the family Bovidae, all members and hybrids of the following genera - Rupicapra (Chamois); Hemitragus (Tahr); Capra (goats, ibexes except domestic goat Capra hircus); Ammotragus (Barbary sheep or Oudad); and Ovis ~~((only))~~ mouflon species - Ovis musimon except domestic sheep, Ovis aries; Reedbucks (all members of the Genus Redunca); Oryx and Gemsbok (all members of the Genus Oryx); Addax (Addax nasomaculatus); Sassabies (all members of the Genus Damaliscus); Hartebeest (Alcelaphus buselaphus); Wildebeests (all members of the Genus Connochaetes); Blackbuck antelope (Antelope cervicapra); Markhor (Capra falconeri); and Marcopolo sheep (Ovis ammon)

~~((e))~~ (v) In the family Cervidae, the european red deer (Cervus elaphus elaphus), all nonnative subspecies of Cervus elaphus, and all hybrids with North American elk; Fallow deer (Dama dama), Axis deer (Axis axis), Rusa deer or Sambar deer (Cervus unicolor, Cervus timorensis, Cervus mariannus and Cervus alfredi), and Sika deer (Cervus Nippon).

~~((5))~~ (2) It is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of deleterious exotic wildlife, their gametes and/or embryo, except as provided under ~~((6))~~ (3), (4), or ~~((7))~~ (5) ~~((below))~~ or (6).

~~((6))~~ (3) Scientific research or display: The director may authorize, by written approval, a person to import into the state, hold, ~~((f))~~ possess, and propagate live specimens of deleterious exotic wildlife for scientific research or for display by zoos or aquariums who are accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA) provided:

(a) The specimens are confined to a secure facility,

(b) The specimens will not be transferred to any other location, except to and by other AAZPA accredited facilities with written director approval,

(c) The specimens will be euthanized and all parts incinerated at the end of the project, except federally listed endangered or threatened species may be transferred to AAZPA facilities with written director approval, and

(d) The person will keep such records on the specimens and make such reports as the director may require.

~~((7))~~ (4) Retention or disposal of existing specimens lawfully in captivity prior to January 18, 1991: A person holding exotic wildlife specimens in captivity which ~~((are))~~ were classified by the Wildlife Commission as deleterious exotic wildlife on or before January 18, 1991 may retain the specimens of such deleterious exotic wildlife he/she lawfully ~~((possesses))~~ possessed prior to January 18, 1991 provided:

(a) The person ~~((reports))~~ reported to the director in writing ~~((by March 18, 1991))~~ the species, number and location of the specimens as required by the existing regulations,

(b) The specimens are confined to a secure facility at the location reported, ~~((and))~~

(c) Live specimens are not propagated, except at AAZPA facilities with the written permission of the director ~~((, sold, transferred, or released, except for transfer or sale to locations outside the state of Washington, except federally listed endangered or threatened species may be transferred to AAZPA facilities with written director approval.)),~~

(d) Live specimens are not released,

(e) Live specimens are not sold or transferred except:

(i) Live specimens in lawful possession prior to January 18, 1991, may be permanently removed from the state of Washington pursuant to sale or gratuitous transfer, or transported directly to slaughter where in accordance with other applicable law,

(ii) Federally listed endangered or threatened species may be transferred to AAZPA facilities with written approval of the director,

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided all other requirements are satisfied and the total number of locations where animals are held is not increased, and

(f) Escapes of deleterious exotic wildlife are reported immediately to the department.

(5) Retention or disposal of existing specimens lawfully in captivity prior to June 20, 1992: A person holding exotic wildlife specimens in captivity which are classified by the Wildlife Commission as deleterious exotic wildlife by operation of this emergency rule (in the family Bovidae, Reedbucks (all members of the Genus Redunca), Oryx and Gemsbok (all members of the Genus Oryx), Addax (Addax nasomaculatus), Sassabies (all members of the Genus Damaliscus), Hartebeest (Alcelaphus buselaphus), Wildebeests (all members of the Genus Connochaetes), Blackbuck antelope (Antilope cervicapra), Markhor (Capra falconeri), and Marcopolo sheep (Ovis ammon); in the family Cervidae, Fallow deer (Dama dama), Axis deer (Axis axis), Sika deer (Cervus nippon), Rusa deer or Sambar deer (Cervus unicolor, Cervus timorensis, Cervus mariannus and Cervus alfredi)), may retain and propagate the specimens of such deleterious exotic wildlife he/she lawfully possessed prior to June 20, 1992, provided:

(a) The person reported to the director in writing by July 31, 1992, and reports annually thereafter, or as otherwise required by the director, the species, number, and location of such specimens,

(b) The specimens are confined to a secure facility at the location reported,

(c) Live specimens are not released,

(d) Live specimens are not sold or transferred except:

(i) Live specimens in lawful possession prior to June 20, 1992 and the progeny thereof may be permanently removed from the state of Washington pursuant to sale or gratuitous transfer, or transported directly to slaughter where in accordance with other applicable law,

(ii) Federally listed endangered or threatened species may be transferred to AAZPA facilities with written approval of the director,

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided all other requirements are satisfied and the total number of locations where animals are held is not increased, and

(e) Escapes of deleterious exotic wildlife are reported immediately to the department.

(6) Notwithstanding the provisions of Subsection (2); Fallow deer (Dama dama) may be imported into the state, held, possessed, propagated, offered for sale, sold, and/or transferred provided:

(a) An official interstate health certificate or certificate of veterinary inspection stating that all listed animals are free from clinical symptoms of infectious or communicable disease shall be prepared prior to entry into the state of Washington, and issued by an accredited veterinarian licensed in the state of origin and shall contain the following:

(i) Common and scientific name(s) of the animals.

(ii) Number of animals.

(iii) Appropriate description of animals by criteria such as sex, age, weight, coloration.

(iv) Permanent individual animal identification.

(v) Date of anticipated shipment.

(vi) Name and address of consignor and consignee.

(vii) Origin of shipment.

(viii) Signature of veterinarian and owner or agent.

(ix) Permit number issued by the Washington state veterinarian, and

(b) The following tests or qualifications shall be performed by a licensed and accredited veterinarian prior to entry of the live specimens into the state of Washington:

(i) Brucellosis (Brucella abortus) The interpretation of brucellosis test results shall be held by the Washington state veterinarian. Serologic testing must be conducted in accordance with state/federal brucellosis protocol within thirty days prior to entry for animals over six months of age.

(ii) Tuberculosis. (Mycobacterium bovis and mycobacterium tuberculosis) A skin test or other approved test must be conducted in accordance with federal tuberculosis protocols within thirty days prior to entry into Washington. Animals under six months of age that are nursing negative tested dams may be excluded from the test requirements.

(A) Specimens must be from herds not known to be infected with or exposed to tuberculosis and comply with the following Mycobacterium bovis testing requirements:

(1) Be negative to 0.1 ml single cervical tuberculin test within thirty days prior to importation and originate from a herd which has had a negative complete herd test within twelve (12) months or as otherwise required by the director of all eligible animals using the 0.1 ml single cervical test and all additions to the herd have been tested negative by the same test procedure; or

(2) For accredited institutional members of AAZPA, specimens must be negative to a 0.1 ml single cervical tuberculin test within thirty days prior to importation and be confined at the destination for at least ninety days after arrival and retested for M. bovis after the confinement period using the 0.1 ml single cervical test. Testing and confinement under this subsection will be allowed only where the director can be assured of the negative tuberculosis status of the herd by methods other than by those in subsection (1).

(B) Animals that show positive reaction on a skin test may be tested by additional approved skin tests, microbiological cultures, radiographs or serology to fully assess the status in regard to tuberculosis and to confirm or deny the possibility of a false positive reading of the skin test. Final decision on the tuberculosis classification status of such animals will be made by the Washington State Veterinarian.

(iii) Pseudorabies: Specimens shall have tested negative within thirty days of import and held in quarantine for thirty to sixty days pending retest post entry.

(iv) Elaphostrongylinae: Parellostrongylus tenvis (meningeal worm) and Elaphostrongylus cervis (muscle worm).

All animals must be examined prior to entry into Washington state for Elaphostrongylinae infection in the absence of anthelmintic treatment that could mask detection of the parasite.

(A) Animals which have resided at any time east of a line drawn through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and the 100th Meridian where it passes through Texas or have had contact with or shared common ground with animals east of such line shall not be imported into the state of Washington, unless specifically authorized in writing by the Directors of the Department of Agriculture and the Department of Wildlife.

(B) Animals which have resided for at least six months west of a line through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and the 100th Meridian where it passes through Texas must have a negative fecal exam for dorsal-spined larvae made by an approved laboratory using the Baermann technique. Animals tested shall be certified to have not been treated with or exposed to anthelmintics, including ivermectin (IVOMEC R) for at least thirty days prior to testing.

(C) Animals which have resided for less than six months west of a line through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and the 100th Meridian where it passes through Texas or from east of that line shall be held in preentry quarantine for thirty to sixty days and two fecal tests for dorsal-spined larvae made by an approved laboratory using the Baermann technique. The first test must be conducted at least thirty days and not more than forty days before the second test. During this period, which shall be at least thirty days, test animals must be held in quarantine and isolated from all other cervidae not included in the shipment. Animals so tested shall be certified to have not been treated with or exposed to anthelmintics including ivermectin (IVOMEC R) during the time period beginning at least thirty days before the first fecal test and extending to at least one hundred eighty days after importation. Fecal samples of at least

thirty grams per sample are to be collected by an accredited veterinarian from the rectum and identified to the animal by the official animal identification number. If any animal tests positive to either of the two fecal tests, none of the consignment may be imported into Washington.

(D) Post entry animals must be held for one hundred eighty days in on-site quarantine and they must be available for inspection during this time. Thirty, sixty, ninety, one hundred twenty, one hundred fifty, and one hundred eighty days after arrival, fecal samples must be tested by the Baermann technique in an approved laboratory and found negative for dorsal-spined larvae; animals that test positive must be removed from the state or destroyed.

(E) The quarantine site must be prepared and inspected prior to the entrance of the imported animals to prevent the presence of the gastropod intermediate hosts of Elaphostrongylinae larvae by:

1. Keeping the animals on a hard surface, such as asphalt or concrete; or

2. Spraying a four-meter wide tract around the perimeter of the holding compound with an EPA registered molluscicide and also spraying within the quarantine area. The perimeter tract has to be treated once every five days and within twenty-four hours of precipitation (10 mm or more) to ensure the gastropod population is kept to zero within the compound.

(c) No specimens affected with any infectious or communicable disease shall be imported into the state unless in compliance with all applicable laws and regulations and unless written permission is obtained from the directors of the Department of Agriculture and the Department of Wildlife.

(d) The specimens are confined to a secure facility.

(7) Escaped Animals: Escaped deleterious exotic wildlife, including Fallow deer (Dama dama), will be considered a public nuisance. The department or any peace officer may seize, capture, or destroy deleterious exotic wildlife that have escaped the possessor's control. The former possessor shall be responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(8) Secure Facility: For the purposes of this rule a "secure facility" is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of the animals contained therein or ingress of or contact with resident wildlife. The adequacy of the facility shall be determined by the director or agents of the director, in their sole discretion.

(9) Persons legally possessing deleterious exotic wildlife must notify the director within ten days of any change of address or location of the holding facility, and any transfer or sale of live specimens in possession allowed hereunder.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 92-21-052
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
 [Order 572—Filed October 16, 1992, 4:47 p.m.]

Date of Adoption: October 16, 1992.

Purpose: To identify and designate certain wildlife species and restrict their importation, possession, propagation, sale, transfer and/or release.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-021 and 232-12-064.

Statutory Authority for Adoption: RCW 77.12.030.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The director and commission have found that the importation, possession, sale, release and/or transfer within the state of the listed species, pose a serious threat to public welfare and the health of native wildlife. The presence of these animals in the state creates the following threats to native wildlife and public health and welfare: Introduction of disease and parasites, such as tuberculosis, brucellosis, and meningeal worm, into resident wildlife populations; hybridization with resident wildlife and resulting genetic pollution; habitat degradation or direct competition with resident wildlife; and the potential for wildlife law enforcement problems due to forensic inability to distinguish imported wildlife from resident wildlife. The magnitude of each of these threats increases with time and any unregulated increase in the number of subject animals. In the absence of these emergency regulations, there is currently no ability in the state to control the activities associated with the commercial farming of wildlife species. This emergency rule will serve to protect native wildlife and public health and welfare until a permanent rule can be promulgated.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This emergency rule is related to a previous emergency rule adopted on June 19, 1992, and published in the State Register as WSR 92-14-014. The Department of Wildlife has filed a notice of intent to adopt this rule as a proposed permanent rule, and is actively undertaking the appropriate procedures to adopt the rule as a proposed permanent rule.

Effective Date of Rule: Immediately.

October 16, 1992

Ray Ryan
 Deputy Director
 for Curt Smith
 Director

AMENDATORY SECTION (Amending Order 177, filed 1/28/82)

WAC 232-12-021 (~~Import~~) **Importation and retention of dead nonresident wildlife.** It is unlawful:

(1) To import or possess dead wildlife, taken in another state or country, into Washington unless ~~(the)~~ such wildlife was acquired lawfully. Proof of lawful acquisition must be

retained during the period of retention of the carcass or edible parts.

(2) For a person who imports a dead mountain sheep, mountain goat, cougar or bear to fail to report such importation to the department in writing within ten days of the importation. The report must contain the name and address of the importer, the location where the dead wildlife is being ~~(held)~~ stored and general information describing where and how the wildlife was obtained.

AMENDATORY SECTION (Amending Order 243, filed 4/5/85)

WAC 232-12-064 Live wildlife. Taking from the wild, importation, possession, transfer, holding in captivity.

(1) It is unlawful to take live wild animals, wild birds, or game fish from the wild without a permit provided for by rule of the commission.

(2) Notwithstanding the provisions of WAC 232-12-027(1) and WAC 232-12-067, it is unlawful to import into the state, hold, possess, offer for sale, sell, transfer, or release live specimens of wildlife listed in this subsection, their gametes and/or embryo, except as provided under subsections (9) or (10) below:

In the family Cervidae, all of the following species:
Roosevelt and Rocky Mountain elk Cervus elaphus
Mule deer and Black-tailed deer Odocoileus hemionus
White-tailed deer Odocoileus virginianus
Moose Alces alces

~~((2))~~ (3) It is unlawful to import into the state or to hold live wildlife which were taken, held, possessed or transported contrary to federal or state law, local ordinance or commission rule. Live wild animals, wild birds or game fish shall not be brought into the state without first presenting veterinarian or fish pathologist certification to the department that the wildlife is disease free and that the area from which acquired has no history of wildlife disease which may pose a risk to wildlife in this state. Proof of lawful importation must be produced for inspection on request of a department employee.

~~((3))~~ (4) It is unlawful to possess or hold in captivity live wild animals, wild birds, or game fish unless lawfully acquired and possessed. Proof of lawful acquisition and possession must be produced for inspection on request of a department employee. Such proof shall contain: (1) Species; (2) age and sex of animal; (3) origin of animal; (4) name of receiving party; (5) source-name and address; (6) invoice/statement date; and (7) documentation of prior transfers.

~~((4))~~ (5) Wildlife held in captivity which becomes diseased must immediately be placed under the professional care of a licensed veterinarian or certified fish pathologist, and such incident reported immediately to the department by the owner. If diseased wildlife present a threat to the wildlife of the state, the director may order such actions as necessary, including quarantine or destruction of stock, sterilization of enclosures and facilities, cessation of activities and disposal of the wildlife in a manner satisfactory to the department.

EMERGENCY

~~((5))~~ (6) Live wild animals, wild birds or game fish held in captivity or their progeny or parts thereof may not be sold or otherwise commercialized on except as provided by rule of the commission.

~~((6))~~ (7) No wildlife shall be released from captivity except as provided in WAC 232-12-271, except that it is lawful to return to the waters from which caught, game fish caught and subsequently kept alive on stringers, in live wells or other containers while fishing. The release of fish into any waters of the state, including private, natural or man-made ponds requires a fish planting permit.

~~((7))~~ (8) All live wildlife possessed or held in captivity, and the area where held, must be open to inspection by department personnel at reasonable times.

(9) Scientific Research or Display: The director may authorize a person to import into the state, hold, possess and propagate live specimens of wild animals listed in subsection (2) for scientific research or for display by zoos or aquariums who are accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA) provided:

(a) The specimens are confined to a secure facility,

(b) The specimens will not be transferred to any other location, except to and by other AAZPA accredited facilities with written approval of the director,

(c) The specimens will not be sold or otherwise disposed of without written approval of the director, and

(d) The person will keep such records on the specimens and make such reports as the director may require.

(10) Retention or Disposal of Existing Specimens in Captivity: A person holding live specimens of those wild animals listed in section (2) may retain such specimens he/she lawfully possessed prior to June 20, 1992 provided:

(a) The person reported to the director in writing by July 31, 1992, and reports thereafter annually or as otherwise required by the director, the species, number and location of the specimens.

(b) The specimens are confined to a secure facility at the location reported.

(c) Live specimens are not sold, transferred, or released, except:

(i) Live specimens in lawful possession prior to June 20, 1992, and the progeny of such specimens, may be permanently removed from the state of Washington pursuant to sale or gratuitous transfer or transported directly to slaughter, for sale outside of the state, where in accordance with other applicable law,

(ii) Federally listed endangered or threatened species may be transferred to AAZPA facilities with written approval of the director.

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided all other requirements are satisfied and the total number of locations where animals are held is not increased, and

(d) Live specimens shall be permanently marked for identification in a manner determined by the director;

(11) Persons legally possessing wildlife must notify the director within ten days of any change of address or location of the holding facility, and any transfer or sale of live specimens in possession allowed hereunder.

(12) Escaped Animals: Escaped wildlife will be considered a public nuisance. The department or any peace officer may seize, capture, or destroy wildlife that have escaped the possessor's control. The former possessor shall be responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(13) Secure Facility: For the purposes of this rule a "secure facility" is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of the animals contained therein or ingress of or contact with resident wildlife. The adequacy of the facility shall be determined by the director or agents of the director, in their sole discretion.

WSR 92-21-053

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 92-130—Filed October 16, 1992, 4:48 p.m., effective October 18, 1992, 6:00 p.m.]

Date of Adoption: October 16, 1992.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-33-01000K.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of fall chinook and coho salmon are available in the Columbia River. This rule is consistent with the actions of the October 16, 1992, meeting of the Columbia River Compact.

Effective Date of Rule: October 18, 1992, 6:00 p.m.

October 16, 1992

Judith Merchant

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-33-01000L Columbia River salmon seasons below Bonneville. Notwithstanding the provisions of WAC 220-33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River SMCRA 1A, 1B, 1C, 1D and 1E except as provided in the following subsections.

FISHING PERIODS

(1) 6:00 p.m. October 18, 1992 to 6:00 p.m. October 22, 1992 and SMCRA 1A, 1B, 1C, 1D, and 1E.

GEAR

(2) It is unlawful to fish for salmon, shad and sturgeon with gill net gear that:

(a) exceeds 1,500 feet in length along the corkline;

- (b) is constructed of monofilament webbing; and
 - (c) has lead or weight on the leadline that exceeds two pounds in any one fathom, measurement to be taken along the corkline of the net; and
 - (d) the mesh size is greater than 7 inches.
- (3) It is unlawful to gaff a sturgeon.
- (4) White sturgeon less than 48 inches or greater than 60 inches may not be retained for commercial purposes and shall be returned immediately to the water.

SANCTUARIES

(4) During the season provided for in subsection 1 of this section, the following sanctuaries, as defined in WAC 220-33-005, are closed to fishing:

- Grays River
- Elokomin-A
- Cowlitz
- Kalama-A
- Lewis River-A
- Washougal
- Sandy River and
- all tributaries flowing into the Columbia River.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000K Columbia River salmon seasons below Bonneville. (92-125)

**WSR 92-21-054
EMERGENCY RULES
DEPARTMENT OF FISHERIES**

[Order 92-131—Filed October 16, 1992, 4:54 p.m., effective October 18, 1992, 12:01 a.m.]

Date of Adoption: October 16, 1992.
Purpose: Commercial fishing regulations.
Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-819.
Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Opening in Area 6D provides opportunity to harvest nontreaty allocation of coho salmon destined for the Strait region of origin. Early closure of Area 6D necessary to ensure escapement of coho salmon. Opening in Area 7B provides opportunity to harvest nontreaty allocation of coho salmon destined for the Nooksack-Samish region of origin and reduce wastage. Openings in Areas 10 and 11 provide opportunity to harvest nontreaty allocation of chum salmon destined for the south

Puget Sound region of origin, and are consistent with pre-season plan. Northern Area 10 in-season restriction is designed to reduce impacts to nonlocal stocks of coho salmon and juvenile chinook salmon and to provide separation between commercial fleets, recreational fishers and ferry traffic. The Port Madison restriction is necessary to reduce impacts on local chum stocks. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks. The opening in Area 8D provides opportunity to harvest surplus coho originating from the Tulalip Hatchery.

Effective Date of Rule: October 18, 1992, 12:01 a.m.
October 16, 1992
Judith Merchant
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-47-820 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday October 18, 1992, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

- * Area 6D - Skiff gillnets using 5-inch minimum mesh may fish continuously until 2:00 p.m. Monday October 19.
- * Area 7B - Gillnets using 5-inch minimum mesh, and purse seines using the 5-inch strip, may fish continuously until further notice.
- * Area 8D - Purse seines using the 5-inch strip may fish from 7:00 a.m. to 7:00 p.m. Tuesday October 20. Gillnets using 5-inch minimum mesh may fish from 7:00 a.m. to 7:00 p.m. Wednesday October 21.
- * Areas 10 and 11 - Purse seines using the 5-inch strip may fish from 7:00 a.m. to 7:00 p.m. Monday October 19. Gillnets using 6-inch minimum mesh may fish from 6:00 p.m. Monday October 19 to 8:00 a.m. Tuesday October 20. In addition to the exclusion zones described in WAC 220-47-307, Area 10 is closed north of a line projected from Point Wells to "SF" Buoy then west to President Point through October 31, and closed in that portion of Port Madison west of a line projected 178 degrees true from the light at end of Indianola dock to the landfall on the south shore of Port Madison.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 7, 7A, 7C, 7D, 7E, 8, 8A, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. Sunday October 18, 1992:

EMERGENCY

WAC 220-47-819 Puget Sound all-citizen commercial salmon fishery (92-124)

WSR 92-21-109 EMERGENCY RULES STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES [Filed October 21, 1992, 11:49 a.m.]

Date of Adoption: October 15, 1992.

Purpose: Enactment of new language to WAC 131-16-060 regarding repurchase of annuity contract under certain conditions, to accommodate new changes in the repurchase-approval provisions of TIAA/CREF annuity contract under certain conditions.

Citation of Existing Rules Affected by this Order: Amending WAC 131-16-060.

Statutory Authority for Adoption: RCW 28B.10.400.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The state board for community and technical colleges finds that the existing rules should be amended and brought into immediate conformance with TIAA/CREF's current repurchase policies. The change is that details regarding TIAA/CREF repurchases would be set in administrative instructions rather than in rules. The change indicates that repurchases are possible under certain conditions; and leaves the technical details in administrative instructions rather than in rules.

Effective Date of Rule: Immediately.

October 21, 1992
Claire C. Krueger
Executive Assistant
Rules Coordinator

AMENDATORY SECTION (Amending Resolution No. 91-20, Order 129, filed 6/4/91 [6/14/91], effective 7/15/91)

WAC 131-16-060 Repurchase of annuity contract under certain conditions. In the event a participant leaves the employ of all ((any)) Washington community and technical college districts ((or)) and the state board ((for reasons other than retirement or disability)) and the participant requests repurchase of his or her TIAA ((or)) CREF accumulation, ((the state board approves such repurchases as are recommended by the appropriate district board of trustees: PROVIDED, That TIAA/CREF agrees to such repurchase: AND PROVIDED FURTHER, That the portion of the repurchase attributable to contributions made by employing college district shall be returned to that district by TIAA/CREF.

The state board will agree to the repurchase of contracts only if) such repurchase is authorized: PROVIDED, That TIAA/CREF's published repurchase guidelines applicable to

the participant's contract ((all of the following conditions)) are ((met)) followed.((:
(a) Payments to the annuitant have not begun;
(b) The annuity has been in force for five years or less;
(c) The annuitant requests repurchase of all annuities he or she owns;
(d) The annuitant is neither employed at nor is transferring to an institution having a TIAA/CREF retirement plan;
(e) All educational institutions that contributed any part of the premiums consent to the repurchase;
(f) If the annuitant has more than one annuity, the total value of all TIAA/CREF annuities and the longest duration of any of them shall govern in determining whether a repurchase will be made under this rule.))

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

EMERGENCY

WSR 92-21-001
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Raspberry Commission)
[Memorandum—October 6, 1992]

The Washington Red Raspberry Commission's meeting originally scheduled for October 28, has been changed. It is now set to be held beginning at 9:00 a.m., Wednesday, November 11, at Dutch Mothers' Restaurant in Lynden.

WSR 92-21-002
RULES COORDINATOR
STATE INVESTMENT BOARD
[Filed October 7, 1992, 4:31 p.m.]

As executive director of the Washington State Investment Board, I am designating Helen Small, deputy director-operations, as this agency's rules coordinator.

Basil J. Schwan
Executive Director

WSR 92-21-007
NOTICE OF PUBLIC MEETINGS
TRAFFIC SAFETY COMMISSION
[Memorandum—October 9, 1992]

October 20, 1992, at 1:30 p.m.

Note: Change in location to Governor's Conference Room, Legislative Building.

WSR 92-21-008
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
[Memorandum—October 9, 1992]

Note Change: Monday, October 12, 1992, Sno-King Building, Room 103, 4:00-7:45.

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 92-21-011
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Memorandum—October 12, 1992]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, October 15, 1992, 9-11 a.m., in the Bellingham Technical College Building G Conference Center A.

WSR 92-21-012
NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE
[Memorandum—October 1, 1992]

The associated students of Skagit Valley College will meet every Friday at 2:30 p.m. in the board room on the Mount Vernon campus. We will have a total of nine scheduled meetings per term. At least one of these meetings will be held on the Whidbey Campus. The exact time, room and date will be determined at later date.

WSR 92-21-020
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS
[Memorandum—October 9, 1992]

As previously published in the September 2nd issue of the Register, the Commission on Hispanic Affairs' November 14th meeting will be held in Seattle.

For further clarification, please note that the above mentioned meeting will be held at El Centro de la Raza, 2524 16th Avenue South, Seattle, WA, at 10:00 a.m. to 4:00 p.m. The meeting is open to the public.

WSR 92-21-033
NOTICE OF PUBLIC MEETINGS
BOARD FOR
VOLUNTEER FIREFIGHTERS
[Memorandum—October 12, 1992]

The October 30 meeting of the Board for Volunteer Firefighters has been cancelled and rescheduled for November 15, 1992, in Room 209 of the Olympia Forum Building, 601 11th Avenue S.E., Olympia, WA.

WSR 92-21-044
ATTORNEY GENERAL OPINION
Cite as: AGO 1992 No. 23
[October 13, 1992]

GROWTH MANAGEMENT ACT—GROWTH PLANNING HEARINGS BOARDS—PROPERTY—ADMINISTRATIVE LAW—Appeal to Growth Planning Hearings Boards Based on Claim That Regulation has Negative Impact on Property

1. RCW 36.70A.280 authorizes the Growth Planning Hearings Boards to hear petitions which allege that governments planning under the Growth Management Act are not in compliance with the requirements of the Act as it relates to plans and regulations adopted pursuant to RCW 36.70A.040. One requirement of the Act is that governments adopting plans and regulations consider the goal of protecting private property rights. The Boards have jurisdiction over petitions that allege that private property rights have not been considered or

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- have been considered in an arbitrary or discriminatory manner.
2. The Growth Management Act does not contain any provision prohibiting the adoption of plans and regulations that may negatively affect a particular private property interest. Therefore, RCW 36.70A.280 does not authorize the Growth Planning Hearings Boards to grant relief to a specific property owner if plans and regulations do have a negative impact on the owner's specific property and a property owner cannot challenge plans or regulations based solely on a claim that the plans or regulations result in a negative impact on the owner's property.
 3. A city or county that adopts plans or regulations pursuant to RCW 36.70A.040 is not required to give individual notice to each property owner whose property value may be negatively impacted as a result of the plans or regulations.

Requested by:

Honorable Elmira Forner
 State Representative
 417 John L. O'Brien Building
 Post Office Box 40694
 Olympia, Washington 98504-0694

Due to recent budget changes, ecology has revised the comment period and hearing dates for its report to the legislature, *The Toxics Control Accounts Appropriations Recommendations for the 1993-95 Biennium*. The report describes state and local toxics control account spending proposals for hazardous waste management activities and cleanup activities in the Department of Ecology and related programs in the Departments of Agriculture, Community Development, Health, Natural Resources, Revenue, and Office of Marine Safety.

The report may be obtained after October 19, 1992, by phoning 1-800-458-0920. Written comments will be accepted through November 23 and should be submitted to Leslie Romer, Toxics Cleanup Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, FAX (206) 438-3050.

PUBLIC HEARINGS

BELLEVUE - November 5
 7:00 p.m. Thursday
 Department of Ecology
 Northwest Regional Office
 Ground Floor Conference Room
 3190 160th Avenue S.E.
 Bellevue, WA

SPOKANE - November 12
 7:00 p.m. Thursday
 Spokane Community College
 Activities Conference Room 126
 Lair Building (#6)
 Spokane, Washington

Comment Period: October 22, 1992 - November 23, 1992

WSR 92-21-068
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER

[Memorandum—October 14, 1992]

The board of directors of the Washington State Convention and Trade Center will meet on Wednesday, October 21, 1992, at 2:00 p.m. in Room 211 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call 447-5000.

WSR 92-21-069
NOTICE OF PUBLIC MEETINGS
OFFICE OF MARINE SAFETY

[Memorandum—October 19, 1992]

This notice is to advise you that the meeting of the Regional Marine Safety Committee for the Strait of Juan de Fuca/Northern Puget Sound scheduled for December 9, 1992, will begin at 12 noon.

WSR 92-21-080
DEPARTMENT OF ECOLOGY

[Filed October 21, 1992, 8:56 a.m.]

CORRECTION

WSR 92-21-090
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
WATER QUALITY AUTHORITY

[Memorandum—October 20, 1992]

Listed below are the dates and locations for the regular meetings of the Puget Sound Water Quality Authority through June 1993. The cities in which the meetings through December 1993 are listed; when the facilities for each are confirmed, I will send you an update.

The meetings generally start at 9:30 a.m., any variation from this starting time will be announced in advance. Persons interested in more information about the meetings are invited to call Duane Fagergren at 493-9306 (in Lacey) or 1-800-SOUND.

| | | |
|-------------------|---------|---|
| October 21, 1992 | Seattle | Port of Seattle Commission Chambers 2201 Alaskan Way, Pier 66 Seattle, WA |
| November 18, 1992 | Everett | Snohomish County Courthouse 3000 Rockefeller Avenue Everett, WA |
| December 16, 1992 | Tacoma | Port of Tacoma Commission Board Room 1 Sitcum Plaza World Trade Center Tacoma, WA |
| January 20, 1993 | Seattle | Port of Seattle 2201 Alaskan Way, Pier 66 Seattle, WA |

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| | | |
|--------------------|---------------|---|
| February 17, 1993 | Shelton | Mason County PUD #3 311 Cota P.O. Box 49 Shelton, WA 98584 |
| March 17, 1993 | Olympia | Thurston County Courthouse Building 1, Room 152 2000 Lakeridge Drive S.E. Olympia, WA |
| April 21, 1993 | Mt. Vernon | Skagit County Courthouse Hearing Room C 2nd and Kincaid P.O. Box 459 Mt. Vernon, WA |
| May 19, 1993 | Olympia | Thurston County Courthouse Building 1, Room 152 2000 Lakeridge Drive S.E. Olympia, WA |
| June 9, 1993 | Seattle | Port of Seattle Commission Chambers 2201 Alaskan Way, Pier 66 Seattle, WA |
| July 21, 1993 | Friday Harbor | |
| August 18, 1993 | Federal Way | |
| September 15, 1993 | Puyallup | |
| October 20, 1993 | Port Angeles | |
| November 17, 1993 | Kirkland | |
| December 15, 1993 | Seattle | |

WSR 92-21-091
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
 (Beef Commission)
 [Memorandum—October 19, 1992]

The Washington State Beef Commission will not hold its previously scheduled December 1992 meeting.

WSR 92-21-092
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
 [Memorandum—October 9, 1992]

Following is a revised meeting schedule for regular meetings to be held by the University of Washington's ASUW Personnel Committee.

Fall quarter weekly meeting schedules

| | | | |
|--------------------|-----------|------|----------|
| Finance and Budget | Tuesday | 3:30 | Hub 204M |
| Personnel | Tuesday | 1:30 | Hub 204M |
| Governance | Wednesday | 3:30 | Hub 309 |
| Board of Control | Thursday | 3:30 | Hub 204M |

Due to the meetings being so close together we will not be able to give you the BOC agendas until the Wednesday before.

WSR 92-21-093
RULES COORDINATOR
TACOMA COMMUNITY COLLEGE
 [Filed October 21, 1992, 9:47 a.m.]

In accordance with RCW 34.05.310, the rules coordinator for Tacoma Community College is: Irene Hardy, Executive Secretary to the President, Tacoma Community College, 5900 South 12th Street, Building #13, Tacoma, WA 98465, (206) 566-5101, SCAN 548-5101.

Ray Needham
President

WSR 92-21-103
DEPARTMENT OF ECOLOGY
 [Filed October 21, 1992, 11:10 a.m.]

ISSUANCE OF BOATYARD GENERAL PERMIT
DEPARTMENT OF ECOLOGY

Date of Issuance: November 4, 1992.

General Permit Effective Date: December 4, 1992.

The Department of Ecology is issuing a national pollutant discharge elimination system general permit to control storm water and process waste water discharges from boatyards in Washington state.

Pursuant to chapter 90.48 RCW, Water pollution control laws as amended and the Federal Water Pollution Control Act (the Clean Water Act) Title 33 United States Code, Section 1251 et seq., all boatyards with storm water and/or process waste water discharges to waters of the state must apply for and obtain either coverage under this boatyard general permit or an individual waste water discharge permit. Applications for coverage under the boatyard general permit should be submitted to the Department of Ecology within 90 days of the effective date of the general permit.

For the purpose of this notice a boatyard is defined as a service business primarily engaged in the new construction and repair of small vessels 65 feet or less in length. Services provided may include, but are not limited to: Pressure washing; bottom and topside painting; engine, prop, shaft, and rudder repair and replacement; hull repair, joinery, bilge cleaning, fuel and lubrication system repair or replacement, welding and grinding on the hull, buffing and waxing, top-side cleaning, MSD (marine sanitation device) repair or replacement, and other activities necessary to maintain a vessel. The definition of a boatyard extends to both mobile and fixed shoreline facilities to the extent that these businesses conduct boatyard activities.

Any facility that offers haul-out services or tidal grids for the purpose of cleaning or pressure washing vessel bottoms with anti-fouling paints is considered a boatyard and must seek

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coverage under the boatyard general permit or an individual permit.

Copies of the general permit, fact sheet, small business economic impact statement, and applications for coverage are available by writing: Washington State Department of Ecology Northwest Regional Office, 3190 160th Avenue S.E., Bellevue, WA 98008-5452.

Copies of the above information can also be obtained by calling Kevin Fitzpatrick at (206) 649-7037 or Carla Skog at (206) 649-7201.

Pursuant to the provisions of chapter 43.21B RCW, any person feeling aggrieved by the departments actions with respect to this boatyard general permit may file an appeal within 30 days of this notice, with the Pollution Control Hearings Board, P.O. Box 40903, Olympia, WA 98504-0903. Concurrently, a copy of the appeal must be sent to the Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

Any appeal must contain the following in accordance with the rules of the hearings board: The appellant's name and address; the date and number of the permit appealed; a description of the substance of the permit that is the subject of the appeal; a clear, separate, and concise statement of every error alleged to have been committed; a clear and concise statement of facts which the requester relies, to sustain his or her statements of error; and a statement setting forth the relief sought.

Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|---------|-----------|------------|-------|-----------|------------|-------|-----------|
| 4-25-190 | REP-W | 92-03-062 | 16-146-100 | AMD-P | 92-15-060 | 16-164-040 | NEW-P | 92-13-100 |
| 4-25-020 | AMD-P | 92-17-083 | 16-146-100 | AMD-E | 92-16-061 | 16-164-040 | NEW-E | 92-16-030 |
| 4-25-020 | AMD | 92-20-103 | 16-146-100 | AMD | 92-19-044 | 16-164-040 | NEW | 92-17-018 |
| 4-25-040 | AMD-P | 92-17-084 | 16-146-110 | AMD-P | 92-15-060 | 16-164-050 | NEW-P | 92-13-100 |
| 4-25-040 | AMD | 92-20-104 | 16-146-110 | AMD-E | 92-16-061 | 16-164-050 | NEW-E | 92-16-030 |
| 4-25-141 | AMD-P | 92-17-085 | 16-146-110 | AMD | 92-19-044 | 16-164-050 | NEW | 92-17-018 |
| 4-25-141 | AMD | 92-20-105 | 16-156-001 | AMD-P | 92-07-052 | 16-164-060 | NEW-P | 92-13-100 |
| 16-10-010 | NEW-P | 92-06-084 | 16-156-001 | AMD | 92-11-001 | 16-164-060 | NEW-E | 92-16-030 |
| 16-10-010 | NEW-W | 92-10-009 | 16-156-003 | NEW-P | 92-07-052 | 16-164-060 | NEW | 92-17-018 |
| 16-10-020 | NEW-P | 92-06-084 | 16-156-003 | NEW | 92-11-001 | 16-164-070 | NEW-P | 92-13-100 |
| 16-10-020 | NEW-W | 92-10-009 | 16-156-005 | AMD-P | 92-07-052 | 16-164-070 | NEW-E | 92-16-030 |
| 16-10-030 | NEW-P | 92-06-084 | 16-156-005 | AMD | 92-11-001 | 16-164-070 | NEW | 92-17-018 |
| 16-10-030 | NEW-W | 92-10-009 | 16-156-010 | AMD-P | 92-07-052 | 16-164-080 | NEW-P | 92-13-100 |
| 16-54 | AMD-C | 92-20-108 | 16-156-010 | AMD | 92-11-001 | 16-164-080 | NEW-E | 92-16-030 |
| 16-54-010 | AMD-P | 92-18-062 | 16-156-020 | AMD-P | 92-07-052 | 16-164-080 | NEW | 92-17-018 |
| 16-54-010 | AMD | 92-21-039 | 16-156-020 | AMD | 92-11-001 | 16-164-090 | NEW-P | 92-13-100 |
| 16-54-020 | AMD-P | 92-18-062 | 16-156-030 | AMD-P | 92-07-052 | 16-164-090 | NEW-E | 92-16-030 |
| 16-54-020 | AMD | 92-21-039 | 16-156-030 | AMD | 92-11-001 | 16-164-090 | NEW | 92-17-018 |
| 16-54-030 | AMD-P | 92-18-062 | 16-156-035 | AMD-P | 92-07-052 | 16-164-100 | NEW-P | 92-13-100 |
| 16-54-030 | AMD | 92-21-039 | 16-156-035 | AMD | 92-11-001 | 16-164-100 | NEW-E | 92-16-030 |
| 16-54-035 | NEW-P | 92-18-062 | 16-156-050 | AMD-P | 92-07-052 | 16-164-100 | NEW | 92-17-018 |
| 16-54-035 | NEW | 92-21-039 | 16-156-050 | AMD | 92-11-001 | 16-166-010 | NEW-P | 92-13-099 |
| 16-54-071 | AMD-E | 92-16-001 | 16-162-010 | NEW-P | 92-07-052 | 16-166-010 | NEW | 92-17-017 |
| 16-54-071 | AMD-P | 92-18-062 | 16-162-010 | NEW | 92-11-001 | 16-166-020 | NEW-P | 92-13-099 |
| 16-54-071 | RESCIND | 92-19-101 | 16-162-025 | NEW-P | 92-07-052 | 16-166-020 | NEW | 92-17-017 |
| 16-54-071 | AMD | 92-21-039 | 16-162-025 | NEW | 92-11-001 | 16-166-030 | NEW-P | 92-13-099 |
| 16-54-082 | AMD-P | 92-18-062 | 16-162-030 | NEW-P | 92-07-052 | 16-166-030 | NEW | 92-17-017 |
| 16-54-082 | AMD | 92-21-039 | 16-162-030 | NEW | 92-11-001 | 16-166-030 | NEW-P | 92-13-099 |
| 16-54-090 | AMD-P | 92-18-062 | 16-162-031 | NEW-P | 92-07-052 | 16-166-040 | NEW-P | 92-13-099 |
| 16-54-090 | AMD | 92-21-039 | 16-162-031 | NEW | 92-11-001 | 16-166-040 | NEW | 92-17-017 |
| 16-54-101 | AMD-P | 92-18-062 | 16-162-031 | NEW | 92-11-001 | 16-166-050 | NEW-P | 92-13-099 |
| 16-54-101 | AMD | 92-21-039 | 16-162-032 | NEW-P | 92-07-052 | 16-166-050 | NEW | 92-17-017 |
| 16-54-111 | AMD-P | 92-18-062 | 16-162-032 | NEW | 92-11-001 | 16-166-060 | NEW-P | 92-13-099 |
| 16-54-111 | AMD | 92-21-039 | 16-162-033 | NEW-P | 92-07-052 | 16-166-060 | NEW | 92-17-017 |
| 16-54-135 | NEW-P | 92-18-062 | 16-162-033 | NEW | 92-11-001 | 16-166-070 | NEW-P | 92-13-099 |
| 16-54-135 | NEW | 92-21-039 | 16-162-050 | NEW-P | 92-07-052 | 16-166-070 | NEW | 92-17-017 |
| 16-54-150 | AMD-P | 92-18-062 | 16-162-050 | NEW | 92-11-001 | 16-166-080 | NEW-P | 92-13-099 |
| 16-54-150 | AMD | 92-21-039 | 16-162-060 | NEW-P | 92-07-052 | 16-166-080 | NEW | 92-17-017 |
| 16-86 | AMD-C | 92-20-107 | 16-162-060 | NEW-W | 92-20-039 | 16-166-090 | NEW-P | 92-13-099 |
| 16-86-015 | AMD-P | 92-18-063 | 16-162-070 | NEW-P | 92-07-052 | 16-166-090 | NEW | 92-17-017 |
| 16-86-015 | AMD | 92-21-023 | 16-162-070 | NEW | 92-11-001 | 16-212-020 | AMD-P | 92-11-073 |
| 16-103-001 | NEW-E | 92-14-076 | 16-162-100 | NEW-P | 92-07-052 | 16-212-020 | AMD | 92-15-046 |
| 16-103-001 | NEW-P | 92-16-088 | 16-162-100 | NEW | 92-11-001 | 16-212-060 | AMD-P | 92-11-073 |
| 16-103-001 | NEW | 92-20-056 | 16-164-010 | NEW-P | 92-13-100 | 16-212-060 | AMD | 92-15-046 |
| 16-103-002 | NEW-E | 92-14-076 | 16-164-010 | NEW-E | 92-16-030 | 16-212-070 | AMD-P | 92-11-073 |
| 16-103-002 | NEW-P | 92-16-088 | 16-164-010 | NEW | 92-17-018 | 16-212-070 | AMD | 92-15-046 |
| 16-103-002 | NEW | 92-20-056 | 16-164-020 | NEW-P | 92-13-100 | 16-212-080 | AMD-P | 92-11-073 |
| 16-103-003 | NEW-E | 92-14-076 | 16-164-020 | NEW-E | 92-16-030 | 16-212-080 | AMD | 92-15-046 |
| 16-103-003 | NEW-P | 92-16-088 | 16-164-020 | NEW | 92-17-018 | 16-212-082 | AMD-P | 92-11-073 |
| 16-103-003 | NEW | 92-20-056 | 16-164-030 | NEW-P | 92-13-100 | 16-212-082 | AMD | 92-15-046 |
| 16-141-010 | NEW-E | 92-07-070 | 16-164-030 | NEW-E | 92-16-030 | 16-228-010 | AMD-P | 92-03-133 |
| | | | 16-164-030 | NEW | 92-17-018 | 16-228-010 | AMD | 92-07-084 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|---------|-----------|------------|---------|-----------|------------|---------|-----------|
| 16-228-180 | AMD-P | 92-03-133 | 16-230-850 | AMD-E | 92-08-027 | 16-231-005 | REP-E | 92-07-060 |
| 16-228-180 | AMD | 92-07-084 | 16-230-850 | AMD | 92-13-035 | 16-231-005 | RESCIND | 92-08-026 |
| 16-228-214 | NEW-P | 92-11-077 | 16-230-855 | AMD-P | 92-03-134 | 16-231-005 | REP-E | 92-08-027 |
| 16-228-214 | NEW | 92-15-001 | 16-230-855 | AMD-S | 92-07-059 | 16-231-005 | REP | 92-13-035 |
| 16-228-400 | NEW-P | 92-03-133 | 16-230-855 | AMD-E | 92-07-060 | 16-231-010 | REP-P | 92-03-134 |
| 16-228-400 | NEW | 92-07-084 | 16-230-855 | RESCIND | 92-08-026 | 16-231-010 | REP-S | 92-07-059 |
| 16-228-410 | NEW-P | 92-03-133 | 16-230-855 | AMD-E | 92-08-027 | 16-231-010 | REP-E | 92-07-060 |
| 16-228-410 | NEW | 92-07-084 | 16-230-855 | AMD | 92-13-035 | 16-231-010 | RESCIND | 92-08-026 |
| 16-228-420 | NEW-P | 92-03-133 | 16-230-860 | AMD-P | 92-03-134 | 16-231-010 | REP-E | 92-08-027 |
| 16-228-420 | NEW | 92-07-084 | 16-230-860 | AMD-S | 92-07-059 | 16-231-010 | REP | 92-13-035 |
| 16-228-430 | NEW-P | 92-03-133 | 16-230-860 | AMD-E | 92-07-060 | 16-231-015 | REP-P | 92-03-134 |
| 16-228-430 | NEW | 92-07-084 | 16-230-860 | RESCIND | 92-08-026 | 16-231-015 | REP-S | 92-07-059 |
| 16-228-500 | NEW-P | 92-03-133 | 16-230-860 | AMD-E | 92-08-027 | 16-231-015 | REP-E | 92-07-060 |
| 16-228-500 | NEW-W | 92-18-101 | 16-230-860 | AMD | 92-13-035 | 16-231-015 | RESCIND | 92-08-026 |
| 16-228-500 | NEW-E | 92-18-102 | 16-230-861 | AMD-P | 92-03-134 | 16-231-015 | REP-E | 92-08-027 |
| 16-228-900 | REP-P | 92-06-083 | 16-230-861 | AMD-S | 92-07-059 | 16-231-015 | REP | 92-13-035 |
| 16-228-900 | REP-W | 92-10-008 | 16-230-861 | AMD-E | 92-07-060 | 16-231-020 | REP-P | 92-03-134 |
| 16-228-905 | NEW-P | 92-06-083 | 16-230-861 | RESCIND | 92-08-026 | 16-231-020 | REP-S | 92-07-059 |
| 16-228-905 | NEW-W | 92-10-008 | 16-230-861 | AMD-E | 92-08-027 | 16-231-020 | REP-E | 92-07-060 |
| 16-228-910 | NEW-P | 92-06-083 | 16-230-861 | AMD | 92-13-035 | 16-231-020 | RESCIND | 92-08-026 |
| 16-228-910 | NEW-W | 92-10-008 | 16-230-862 | NEW-P | 92-03-134 | 16-231-020 | REP-E | 92-08-027 |
| 16-228-915 | NEW-P | 92-06-083 | 16-230-862 | NEW-S | 92-07-059 | 16-231-020 | REP | 92-13-035 |
| 16-228-915 | NEW-W | 92-10-008 | 16-230-862 | NEW-E | 92-07-060 | 16-231-025 | REP-P | 92-03-134 |
| 16-228-920 | NEW-P | 92-06-083 | 16-230-862 | RESCIND | 92-08-026 | 16-231-025 | REP-S | 92-07-059 |
| 16-228-920 | NEW-W | 92-10-008 | 16-230-862 | NEW-E | 92-08-027 | 16-231-025 | REP-E | 92-07-060 |
| 16-228-925 | NEW-P | 92-06-083 | 16-230-862 | NEW | 92-13-035 | 16-231-025 | RESCIND | 92-08-026 |
| 16-228-925 | NEW-W | 92-10-008 | 16-230-863 | NEW-P | 92-03-134 | 16-231-025 | REP-E | 92-08-027 |
| 16-228-930 | NEW-P | 92-06-083 | 16-230-863 | NEW-S | 92-07-059 | 16-231-025 | REP | 92-13-035 |
| 16-228-930 | NEW-W | 92-10-008 | 16-230-863 | NEW-E | 92-07-060 | 16-231-030 | REP-P | 92-03-134 |
| 16-230 | AMD-C | 92-07-005 | 16-230-863 | RESCIND | 92-08-026 | 16-231-030 | REP-S | 92-07-059 |
| 16-230-290 | AMD-E | 92-15-051 | 16-230-863 | NEW-E | 92-08-027 | 16-231-030 | REP-E | 92-07-060 |
| 16-230-640 | AMD-E | 92-08-028 | 16-230-863 | NEW | 92-13-035 | 16-231-030 | RESCIND | 92-08-026 |
| 16-230-645 | AMD-E | 92-08-028 | 16-230-864 | NEW-P | 92-03-134 | 16-231-030 | REP-E | 92-08-027 |
| 16-230-810 | AMD-P | 92-03-134 | 16-230-864 | NEW-S | 92-07-059 | 16-231-030 | REP | 92-13-035 |
| 16-230-810 | AMD-S | 92-07-059 | 16-230-864 | NEW-E | 92-07-060 | 16-231-110 | AMD-E | 92-08-028 |
| 16-230-810 | AMD-E | 92-07-060 | 16-230-864 | RESCIND | 92-08-026 | 16-231-115 | AMD-E | 92-08-028 |
| 16-230-810 | RESCIND | 92-08-026 | 16-230-864 | NEW-E | 92-08-027 | 16-231-119 | AMD-E | 92-08-028 |
| 16-230-810 | AMD-E | 92-08-027 | 16-230-864 | NEW | 92-13-035 | 16-231-125 | AMD-E | 92-08-028 |
| 16-230-810 | AMD | 92-13-035 | 16-230-865 | REP-P | 92-03-134 | 16-231-210 | AMD-E | 92-08-028 |
| 16-230-813 | NEW-P | 92-03-134 | 16-230-865 | REP-S | 92-07-059 | 16-231-215 | AMD-E | 92-08-028 |
| 16-230-813 | NEW-S | 92-07-059 | 16-230-865 | REP-E | 92-07-060 | 16-231-220 | AMD-E | 92-08-028 |
| 16-230-813 | NEW-E | 92-07-060 | 16-230-865 | RESCIND | 92-08-026 | 16-231-225 | AMD-E | 92-08-028 |
| 16-230-813 | RESCIND | 92-08-026 | 16-230-865 | REP-E | 92-08-027 | 16-231-315 | AMD-E | 92-08-028 |
| 16-230-813 | NEW-E | 92-08-027 | 16-230-865 | REP | 92-13-035 | 16-231-910 | AMD-E | 92-08-028 |
| 16-230-813 | NEW | 92-13-035 | 16-230-866 | NEW-P | 92-03-134 | 16-231-912 | AMD-E | 92-08-028 |
| 16-230-825 | AMD-P | 92-03-134 | 16-230-866 | NEW-S | 92-07-059 | 16-232-010 | AMD-E | 92-08-028 |
| 16-230-825 | AMD-S | 92-07-059 | 16-230-866 | NEW-E | 92-07-060 | 16-232-015 | AMD-E | 92-08-028 |
| 16-230-825 | AMD-E | 92-07-060 | 16-230-866 | RESCIND | 92-08-026 | 16-232-020 | AMD-E | 92-08-028 |
| 16-230-825 | RESCIND | 92-08-026 | 16-230-866 | NEW-E | 92-08-027 | 16-232-027 | AMD-E | 92-08-028 |
| 16-230-825 | AMD-E | 92-08-027 | 16-230-866 | NEW | 92-13-035 | 16-300-010 | AMD-P | 92-21-095 |
| 16-230-825 | AMD | 92-13-035 | 16-230-867 | NEW-P | 92-03-134 | 16-300-020 | AMD-P | 92-21-095 |
| 16-230-835 | AMD-P | 92-03-134 | 16-230-867 | NEW-W | 92-16-079 | 16-304-110 | AMD-P | 92-09-150 |
| 16-230-835 | AMD-S | 92-07-059 | 16-230-868 | NEW-P | 92-03-134 | 16-304-110 | AMD | 92-13-027 |
| 16-230-835 | AMD-E | 92-07-060 | 16-230-868 | NEW-S | 92-07-059 | 16-304-130 | AMD-P | 92-09-150 |
| 16-230-835 | RESCIND | 92-08-026 | 16-230-868 | NEW-E | 92-07-060 | 16-304-130 | AMD | 92-13-027 |
| 16-230-835 | AMD-E | 92-08-027 | 16-230-868 | RESCIND | 92-08-026 | 16-316-235 | AMD-P | 92-09-150 |
| 16-230-835 | AMD | 92-13-035 | 16-230-868 | NEW-E | 92-08-027 | 16-316-235 | AMD | 92-13-027 |
| 16-230-840 | AMD-P | 92-03-134 | 16-230-868 | NEW | 92-13-035 | 16-316-240 | AMD-P | 92-09-150 |
| 16-230-840 | AMD-S | 92-07-059 | 16-230-870 | NEW-P | 92-03-134 | 16-316-240 | AMD | 92-13-027 |
| 16-230-840 | AMD-E | 92-07-060 | 16-230-870 | NEW-S | 92-07-059 | 16-316-245 | AMD-P | 92-09-150 |
| 16-230-840 | RESCIND | 92-08-026 | 16-230-870 | NEW-E | 92-07-060 | 16-316-245 | AMD | 92-13-027 |
| 16-230-840 | AMD-E | 92-08-027 | 16-230-870 | RESCIND | 92-08-026 | 16-316-250 | AMD-P | 92-09-150 |
| 16-230-840 | AMD | 92-13-035 | 16-230-870 | NEW-E | 92-08-027 | 16-316-250 | AMD | 92-13-027 |
| 16-230-845 | AMD-P | 92-03-134 | 16-230-870 | NEW | 92-13-035 | 16-316-266 | NEW-E | 92-06-048 |
| 16-230-845 | AMD-S | 92-07-059 | 16-231 | REP-C | 92-07-005 | 16-316-266 | NEW-P | 92-09-075 |
| 16-230-845 | AMD-E | 92-07-060 | 16-231-001 | REP-P | 92-03-134 | 16-316-266 | NEW | 92-12-025 |
| 16-230-845 | RESCIND | 92-08-026 | 16-231-001 | REP-S | 92-07-059 | 16-316-270 | AMD-E | 92-06-048 |
| 16-230-845 | AMD-E | 92-08-027 | 16-231-001 | REP-E | 92-07-060 | 16-316-270 | AMD-P | 92-09-075 |
| 16-230-845 | AMD | 92-13-035 | 16-231-001 | RESCIND | 92-08-026 | 16-316-270 | AMD | 92-12-025 |
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| 16-230-850 | AMD-S | 92-07-059 | 16-231-001 | REP | 92-13-035 | 16-316-280 | AMD-P | 92-09-075 |
| 16-230-850 | AMD-E | 92-07-060 | 16-231-005 | REP-P | 92-03-134 | 16-316-280 | AMD | 92-12-025 |
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| 16-316-285 | AMD | 92-12-025 | 16-401-019 | NEW-P | 92-21-096 | 16-470-510 | REP | 92-06-024 |
| 16-316-290 | AMD-E | 92-06-048 | 16-401-020 | AMD-P | 92-21-096 | 16-470-520 | REP | 92-06-024 |
| 16-316-290 | AMD-P | 92-09-075 | 16-401-023 | NEW-P | 92-21-096 | 16-470-530 | REP | 92-06-024 |
| 16-316-290 | AMD | 92-12-025 | 16-401-025 | AMD-P | 92-21-096 | 16-470-600 | REP | 92-06-023 |
| 16-316-315 | AMD-P | 92-09-150 | 16-401-030 | AMD-P | 92-21-096 | 16-470-605 | REP | 92-06-023 |
| 16-316-315 | AMD | 92-13-027 | 16-401-040 | AMD-P | 92-10-040 | 16-470-610 | REP | 92-06-023 |
| 16-316-327 | AMD-P | 92-09-150 | 16-401-040 | AMD | 92-13-034 | 16-470-615 | REP | 92-06-023 |
| 16-316-327 | AMD | 92-13-027 | 16-401-040 | AMD-P | 92-21-096 | 16-470-620 | REP | 92-06-023 |
| 16-316-340 | AMD-P | 92-09-150 | 16-401-050 | AMD-P | 92-21-096 | 16-470-625 | REP | 92-06-023 |
| 16-316-340 | AMD | 92-13-027 | 16-403-143 | NEW-P | 92-11-074 | 16-470-630 | REP | 92-06-023 |
| 16-316-350 | AMD-P | 92-09-150 | 16-403-143 | NEW | 92-15-056 | 16-470-635 | REP | 92-06-023 |
| 16-316-350 | AMD | 92-13-027 | 16-403-160 | AMD-P | 92-11-074 | 16-470-900 | NEW-P | 92-03-104 |
| 16-316-355 | AMD-P | 92-09-150 | 16-403-160 | AMD | 92-15-056 | 16-470-900 | NEW | 92-07-023 |
| 16-316-355 | AMD | 92-13-027 | 16-403-190 | AMD-P | 92-11-074 | 16-470-905 | NEW-P | 92-03-104 |
| 16-316-360 | AMD-P | 92-09-150 | 16-403-190 | AMD | 92-15-056 | 16-470-905 | NEW | 92-07-023 |
| 16-316-360 | AMD | 92-13-027 | 16-403-200 | AMD-P | 92-11-074 | 16-470-910 | NEW-P | 92-03-104 |
| 16-316-370 | AMD-P | 92-09-150 | 16-403-200 | AMD | 92-15-056 | 16-470-910 | NEW | 92-07-023 |
| 16-316-370 | AMD | 92-13-027 | 16-403-220 | AMD-P | 92-11-074 | 16-470-915 | NEW-P | 92-03-104 |
| 16-316-470 | AMD-P | 92-09-150 | 16-403-220 | AMD | 92-15-056 | 16-470-915 | NEW | 92-07-023 |
| 16-316-470 | AMD | 92-13-027 | 16-403-240 | AMD-P | 92-11-074 | 16-470-920 | NEW-P | 92-03-104 |
| 16-316-474 | AMD-P | 92-09-150 | 16-403-240 | AMD | 92-15-056 | 16-470-920 | NEW | 92-07-023 |
| 16-316-474 | AMD | 92-13-027 | 16-436-100 | AMD-P | 92-08-106 | 16-494-010 | AMD-E | 92-06-050 |
| 16-316-525 | AMD-P | 92-09-150 | 16-436-100 | AMD | 92-11-076 | 16-494-010 | AMD-P | 92-09-075 |
| 16-316-525 | AMD | 92-13-027 | 16-436-110 | AMD-P | 92-08-106 | 16-494-010 | AMD | 92-12-025 |
| 16-316-622 | AMD-P | 92-09-150 | 16-436-110 | AMD | 92-11-076 | 16-494-013 | AMD-E | 92-06-050 |
| 16-316-622 | AMD | 92-13-027 | 16-436-130 | REP-P | 92-08-106 | 16-494-013 | AMD-P | 92-09-075 |
| 16-316-715 | AMD-P | 92-09-150 | 16-436-130 | REP | 92-11-076 | 16-494-013 | AMD | 92-12-025 |
| 16-316-715 | AMD | 92-13-027 | 16-436-140 | AMD-P | 92-08-106 | 16-494-046 | AMD-E | 92-06-050 |
| 16-316-717 | AMD-P | 92-09-150 | 16-436-140 | AMD | 92-11-076 | 16-494-046 | AMD-P | 92-09-075 |
| 16-316-717 | AMD | 92-13-027 | 16-436-150 | AMD-P | 92-08-106 | 16-494-046 | AMD | 92-12-025 |
| 16-316-719 | AMD-P | 92-09-150 | 16-436-150 | AMD | 92-11-076 | 16-494-064 | AMD-E | 92-06-050 |
| 16-316-719 | AMD | 92-13-027 | 16-436-166 | NEW-P | 92-08-106 | 16-494-064 | AMD-P | 92-09-075 |
| 16-316-727 | AMD-P | 92-09-150 | 16-436-166 | NEW | 92-11-076 | 16-494-064 | AMD | 92-12-025 |
| 16-316-727 | AMD | 92-13-027 | 16-436-170 | REP-P | 92-08-106 | 16-494-100 | NEW-E | 92-06-049 |
| 16-316-800 | AMD-P | 92-09-150 | 16-436-170 | REP | 92-11-076 | 16-494-100 | NEW-P | 92-09-075 |
| 16-316-800 | AMD | 92-13-027 | 16-436-185 | AMD-P | 92-08-106 | 16-494-100 | NEW | 92-12-025 |
| 16-316-810 | AMD-P | 92-09-150 | 16-436-185 | AMD | 92-11-076 | 16-494-110 | NEW-E | 92-06-049 |
| 16-316-810 | AMD | 92-13-027 | 16-436-186 | NEW-P | 92-08-106 | 16-494-110 | NEW-P | 92-09-075 |
| 16-316-815 | AMD-P | 92-09-150 | 16-436-186 | NEW | 92-11-076 | 16-494-110 | NEW | 92-12-025 |
| 16-316-815 | AMD | 92-13-027 | 16-436-187 | NEW-P | 92-08-106 | 16-494-120 | NEW-E | 92-06-049 |
| 16-316-820 | AMD-P | 92-09-150 | 16-436-187 | NEW | 92-11-076 | 16-494-120 | NEW-P | 92-09-075 |
| 16-316-820 | AMD | 92-13-027 | 16-436-190 | AMD-P | 92-08-106 | 16-494-120 | NEW | 92-12-025 |
| 16-316-830 | AMD-P | 92-09-150 | 16-436-190 | AMD | 92-11-076 | 16-494-130 | NEW-E | 92-06-049 |
| 16-316-830 | AMD | 92-13-027 | 16-436-200 | AMD-P | 92-08-106 | 16-494-130 | NEW-P | 92-09-075 |
| 16-316-832 | AMD-P | 92-09-150 | 16-436-200 | AMD | 92-11-076 | 16-494-130 | NEW | 92-12-025 |
| 16-316-832 | AMD | 92-13-027 | 16-436-210 | AMD-P | 92-08-106 | 16-494-140 | NEW-E | 92-06-049 |
| 16-316-833 | AMD-P | 92-09-150 | 16-436-210 | AMD | 92-11-076 | 16-494-140 | NEW-P | 92-09-075 |
| 16-316-833 | AMD | 92-13-027 | 16-436-220 | AMD-P | 92-08-106 | 16-494-140 | NEW | 92-12-025 |
| 16-316-980 | AMD-P | 92-09-150 | 16-436-220 | AMD | 92-11-076 | 16-494-150 | NEW-E | 92-06-049 |
| 16-316-980 | AMD | 92-13-027 | 16-436-225 | NEW-P | 92-08-106 | 16-494-150 | NEW-P | 92-09-075 |
| 16-316-995 | AMD-P | 92-09-150 | 16-436-225 | NEW | 92-11-076 | 16-494-150 | NEW | 92-12-025 |
| 16-316-995 | AMD | 92-13-027 | 16-461 | AMD | 92-06-085 | 16-494-160 | NEW-E | 92-06-049 |
| 16-316-997 | AMD-P | 92-09-150 | 16-461-006 | NEW | 92-06-085 | 16-494-160 | NEW-P | 92-09-075 |
| 16-316-997 | AMD | 92-13-027 | 16-461-006 | AMD-E | 92-13-064 | 16-494-160 | NEW | 92-12-025 |
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| 16-324-390 | AMD-P | 92-18-104 | 16-461-006 | AMD | 92-18-103 | 16-494-170 | NEW-P | 92-09-075 |
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| 16-324-420 | AMD-P | 92-18-104 | 16-461-010 | AMD-P | 92-15-117 | 16-495-004 | AMD | 92-13-027 |
| 16-324-610 | AMD-P | 92-18-104 | 16-461-010 | AMD | 92-18-103 | 16-495-010 | AMD-P | 92-09-150 |
| 16-324-630 | AMD-P | 92-18-104 | 16-469-010 | REP-P | 92-09-074 | 16-495-010 | AMD | 92-13-027 |
| 16-324-700 | NEW-P | 92-18-104 | 16-469-010 | REP | 92-13-050 | 16-495-050 | AMD-P | 92-09-150 |
| 16-324-710 | NEW-P | 92-18-104 | 16-469-020 | REP-P | 92-09-074 | 16-495-050 | AMD | 92-13-027 |
| 16-324-720 | NEW-P | 92-18-104 | 16-469-020 | REP | 92-13-050 | 16-495-110 | AMD-P | 92-09-150 |
| 16-324-730 | NEW-P | 92-18-104 | 16-469-030 | REP-P | 92-09-074 | 16-495-110 | AMD | 92-13-027 |
| 16-324-740 | NEW-P | 92-18-104 | 16-469-030 | REP | 92-13-050 | 16-520-040 | AMD-P | 92-15-107 |
| 16-324-750 | NEW-P | 92-18-104 | 16-469-040 | REP-P | 92-09-074 | 16-532-010 | AMD-P | 92-06-071 |
| 16-328-010 | AMD-P | 92-12-056 | 16-469-040 | REP | 92-13-050 | 16-532-010 | AMD | 92-09-068 |
| 16-328-010 | AMD | 92-15-114 | 16-469-050 | REP-P | 92-09-074 | 16-532-020 | AMD-P | 92-06-071 |
| 16-333-040 | AMD-P | 92-12-056 | 16-469-050 | REP | 92-13-050 | 16-532-020 | AMD | 92-09-068 |
| 16-333-040 | AMD | 92-15-114 | 16-469-060 | REP-P | 92-09-074 | 16-532-030 | AMD-P | 92-06-071 |
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| 16-532-065 | NEW | 92-09-068 | 16-750-110 | NEW-P | 92-20-081 | 50-30-070 | NEW | 92-02-105 |
| 16-532-110 | AMD-P | 92-06-071 | 16-750-115 | NEW-P | 92-20-081 | 50-30-080 | NEW | 92-02-105 |
| 16-532-110 | AMD | 92-09-068 | 16-750-120 | NEW-P | 92-20-081 | 50-30-090 | NEW | 92-02-105 |
| 16-555-020 | AMD-P | 92-05-071 | 16-750-125 | NEW-P | 92-20-081 | 50-30-100 | NEW | 92-02-105 |
| 16-555-020 | AMD-E | 92-12-004 | 16-750-130 | NEW-P | 92-20-081 | 50-30-110 | NEW | 92-02-105 |
| 16-555-020 | AMD | 92-12-006 | 16-750-135 | NEW-P | 92-20-081 | 50-30-110 | AMD-E | 92-14-062 |
| 16-555-040 | AMD-P | 92-05-071 | 16-750-140 | NEW-P | 92-20-081 | 50-30-110 | AMD-P | 92-14-109 |
| 16-555-040 | AMD-E | 92-12-004 | 16-750-145 | NEW-P | 92-20-081 | 50-30-110 | AMD | 92-17-025 |
| 16-555-040 | AMD | 92-12-006 | 16-750-150 | NEW-P | 92-20-081 | 51-04-015 | AMD-P | 92-16-105 |
| 16-561-020 | AMD-P | 92-05-070 | 16-750-155 | NEW-P | 92-20-081 | 51-04-018 | AMD-P | 92-16-105 |
| 16-561-020 | AMD | 92-12-003 | 16-750-160 | NEW-P | 92-20-081 | 51-04-020 | AMD-P | 92-16-105 |
| 16-570-030 | AMD-P | 92-08-055 | 16-750-165 | NEW-P | 92-20-081 | 51-04-025 | AMD-P | 92-16-105 |
| 16-570-030 | AMD | 92-11-013 | 16-750-170 | NEW-P | 92-20-081 | 51-11-0101 | AMD-P | 92-19-143 |
| 16-580 | NEW-C | 92-17-042 | 16-750-175 | NEW-P | 92-20-081 | 51-11-0401 | AMD-P | 92-19-143 |
| 16-580-010 | NEW-P | 92-14-117 | 16-750-180 | NEW-P | 92-20-081 | 51-11-0502 | AMD-P | 92-19-143 |
| 16-580-020 | NEW-P | 92-14-117 | 16-750-185 | NEW-P | 92-20-081 | 51-11-0503 | AMD-P | 92-19-143 |
| 16-580-030 | NEW-P | 92-14-117 | 16-750-190 | NEW-P | 92-20-081 | 51-11-0505 | AMD-P | 92-19-143 |
| 16-580-040 | NEW-P | 92-14-117 | 16-750-900 | REP-P | 92-20-081 | 51-11-0528 | AMD-P | 92-19-143 |
| 16-580-041 | NEW-P | 92-14-117 | 16-750-950 | REP-P | 92-20-081 | 51-11-0529 | AMD-P | 92-19-143 |
| 16-580-050 | NEW-P | 92-14-117 | 16-752-500 | NEW-P | 92-03-105 | 51-11-0531 | AMD-P | 92-19-143 |
| 16-580-060 | NEW-P | 92-14-117 | 16-752-500 | NEW | 92-07-024 | 51-11-0532 | AMD-P | 92-19-143 |
| 16-580-070 | NEW-P | 92-14-117 | 16-752-505 | NEW-P | 92-03-105 | 51-11-0538 | AMD-P | 92-19-143 |
| 16-580-080 | NEW-P | 92-14-117 | 16-752-505 | NEW | 92-07-024 | 51-11-0539 | AMD-P | 92-19-143 |
| 16-604 | AMD-C | 92-20-106 | 16-752-507 | NEW | 92-07-024 | 51-11-0540 | AMD-P | 92-19-143 |
| 16-604-009 | AMD-P | 92-18-061 | 16-752-510 | NEW-P | 92-03-105 | 51-11-0542 | AMD-P | 92-19-143 |
| 16-604-009 | AMD | 92-21-022 | 16-752-510 | NEW | 92-07-024 | 51-11-0601 | AMD-P | 92-19-143 |
| 16-604-010 | AMD | 92-06-013 | 16-752-515 | NEW-P | 92-03-105 | 51-11-0605 | AMD-P | 92-19-143 |
| 16-604-015 | NEW | 92-06-013 | 16-752-515 | NEW | 92-07-024 | 51-11-0606 | AMD-P | 92-19-143 |
| 16-604-020 | AMD-P | 92-18-061 | 16-752-520 | NEW-P | 92-03-105 | 51-11-0607 | AMD-P | 92-19-143 |
| 16-604-020 | AMD | 92-21-022 | 16-752-520 | NEW | 92-07-024 | 51-11-0608 | AMD-P | 92-19-143 |
| 16-604-025 | AMD-P | 92-18-061 | 16-752-525 | NEW-P | 92-03-105 | 51-11-0631 | AMD-P | 92-19-143 |
| 16-604-025 | AMD | 92-21-022 | 16-752-525 | NEW | 92-07-024 | 51-11-1101 | NEW-P | 92-19-143 |
| 16-622-050 | AMD-P | 92-03-069 | 16-752-600 | NEW-P | 92-03-106 | 51-11-1102 | NEW-P | 92-19-143 |
| 16-622-050 | AMD-E | 92-03-070 | 16-752-600 | NEW | 92-07-025 | 51-11-1103 | NEW-P | 92-19-143 |
| 16-622-050 | AMD | 92-07-030 | 16-752-605 | NEW | 92-07-025 | 51-11-1104 | NEW-P | 92-19-143 |
| 16-622-060 | NEW-P | 92-03-069 | 16-752-610 | NEW-P | 92-03-106 | 51-11-1105 | NEW-P | 92-19-143 |
| 16-622-060 | NEW-E | 92-03-070 | 16-752-610 | NEW | 92-07-025 | 51-11-1106 | NEW-P | 92-19-143 |
| 16-622-060 | NEW | 92-07-030 | 16-752-620 | NEW-P | 92-03-106 | 51-11-1107 | NEW-P | 92-19-143 |
| 16-674-002 | REP-E | 92-14-122 | 16-752-620 | NEW | 92-07-025 | 51-11-1108 | NEW-P | 92-19-143 |
| 16-674-002 | REP-P | 92-14-123 | 16-752-630 | NEW-P | 92-03-106 | 51-11-1109 | NEW-P | 92-19-143 |
| 16-674-002 | REP-W | 92-20-040 | 16-752-630 | NEW | 92-07-025 | 51-11-1201 | NEW-P | 92-19-143 |
| 16-674-010 | AMD-E | 92-14-122 | 16-752-640 | NEW-P | 92-03-106 | 51-11-1301 | NEW-P | 92-19-143 |
| 16-674-010 | AMD-P | 92-14-123 | 16-752-640 | NEW | 92-07-025 | 51-11-1302 | NEW-P | 92-19-143 |
| 16-674-010 | AMD-W | 92-20-040 | 16-752-650 | NEW-P | 92-03-106 | 51-11-1303 | NEW-P | 92-19-143 |
| 16-674-020 | AMD-E | 92-14-122 | 16-752-650 | NEW | 92-07-025 | 51-11-1401 | NEW-P | 92-19-143 |
| 16-674-020 | AMD-P | 92-14-123 | 16-752-660 | NEW-P | 92-03-106 | 51-11-1402 | NEW-P | 92-19-143 |
| 16-674-020 | AMD-W | 92-20-040 | 16-752-660 | NEW | 92-07-025 | 51-11-1501 | NEW-P | 92-19-143 |
| 16-674-030 | AMD-E | 92-14-122 | 44-10-010 | AMD | 92-11-037 | 51-11-1502 | NEW-P | 92-19-143 |
| 16-674-030 | AMD-P | 92-14-123 | 44-10-020 | NEW-W | 92-11-036 | 51-11-1503 | NEW-P | 92-19-143 |
| 16-674-030 | AMD-W | 92-20-040 | 44-10-060 | AMD | 92-11-037 | 51-11-1504 | NEW-P | 92-19-143 |
| 16-674-040 | AMD-E | 92-14-122 | 44-10-205 | NEW-W | 92-11-036 | 51-11-1505 | NEW-P | 92-19-143 |
| 16-674-040 | AMD-P | 92-14-123 | 50-12-116 | AMD | 92-04-027 | 51-11-1601 | NEW-P | 92-19-143 |
| 16-674-040 | AMD-W | 92-20-040 | 50-14-020 | NEW | 92-06-041 | 51-11-1602 | NEW-P | 92-19-143 |
| 16-674-055 | NEW-E | 92-14-122 | 50-14-030 | NEW | 92-06-041 | 51-11-1603 | NEW-P | 92-19-143 |
| 16-674-055 | NEW-P | 92-14-123 | 50-14-040 | NEW | 92-06-041 | 51-11-1604 | NEW-P | 92-19-143 |
| 16-674-055 | NEW-W | 92-20-040 | 50-14-050 | NEW | 92-06-041 | 51-11-1605 | NEW-P | 92-19-143 |
| 16-674-060 | NEW-E | 92-14-122 | 50-14-060 | NEW | 92-06-041 | 51-11-1606 | NEW-P | 92-19-143 |
| 16-674-060 | NEW-P | 92-14-123 | 50-14-070 | NEW | 92-06-041 | 51-11-1607 | NEW-P | 92-19-143 |
| 16-674-060 | NEW-W | 92-20-040 | 50-14-080 | NEW | 92-06-041 | 51-11-1608 | NEW-P | 92-19-143 |
| 16-674-070 | NEW-E | 92-14-122 | 50-14-090 | NEW | 92-06-041 | 51-11-1701 | NEW-P | 92-19-143 |
| 16-674-070 | NEW-P | 92-14-123 | 50-14-100 | NEW | 92-06-041 | 51-11-1801 | NEW-P | 92-19-143 |
| 16-674-070 | NEW-W | 92-20-040 | 50-14-110 | NEW | 92-06-041 | 51-11-1901 | NEW-P | 92-19-143 |
| 16-674-080 | NEW-E | 92-14-122 | 50-14-120 | NEW | 92-06-041 | 51-11-1902 | NEW-P | 92-19-143 |
| 16-674-080 | NEW-P | 92-14-123 | 50-14-130 | NEW | 92-06-041 | 51-11-2000 | NEW-P | 92-19-143 |
| 16-674-080 | NEW-W | 92-20-040 | 50-14-140 | NEW | 92-06-041 | 51-11-2001 | NEW-P | 92-19-143 |
| 16-750-003 | AMD-P | 92-20-081 | 50-14-150 | NEW-W | 92-14-110 | 51-11-2002 | NEW-P | 92-19-143 |
| 16-750-005 | AMD-P | 92-20-081 | 50-30-010 | NEW | 92-02-105 | 51-11-2003 | NEW-P | 92-19-143 |
| 16-750-011 | AMD-P | 92-20-081 | 50-30-020 | NEW | 92-02-105 | 51-11-2004 | NEW-P | 92-19-143 |
| 16-750-015 | AMD-P | 92-20-081 | 50-30-030 | NEW | 92-02-105 | 51-11-2005 | NEW-P | 92-19-143 |
| 16-750-020 | NEW-P | 92-20-081 | 50-30-030 | AMD-P | 92-21-050 | 51-11-2006 | NEW-P | 92-19-143 |
| 16-750-025 | NEW-P | 92-20-081 | 50-30-040 | NEW | 92-02-105 | 51-11-2007 | NEW-P | 92-19-143 |
| 16-750-100 | NEW-P | 92-20-081 | 50-30-050 | NEW | 92-02-105 | 51-11-2008 | NEW-P | 92-19-143 |

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Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|-------------|-------|-----------|------------|-------|-----------|--------------|-------|-----------|
| 51-11-2009 | NEW-P | 92-19-143 | 51-26-1845 | NEW-P | 92-16-051 | 131-46-030 | NEW-P | 92-21-107 |
| 51-13-101 | AMD-P | 92-16-106 | 55-01-010 | AMD-P | 92-09-157 | 131-46-035 | NEW-E | 92-19-005 |
| 51-13-202 | AMD-P | 92-16-106 | 55-01-010 | AMD | 92-14-088 | 131-46-035 | NEW-P | 92-21-107 |
| 51-13-300 | AMD-P | 92-16-106 | 55-01-020 | AMD-P | 92-09-157 | 131-46-040 | NEW-E | 92-19-005 |
| 51-13-302 | AMD-P | 92-16-106 | 55-01-020 | AMD-E | 92-14-087 | 131-46-040 | NEW-P | 92-21-107 |
| 51-13-303 | AMD-P | 92-16-106 | 55-01-020 | AMD | 92-14-097 | 131-46-045 | NEW-E | 92-19-005 |
| 51-13-304 | AMD-P | 92-16-106 | 55-01-030 | AMD-P | 92-09-157 | 131-46-045 | NEW-P | 92-21-107 |
| 51-13-401 | AMD-P | 92-16-106 | 55-01-030 | AMD | 92-14-088 | 131-46-050 | NEW-E | 92-19-005 |
| 51-13-402 | AMD-P | 92-16-106 | 55-01-050 | AMD-P | 92-09-157 | 131-46-050 | NEW-P | 92-21-107 |
| 51-13-502 | AMD-E | 92-14-002 | 55-01-050 | AMD-E | 92-14-087 | 131-46-055 | NEW-E | 92-19-005 |
| 51-13-502 | AMD-P | 92-16-106 | 55-01-050 | AMD | 92-14-097 | 131-46-055 | NEW-P | 92-21-107 |
| 51-13-503 | AMD-P | 92-16-106 | 55-01-060 | AMD-P | 92-09-157 | 131-46-060 | NEW-E | 92-19-005 |
| 51-20-0419 | NEW-W | 92-09-110 | 55-01-060 | AMD-E | 92-14-087 | 131-46-060 | NEW-P | 92-21-107 |
| 51-20-0504 | NEW-W | 92-09-110 | 55-01-060 | AMD | 92-14-097 | 131-46-065 | NEW-E | 92-19-005 |
| 51-20-0516 | NEW-W | 92-09-110 | 67-25-446 | AMD-P | 92-06-036 | 131-46-065 | NEW-P | 92-21-107 |
| 51-20-0554 | NEW-W | 92-09-110 | 67-25-446 | AMD | 92-09-090 | 131-46-070 | NEW-E | 92-19-005 |
| 51-20-0555 | NEW-W | 92-09-110 | 67-35-030 | AMD-P | 92-07-011 | 131-46-070 | NEW-P | 92-21-107 |
| 51-20-0610 | NEW-W | 92-09-110 | 67-35-030 | AMD | 92-10-024 | 131-46-075 | NEW-E | 92-19-005 |
| 51-20-1216 | NEW-W | 92-09-110 | 67-35-060 | AMD-P | 92-07-011 | 131-46-075 | NEW-P | 92-21-107 |
| 51-20-1251 | NEW-W | 92-09-110 | 67-35-060 | AMD | 92-10-024 | 131-46-080 | NEW-E | 92-19-005 |
| 51-20-3102 | AMD-P | 92-16-107 | 67-35-065 | NEW-P | 92-21-073 | 131-46-080 | NEW-P | 92-21-107 |
| 51-20-3103 | AMD-P | 92-16-107 | 67-35-070 | AMD-P | 92-07-011 | 131-46-085 | NEW-E | 92-19-005 |
| 51-20-3104 | AMD-P | 92-16-107 | 67-35-070 | AMD-E | 92-07-012 | 131-46-085 | NEW-P | 92-21-107 |
| 51-20-3105 | AMD-P | 92-16-107 | 67-35-070 | AMD | 92-10-024 | 131-46-090 | NEW-E | 92-19-005 |
| 51-20-3106 | AMD-P | 92-16-107 | 67-35-078 | NEW-P | 92-21-073 | 131-46-090 | NEW-P | 92-21-107 |
| 51-20-3107 | AMD-P | 92-16-107 | 67-35-080 | REP-P | 92-07-011 | 131-46-095 | NEW-E | 92-19-005 |
| 51-20-3108 | AMD-P | 92-16-107 | 67-35-080 | REP-E | 92-07-012 | 131-46-095 | NEW-P | 92-21-107 |
| 51-20-3109 | AMD-P | 92-16-107 | 67-35-080 | REP | 92-10-024 | 131-46-100 | NEW-E | 92-19-005 |
| 51-20-3110 | AMD-P | 92-16-107 | 67-35-082 | AMD-P | 92-21-073 | 131-46-100 | NEW-P | 92-21-107 |
| 51-20-3111 | AMD-P | 92-16-107 | 67-75-040 | AMD-P | 92-06-036 | 131-46-105 | NEW-E | 92-19-005 |
| 51-20-3112 | AMD-P | 92-16-107 | 67-75-040 | AMD | 92-09-090 | 131-46-105 | NEW-P | 92-21-107 |
| 51-20-3113 | AMD-P | 92-16-107 | 67-75-042 | NEW-P | 92-06-036 | 131-46-110 | NEW-E | 92-19-005 |
| 51-20-3114 | AMD-P | 92-16-107 | 67-75-042 | NEW | 92-09-090 | 131-46-110 | NEW-P | 92-21-107 |
| 51-20-3200 | NEW-W | 92-09-110 | 67-75-044 | NEW-P | 92-06-036 | 131-46-115 | NEW-E | 92-19-005 |
| 51-20-3207 | NEW-W | 92-09-110 | 67-75-044 | NEW | 92-09-090 | 131-46-115 | NEW-P | 92-21-107 |
| 51-20-3305 | NEW-W | 92-09-110 | 67-75-070 | AMD-P | 92-06-036 | 131-46-120 | NEW-E | 92-19-005 |
| 51-20-91200 | NEW-W | 92-09-110 | 67-75-070 | AMD | 92-09-090 | 131-46-120 | NEW-P | 92-21-107 |
| 51-20-91223 | NEW-W | 92-09-110 | 67-75-075 | AMD-P | 92-06-036 | 132B-104 | NEW-C | 92-07-064 |
| 51-20-91224 | NEW-W | 92-09-110 | 67-75-075 | AMD | 92-09-090 | 132B-104-010 | NEW | 92-08-043 |
| 51-20-91225 | NEW-W | 92-09-110 | 82-50-021 | AMD-P | 92-17-062 | 132B-108 | NEW-C | 92-07-063 |
| 51-20-91226 | NEW-W | 92-09-110 | 82-50-021 | AMD | 92-20-038 | 132B-108-010 | NEW | 92-09-041 |
| 51-20-91227 | NEW-W | 92-09-110 | 131-08-005 | AMD-P | 92-09-138 | 132B-108-020 | NEW | 92-09-041 |
| 51-20-91228 | NEW-W | 92-09-110 | 131-08-005 | AMD | 92-13-019 | 132B-108-030 | NEW | 92-09-041 |
| 51-20-91229 | NEW-W | 92-09-110 | 131-08-007 | AMD-P | 92-09-138 | 132B-108-040 | NEW | 92-09-041 |
| 51-20-91230 | NEW-W | 92-09-110 | 131-08-007 | AMD | 92-13-019 | 132B-108-050 | NEW | 92-09-041 |
| 51-20-91231 | NEW-W | 92-09-110 | 131-08-008 | AMD-P | 92-09-138 | 132B-108-060 | NEW | 92-09-041 |
| 51-20-91232 | NEW-W | 92-09-110 | 131-08-008 | AMD | 92-13-019 | 132B-108-070 | NEW | 92-09-041 |
| 51-20-91233 | NEW-W | 92-09-110 | 131-16-060 | AMD-P | 92-09-139 | 132B-108-080 | NEW | 92-09-041 |
| 51-20-91234 | NEW-W | 92-09-110 | 131-16-060 | AMD-W | 92-12-085 | 132B-130 | NEW-C | 92-07-065 |
| 51-20-93119 | AMD-P | 92-16-107 | 131-16-060 | AMD-P | 92-21-108 | 132B-130-010 | NEW | 92-08-044 |
| 51-20-93120 | AMD-P | 92-16-107 | 131-16-060 | AMD-E | 92-21-109 | 132B-130-020 | NEW | 92-08-044 |
| 51-20-93121 | NEW-W | 92-05-086 | 131-16-062 | AMD-P | 92-09-139 | 132B-131 | NEW-C | 92-07-065 |
| 51-24-78000 | NEW-P | 92-16-052 | 131-28-025 | AMD-E | 92-10-033 | 132B-131-010 | NEW | 92-08-044 |
| 51-24-78201 | NEW-P | 92-16-052 | 131-28-025 | AMD-P | 92-10-042 | 132B-132 | NEW-C | 92-07-065 |
| 51-24-79809 | NEW-P | 92-09-156 | 131-28-025 | AMD | 92-14-033 | 132B-132-010 | NEW | 92-08-044 |
| 51-24-79809 | NEW-W | 92-16-049 | 131-28-026 | AMD-E | 92-10-033 | 132B-133 | NEW-C | 92-07-064 |
| 51-24-79809 | NEW-P | 92-16-050 | 131-28-026 | AMD-P | 92-10-042 | 132B-133-010 | NEW | 92-08-043 |
| 51-24-79901 | NEW-P | 92-09-156 | 131-28-026 | AMD | 92-14-033 | 132B-133-020 | NEW | 92-08-043 |
| 51-24-79901 | NEW-W | 92-16-049 | 131-28-028 | NEW-E | 92-10-033 | 132G-152-040 | NEW-P | 92-04-055 |
| 51-24-79901 | NEW-P | 92-16-050 | 131-28-028 | NEW-P | 92-10-042 | 132G-152-040 | NEW | 92-08-040 |
| 51-24-99300 | NEW-W | 92-05-087 | 131-28-028 | NEW | 92-14-033 | 132H-105-010 | REP-E | 92-07-071 |
| 51-24-99350 | NEW-W | 92-05-087 | 131-32-040 | AMD-P | 92-09-140 | 132H-105-010 | REP-P | 92-09-057 |
| 51-24-99351 | NEW-W | 92-05-087 | 131-32-040 | AMD | 92-13-020 | 132H-105-010 | REP | 92-13-093 |
| 51-24-99352 | NEW-W | 92-05-087 | 131-32-050 | REP-E | 92-19-005 | 132H-105-020 | REP-E | 92-07-071 |
| 51-26-1801 | AMD-P | 92-16-051 | 131-32-050 | REP-P | 92-21-107 | 132H-105-020 | REP-P | 92-09-057 |
| 51-26-1802 | AMD-P | 92-16-051 | 131-46-010 | NEW-E | 92-19-005 | 132H-105-020 | REP | 92-13-093 |
| 51-26-1803 | AMD-P | 92-16-051 | 131-46-010 | NEW-P | 92-21-107 | 132H-105-030 | REP-E | 92-07-071 |
| 51-26-1804 | AMD-P | 92-16-051 | 131-46-015 | NEW-E | 92-19-005 | 132H-105-030 | REP-P | 92-09-057 |
| 51-26-1805 | REP-P | 92-16-051 | 131-46-015 | NEW-P | 92-21-107 | 132H-105-030 | REP | 92-13-093 |
| 51-26-1810 | NEW-P | 92-16-051 | 131-46-020 | NEW-E | 92-19-005 | 132H-105-040 | REP-E | 92-07-071 |
| 51-26-1820 | NEW-P | 92-16-051 | 131-46-025 | NEW-E | 92-19-005 | 132H-105-040 | REP-P | 92-09-057 |
| 51-26-1830 | NEW-P | 92-16-051 | 131-46-025 | NEW-P | 92-21-107 | 132H-105-040 | REP | 92-13-093 |
| 51-26-1840 | NEW-P | 92-16-051 | 131-46-030 | NEW-E | 92-19-005 | 132H-105-050 | REP-E | 92-07-071 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|-------|-----------|--------------|-------|-----------|--------------|-------|-----------|
| 132H-116-520 | REP-E | 92-09-063 | 132H-116-730 | AMD | 92-13-097 | 132H-120-110 | REP-P | 92-14-061 |
| 132H-116-520 | REP | 92-13-097 | 132H-116-740 | REP-P | 92-09-062 | 132H-120-110 | REP-E | 92-14-075 |
| 132H-116-530 | REP-P | 92-09-062 | 132H-116-740 | REP-E | 92-09-063 | 132H-120-110 | REP | 92-19-047 |
| 132H-116-530 | REP-E | 92-09-063 | 132H-116-740 | REP | 92-13-097 | 132H-120-120 | REP-P | 92-14-061 |
| 132H-116-530 | REP | 92-13-097 | 132H-116-750 | AMD-P | 92-09-062 | 132H-120-120 | REP-E | 92-14-075 |
| 132H-116-540 | REP-P | 92-09-062 | 132H-116-750 | AMD-E | 92-09-063 | 132H-120-120 | REP | 92-19-047 |
| 132H-116-540 | REP-E | 92-09-063 | 132H-116-750 | AMD | 92-13-097 | 132H-120-130 | REP-P | 92-14-061 |
| 132H-116-540 | REP | 92-13-097 | 132H-116-760 | REP-P | 92-09-062 | 132H-120-130 | REP-E | 92-14-075 |
| 132H-116-542 | REP-P | 92-09-062 | 132H-116-760 | REP-E | 92-09-063 | 132H-120-130 | REP | 92-19-047 |
| 132H-116-542 | REP-E | 92-09-063 | 132H-116-760 | REP | 92-13-097 | 132H-120-200 | AMD-P | 92-14-061 |
| 132H-116-542 | REP | 92-13-097 | 132H-116-765 | NEW-P | 92-09-062 | 132H-120-200 | AMD-E | 92-14-075 |
| 132H-116-550 | REP-P | 92-09-062 | 132H-116-765 | NEW-E | 92-09-063 | 132H-120-200 | AMD | 92-19-047 |
| 132H-116-550 | REP-E | 92-09-063 | 132H-116-765 | NEW | 92-13-097 | 132H-120-205 | REP-P | 92-14-061 |
| 132H-116-550 | REP | 92-13-097 | 132H-116-770 | REP-P | 92-09-062 | 132H-120-205 | REP-E | 92-14-075 |
| 132H-116-560 | REP-P | 92-09-062 | 132H-116-770 | REP-E | 92-09-063 | 132H-120-205 | REP | 92-19-047 |
| 132H-116-560 | REP-E | 92-09-063 | 132H-116-770 | REP | 92-13-097 | 132H-120-220 | AMD-P | 92-14-061 |
| 132H-116-560 | REP | 92-13-097 | 132H-116-780 | REP-P | 92-09-062 | 132H-120-220 | AMD-E | 92-14-075 |
| 132H-116-570 | REP-P | 92-09-062 | 132H-116-780 | REP-E | 92-09-063 | 132H-120-220 | AMD | 92-19-047 |
| 132H-116-570 | REP-E | 92-09-063 | 132H-116-780 | REP | 92-13-097 | 132H-120-225 | NEW-P | 92-14-061 |
| 132H-116-570 | REP | 92-13-097 | 132H-116-791 | NEW-P | 92-09-062 | 132H-120-225 | NEW-E | 92-14-075 |
| 132H-116-580 | REP-P | 92-09-062 | 132H-116-791 | NEW-E | 92-09-063 | 132H-120-225 | NEW | 92-19-047 |
| 132H-116-580 | REP-E | 92-09-063 | 132H-116-791 | NEW | 92-13-097 | 132H-120-230 | REP-P | 92-14-061 |
| 132H-116-580 | REP | 92-13-097 | 132H-116-810 | REP-P | 92-09-062 | 132H-120-230 | REP-E | 92-14-075 |
| 132H-116-590 | AMD-P | 92-09-062 | 132H-116-810 | REP-E | 92-09-063 | 132H-120-230 | REP | 92-19-047 |
| 132H-116-590 | AMD-E | 92-09-063 | 132H-116-810 | REP | 92-13-097 | 132H-120-235 | NEW-P | 92-14-061 |
| 132H-116-590 | AMD | 92-13-097 | 132H-120-010 | AMD-P | 92-14-061 | 132H-120-235 | NEW-E | 92-14-075 |
| 132H-116-600 | REP-P | 92-09-062 | 132H-120-010 | AMD-E | 92-14-075 | 132H-120-240 | REP-P | 92-14-061 |
| 132H-116-600 | REP-E | 92-09-063 | 132H-120-010 | AMD | 92-19-047 | 132H-120-240 | REP-E | 92-14-075 |
| 132H-116-600 | REP | 92-13-097 | 132H-120-020 | AMD-P | 92-14-061 | 132H-120-240 | REP | 92-19-047 |
| 132H-116-610 | REP-P | 92-09-062 | 132H-120-020 | AMD-E | 92-14-075 | 132H-120-245 | NEW-P | 92-14-061 |
| 132H-116-610 | REP-E | 92-09-063 | 132H-120-020 | AMD | 92-19-047 | 132H-120-245 | NEW-E | 92-14-075 |
| 132H-116-610 | REP | 92-13-097 | 132H-120-030 | AMD-P | 92-14-061 | 132H-120-245 | NEW | 92-19-047 |
| 132H-116-615 | NEW-P | 92-09-062 | 132H-120-030 | AMD-E | 92-14-075 | 132H-120-300 | AMD-P | 92-14-061 |
| 132H-116-615 | NEW-E | 92-09-063 | 132H-120-030 | AMD | 92-19-047 | 132H-120-300 | AMD-E | 92-14-075 |
| 132H-116-615 | NEW | 92-13-097 | 132H-120-040 | AMD-P | 92-14-061 | 132H-120-300 | AMD | 92-19-047 |
| 132H-116-620 | AMD-P | 92-09-062 | 132H-120-040 | AMD-E | 92-14-075 | 132H-120-305 | NEW-P | 92-14-061 |
| 132H-116-620 | AMD-E | 92-09-063 | 132H-120-040 | AMD | 92-19-047 | 132H-120-305 | NEW-E | 92-14-075 |
| 132H-116-620 | AMD | 92-13-097 | 132H-120-050 | AMD-P | 92-14-061 | 132H-120-305 | NEW | 92-19-047 |
| 132H-116-630 | AMD-P | 92-09-062 | 132H-120-050 | AMD-E | 92-14-075 | 132H-120-310 | AMD-P | 92-14-061 |
| 132H-116-630 | AMD-E | 92-09-063 | 132H-120-050 | AMD | 92-19-047 | 132H-120-310 | AMD-E | 92-14-075 |
| 132H-116-630 | AMD | 92-13-097 | 132H-120-062 | REP-P | 92-14-061 | 132H-120-310 | AMD | 92-19-047 |
| 132H-116-640 | REP-P | 92-09-062 | 132H-120-062 | REP-E | 92-14-075 | 132H-120-320 | REP-P | 92-14-061 |
| 132H-116-640 | REP-E | 92-09-063 | 132H-120-062 | REP | 92-19-047 | 132H-120-320 | REP-E | 92-14-075 |
| 132H-116-640 | REP | 92-13-097 | 132H-120-070 | REP-P | 92-14-061 | 132H-120-320 | REP | 92-19-047 |
| 132H-116-650 | REP-P | 92-09-062 | 132H-120-070 | REP-E | 92-14-075 | 132H-120-330 | REP-P | 92-14-061 |
| 132H-116-650 | REP-E | 92-09-063 | 132H-120-070 | REP | 92-19-047 | 132H-120-330 | REP-E | 92-14-075 |
| 132H-116-650 | REP | 92-13-097 | 132H-120-072 | REP-P | 92-14-061 | 132H-120-330 | REP | 92-19-047 |
| 132H-116-655 | NEW-P | 92-09-062 | 132H-120-072 | REP-E | 92-14-075 | 132H-120-335 | NEW-P | 92-14-061 |
| 132H-116-655 | NEW-E | 92-09-063 | 132H-120-072 | REP | 92-19-047 | 132H-120-335 | NEW-E | 92-14-075 |
| 132H-116-655 | NEW | 92-13-097 | 132H-120-073 | REP-P | 92-14-061 | 132H-120-335 | NEW | 92-19-047 |
| 132H-116-660 | REP-P | 92-09-062 | 132H-120-073 | REP-E | 92-14-075 | 132H-120-340 | REP-P | 92-14-061 |
| 132H-116-660 | REP-E | 92-09-063 | 132H-120-073 | REP | 92-19-047 | 132H-120-340 | REP-E | 92-14-075 |
| 132H-116-660 | REP | 92-13-097 | 132H-120-075 | REP-P | 92-14-061 | 132H-120-340 | REP | 92-19-047 |
| 132H-116-670 | REP-P | 92-09-062 | 132H-120-075 | REP-E | 92-14-075 | 132H-120-350 | AMD-P | 92-14-061 |
| 132H-116-670 | REP-E | 92-09-063 | 132H-120-075 | REP | 92-19-047 | 132H-120-350 | AMD-E | 92-14-075 |
| 132H-116-670 | REP | 92-13-097 | 132H-120-077 | REP-P | 92-14-061 | 132H-120-350 | AMD | 92-19-047 |
| 132H-116-680 | REP-P | 92-09-062 | 132H-120-077 | REP-E | 92-14-075 | 132H-120-360 | AMD-P | 92-14-061 |
| 132H-116-680 | REP-E | 92-09-063 | 132H-120-077 | REP | 92-19-047 | 132H-120-360 | AMD-E | 92-14-075 |
| 132H-116-680 | REP | 92-13-097 | 132H-120-078 | REP-P | 92-14-061 | 132H-120-360 | AMD | 92-19-047 |
| 132H-116-690 | REP-P | 92-09-062 | 132H-120-078 | REP-E | 92-14-075 | 132H-120-400 | REP-P | 92-14-061 |
| 132H-116-690 | REP-E | 92-09-063 | 132H-120-078 | REP | 92-19-047 | 132H-120-400 | REP-E | 92-14-075 |
| 132H-116-690 | REP | 92-13-097 | 132H-120-079 | REP-P | 92-14-061 | 132H-120-400 | REP | 92-19-047 |
| 132H-116-700 | REP-P | 92-09-062 | 132H-120-079 | REP-E | 92-14-075 | 132H-120-405 | NEW-P | 92-14-061 |
| 132H-116-700 | REP-E | 92-09-063 | 132H-120-079 | REP | 92-19-047 | 132H-120-405 | NEW-E | 92-14-075 |
| 132H-116-700 | REP | 92-13-097 | 132H-120-080 | REP-P | 92-14-061 | 132H-120-405 | NEW | 92-19-047 |
| 132H-116-710 | REP-P | 92-09-062 | 132H-120-080 | REP-E | 92-14-075 | 132H-120-410 | AMD-P | 92-14-061 |
| 132H-116-710 | REP-E | 92-09-063 | 132H-120-080 | REP | 92-19-047 | 132H-120-410 | AMD-E | 92-14-075 |
| 132H-116-710 | REP | 92-13-097 | 132H-120-090 | REP-P | 92-14-061 | 132H-120-410 | AMD | 92-19-047 |
| 132H-116-720 | REP-P | 92-09-062 | 132H-120-090 | REP-E | 92-14-075 | 132H-120-420 | AMD-P | 92-14-061 |
| 132H-116-720 | REP-E | 92-09-063 | 132H-120-090 | REP | 92-19-047 | 132H-120-420 | AMD-E | 92-14-075 |
| 132H-116-720 | REP | 92-13-097 | 132H-120-100 | REP-P | 92-14-061 | 132H-120-420 | AMD | 92-19-047 |
| 132H-116-730 | AMD-P | 92-09-062 | 132H-120-100 | REP-E | 92-14-075 | 132H-120-430 | AMD-P | 92-14-061 |
| 132H-116-730 | AMD-E | 92-09-063 | 132H-120-100 | REP | 92-19-047 | 132H-120-430 | AMD-E | 92-14-075 |

TABLE

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|-------|-----------|--------------|-------|-----------|--------------|-------|-----------|
| 132H-120-430 | AMD | 92-19-047 | 132H-200-100 | REP | 92-19-048 | 132I-112-120 | REP-P | 92-09-152 |
| 132H-120-440 | AMD-P | 92-14-061 | 132H-200-110 | REP-P | 92-15-062 | 132I-112-120 | REP | 92-15-115 |
| 132H-120-440 | AMD-E | 92-14-075 | 132H-200-110 | REP | 92-19-048 | 132I-112-130 | REP-P | 92-09-152 |
| 132H-120-440 | AMD | 92-19-047 | 132H-200-200 | REP-P | 92-15-062 | 132I-112-130 | REP | 92-15-115 |
| 132H-120-450 | AMD-P | 92-14-061 | 132H-200-200 | REP | 92-19-048 | 132I-112-140 | REP-P | 92-09-152 |
| 132H-120-450 | AMD-E | 92-14-075 | 132H-200-250 | REP-P | 92-15-062 | 132I-112-140 | REP | 92-15-115 |
| 132H-120-450 | AMD | 92-19-047 | 132H-200-250 | REP | 92-19-048 | 132I-112-150 | REP-P | 92-09-152 |
| 132H-120-460 | AMD-P | 92-14-061 | 132I-104-010 | REP-P | 92-09-152 | 132I-112-150 | REP | 92-15-115 |
| 132H-120-460 | AMD-E | 92-14-075 | 132I-104-010 | REP | 92-15-115 | 132I-112-160 | REP-P | 92-09-152 |
| 132H-120-460 | AMD | 92-19-047 | 132I-104-030 | AMD-P | 92-09-152 | 132I-112-160 | REP | 92-15-115 |
| 132H-120-470 | REP-P | 92-14-061 | 132I-104-030 | AMD | 92-15-115 | 132I-112-170 | REP-P | 92-09-152 |
| 132H-120-470 | REP-E | 92-14-075 | 132I-104-040 | AMD-P | 92-09-152 | 132I-112-170 | REP | 92-15-115 |
| 132H-120-470 | REP | 92-19-047 | 132I-104-040 | AMD | 92-15-115 | 132I-112-180 | REP-P | 92-09-152 |
| 132H-120-475 | NEW-P | 92-14-061 | 132I-104-050 | REP-P | 92-09-152 | 132I-112-180 | REP | 92-15-115 |
| 132H-120-475 | NEW-E | 92-14-075 | 132I-104-050 | REP | 92-15-115 | 132I-112-190 | REP-P | 92-09-152 |
| 132H-120-475 | NEW | 92-19-047 | 132I-104-060 | REP-P | 92-09-152 | 132I-112-190 | REP | 92-15-115 |
| 132H-120-480 | REP-P | 92-14-061 | 132I-104-060 | REP | 92-15-115 | 132I-112-200 | REP-P | 92-09-152 |
| 132H-120-480 | REP-E | 92-14-075 | 132I-104-065 | NEW-P | 92-09-152 | 132I-112-200 | REP | 92-15-115 |
| 132H-120-480 | REP | 92-19-047 | 132I-104-065 | NEW | 92-15-115 | 132I-112-210 | REP-P | 92-09-152 |
| 132H-120-490 | REP-P | 92-14-061 | 132I-104-070 | REP-P | 92-09-152 | 132I-112-210 | REP | 92-15-115 |
| 132H-120-490 | REP-E | 92-14-075 | 132I-104-070 | REP | 92-15-115 | 132I-112-220 | REP-P | 92-09-152 |
| 132H-120-490 | REP | 92-19-047 | 132I-104-080 | AMD-P | 92-09-152 | 132I-112-220 | REP | 92-15-115 |
| 132H-121-010 | NEW-P | 92-15-065 | 132I-104-080 | AMD | 92-15-115 | 132I-112-230 | REP-P | 92-09-152 |
| 132H-121-010 | NEW | 92-19-051 | 132I-104-090 | AMD-P | 92-09-152 | 132I-112-230 | REP | 92-15-115 |
| 132H-122-010 | NEW-P | 92-15-068 | 132I-104-090 | AMD | 92-15-115 | 132I-112-240 | REP-P | 92-09-152 |
| 132H-122-010 | NEW | 92-19-054 | 132I-104-110 | AMD-P | 92-09-152 | 132I-112-240 | REP | 92-15-115 |
| 132H-122-020 | NEW-P | 92-15-068 | 132I-104-110 | AMD | 92-15-115 | 132I-116-010 | AMD-P | 92-09-152 |
| 132H-122-020 | NEW | 92-19-054 | 132I-108-010 | NEW-P | 92-09-152 | 132I-116-010 | AMD | 92-15-115 |
| 132H-122-030 | NEW-P | 92-15-068 | 132I-108-010 | NEW | 92-15-115 | 132I-116-090 | AMD-P | 92-09-152 |
| 132H-122-030 | NEW | 92-19-054 | 132I-108-020 | NEW-P | 92-09-152 | 132I-116-090 | AMD | 92-15-115 |
| 132H-128-010 | REP-E | 92-07-072 | 132I-108-020 | NEW | 92-15-115 | 132I-116-270 | AMD-P | 92-09-152 |
| 132H-128-010 | REP-P | 92-09-059 | 132I-108-030 | NEW-P | 92-09-152 | 132I-116-270 | AMD | 92-15-115 |
| 132H-128-010 | REP | 92-13-095 | 132I-108-030 | NEW | 92-15-115 | 132I-116-275 | NEW-P | 92-09-152 |
| 132H-128-020 | REP-E | 92-07-072 | 132I-108-040 | NEW-P | 92-09-152 | 132I-116-275 | NEW | 92-15-115 |
| 132H-128-020 | REP-P | 92-09-059 | 132I-108-040 | NEW | 92-15-115 | 132I-116-280 | AMD-P | 92-09-152 |
| 132H-128-020 | REP | 92-13-095 | 132I-108-050 | NEW-P | 92-09-152 | 132I-116-280 | AMD | 92-15-115 |
| 132H-128-030 | REP-E | 92-07-072 | 132I-108-050 | NEW | 92-15-115 | 132I-116-285 | NEW-P | 92-09-152 |
| 132H-128-030 | REP-P | 92-09-059 | 132I-108-060 | NEW-P | 92-09-152 | 132I-116-285 | NEW | 92-15-115 |
| 132H-128-030 | REP | 92-13-095 | 132I-108-060 | NEW | 92-15-115 | 132I-116-300 | AMD-P | 92-09-152 |
| 132H-128-040 | REP-E | 92-07-072 | 132I-108-070 | NEW-P | 92-09-152 | 132I-116-300 | AMD | 92-15-115 |
| 132H-128-040 | REP-P | 92-09-059 | 132I-108-070 | NEW | 92-15-115 | 132I-120-020 | AMD-P | 92-09-152 |
| 132H-128-040 | REP | 92-13-095 | 132I-108-080 | NEW-P | 92-09-152 | 132I-120-020 | AMD | 92-15-115 |
| 132H-131-010 | NEW-P | 92-15-067 | 132I-108-080 | NEW | 92-15-115 | 132I-120-100 | AMD-P | 92-09-152 |
| 132H-131-010 | NEW | 92-19-053 | 132I-108-090 | NEW-P | 92-09-152 | 132I-120-100 | AMD | 92-15-115 |
| 132H-131-020 | NEW-P | 92-15-067 | 132I-108-090 | NEW | 92-15-115 | 132I-120-105 | NEW-P | 92-09-152 |
| 132H-131-020 | NEW | 92-19-053 | 132I-108-100 | NEW-P | 92-09-152 | 132I-120-105 | NEW | 92-15-115 |
| 132H-132-020 | AMD-P | 92-15-073 | 132I-108-100 | NEW | 92-15-115 | 132I-120-300 | REP-P | 92-09-152 |
| 132H-132-020 | AMD | 92-19-055 | 132I-108-110 | NEW-P | 92-09-152 | 132I-120-300 | REP | 92-15-115 |
| 132H-133-010 | NEW-P | 92-15-063 | 132I-108-110 | NEW | 92-15-115 | 132I-120-305 | REP-P | 92-09-152 |
| 132H-133-010 | NEW | 92-19-049 | 132I-108-120 | NEW-P | 92-09-152 | 132I-120-305 | REP | 92-15-115 |
| 132H-133-020 | NEW-P | 92-15-063 | 132I-108-120 | NEW | 92-15-115 | 132I-120-310 | REP-P | 92-09-152 |
| 132H-133-020 | NEW | 92-19-049 | 132I-112-010 | REP-P | 92-09-152 | 132I-120-310 | REP | 92-15-115 |
| 132H-133-040 | NEW-P | 92-15-063 | 132I-112-010 | REP | 92-15-115 | 132I-120-320 | REP-P | 92-09-152 |
| 132H-133-040 | NEW | 92-19-049 | 132I-112-020 | REP-P | 92-09-152 | 132I-120-320 | REP | 92-15-115 |
| 132H-133-050 | NEW-P | 92-15-063 | 132I-112-020 | REP | 92-15-115 | 132I-120-325 | REP-P | 92-09-152 |
| 132H-133-050 | NEW | 92-19-049 | 132I-112-030 | REP-P | 92-09-152 | 132I-120-325 | REP | 92-15-115 |
| 132H-136-030 | AMD-P | 92-16-066 | 132I-112-030 | REP | 92-15-115 | 132I-120-335 | REP-P | 92-09-152 |
| 132H-136-030 | AMD | 92-19-052 | 132I-112-040 | REP-P | 92-09-152 | 132I-120-335 | REP | 92-15-115 |
| 132H-136-035 | NEW-P | 92-16-066 | 132I-112-040 | REP | 92-15-115 | 132I-120-345 | REP-P | 92-09-152 |
| 132H-136-035 | NEW | 92-19-052 | 132I-112-050 | REP-P | 92-09-152 | 132I-120-345 | REP | 92-15-115 |
| 132H-148-010 | REP-E | 92-07-073 | 132I-112-050 | REP | 92-15-115 | 132I-120-400 | AMD-P | 92-09-152 |
| 132H-148-010 | REP-P | 92-09-060 | 132I-112-060 | REP-P | 92-09-152 | 132I-120-400 | AMD | 92-15-115 |
| 132H-148-010 | REP | 92-13-096 | 132I-112-060 | REP | 92-15-115 | 132I-120-405 | REP-P | 92-09-152 |
| 132H-148-110 | REP-E | 92-07-073 | 132I-112-070 | REP-P | 92-09-152 | 132I-120-405 | REP | 92-15-115 |
| 132H-148-110 | REP-P | 92-09-060 | 132I-112-070 | REP | 92-15-115 | 132I-120-410 | AMD-P | 92-09-152 |
| 132H-148-110 | REP | 92-13-096 | 132I-112-080 | REP-P | 92-09-152 | 132I-120-410 | AMD | 92-15-115 |
| 132H-200-010 | REP-P | 92-15-062 | 132I-112-080 | REP | 92-15-115 | 132I-120-415 | AMD-P | 92-09-152 |
| 132H-200-010 | REP | 92-19-048 | 132I-112-090 | REP-P | 92-09-152 | 132I-120-415 | AMD | 92-15-115 |
| 132H-200-020 | REP-P | 92-15-062 | 132I-112-090 | REP | 92-15-115 | 132I-120-420 | REP-P | 92-09-152 |
| 132H-200-020 | REP | 92-19-048 | 132I-112-100 | REP-P | 92-09-152 | 132I-120-420 | REP | 92-15-115 |
| 132H-200-040 | REP-P | 92-15-062 | 132I-112-100 | REP | 92-15-115 | 132I-120-421 | NEW-P | 92-09-152 |
| 132H-200-040 | REP | 92-19-048 | 132I-112-110 | REP-P | 92-09-152 | 132I-120-421 | NEW | 92-15-115 |
| 132H-200-100 | REP-P | 92-15-062 | 132I-112-110 | REP | 92-15-115 | 132I-120-424 | NEW-P | 92-09-152 |

TABLE

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|--------------|-------|-----------|--------------|-------|-----------|--------------|-------|-----------|
| 132K-12-300 | REP | 92-03-031 | 132M-110-130 | AMD | 92-09-004 | 132M-120-320 | NEW-P | 92-04-059 |
| 132K-12-310 | REP | 92-03-031 | 132M-112-010 | REP-P | 92-04-064 | 132M-120-320 | NEW | 92-09-094 |
| 132K-12-320 | REP | 92-03-031 | 132M-112-010 | REP | 92-09-092 | 132M-136-020 | AMD-P | 92-04-063 |
| 132K-12-330 | REP | 92-03-031 | 132M-112-011 | REP-P | 92-04-064 | 132M-136-020 | AMD | 92-09-009 |
| 132K-12-340 | REP | 92-03-031 | 132M-112-011 | REP | 92-09-092 | 132M-136-060 | AMD-P | 92-04-063 |
| 132K-12-350 | REP | 92-03-031 | 132M-113-010 | AMD-P | 92-04-065 | 132M-136-060 | AMD | 92-09-009 |
| 132K-12-360 | REP | 92-03-031 | 132M-113-010 | AMD | 92-09-093 | 132M-136-100 | NEW-P | 92-04-063 |
| 132K-12-370 | REP | 92-03-031 | 132M-113-015 | AMD-P | 92-04-065 | 132M-136-100 | NEW | 92-09-009 |
| 132K-12-380 | REP | 92-03-031 | 132M-113-015 | AMD | 92-09-093 | 132M-140-010 | REP-P | 92-04-063 |
| 132K-12-390 | REP | 92-03-031 | 132M-113-020 | AMD-P | 92-04-065 | 132M-140-010 | REP | 92-09-009 |
| 132K-12-400 | REP | 92-03-031 | 132M-113-020 | AMD | 92-09-093 | 132M-160-010 | AMD-P | 92-04-062 |
| 132K-12-410 | REP | 92-03-031 | 132M-113-025 | AMD-P | 92-04-065 | 132M-160-010 | AMD | 92-09-008 |
| 132K-12-420 | REP | 92-03-031 | 132M-113-025 | AMD | 92-09-093 | 132M-300-001 | NEW-P | 92-04-064 |
| 132K-12-430 | REP | 92-03-031 | 132M-113-030 | AMD-P | 92-04-065 | 132M-300-001 | NEW | 92-09-092 |
| 132K-12-440 | REP | 92-03-031 | 132M-113-030 | AMD | 92-09-093 | 132M-300-010 | NEW-P | 92-04-064 |
| 132K-12-450 | REP | 92-03-031 | 132M-113-035 | REP-P | 92-04-065 | 132M-300-010 | NEW | 92-09-092 |
| 132K-12-460 | REP | 92-03-031 | 132M-113-035 | REP | 92-09-093 | 132M-400-010 | NEW-P | 92-04-060 |
| 132K-12-470 | REP | 92-03-031 | 132M-113-045 | REP-P | 92-04-065 | 132M-400-010 | NEW | 92-09-006 |
| 132K-12-480 | REP | 92-03-031 | 132M-113-045 | REP | 92-09-093 | 132M-400-020 | NEW-P | 92-04-060 |
| 132K-12-490 | REP | 92-03-031 | 132M-113-050 | NEW-P | 92-04-065 | 132M-400-020 | NEW | 92-09-006 |
| 132K-12-500 | REP | 92-03-031 | 132M-113-050 | NEW | 92-09-093 | 132M-400-030 | NEW-P | 92-04-060 |
| 132K-12-510 | REP | 92-03-031 | 132M-113-055 | NEW-P | 92-04-065 | 132M-400-030 | NEW | 92-09-006 |
| 132K-12-520 | REP | 92-03-031 | 132M-113-055 | NEW | 92-09-093 | 132M-400-040 | NEW-P | 92-04-060 |
| 132K-12-530 | REP | 92-03-031 | 132M-115-001 | NEW-P | 92-04-061 | 132M-400-040 | NEW | 92-09-006 |
| 132K-12-540 | REP | 92-03-031 | 132M-115-001 | NEW | 92-09-007 | 132Q-04-020 | AMD-P | 92-10-053 |
| 132K-12-550 | REP | 92-03-031 | 132M-115-010 | REP-P | 92-04-061 | 132Q-04-020 | AMD | 92-14-038 |
| 132K-12-560 | REP | 92-03-031 | 132M-115-010 | REP | 92-09-007 | 132Q-04-095 | AMD-P | 92-10-053 |
| 132K-12-570 | REP | 92-03-031 | 132M-115-020 | REP-P | 92-04-061 | 132Q-04-095 | AMD | 92-14-038 |
| 132K-12-580 | REP | 92-03-031 | 132M-115-020 | REP | 92-09-007 | 132Q-04-096 | NEW-P | 92-10-053 |
| 132K-12-590 | REP | 92-03-031 | 132M-115-030 | REP-P | 92-04-061 | 132Q-04-096 | NEW | 92-14-038 |
| 132K-12-600 | REP | 92-03-031 | 132M-115-030 | REP | 92-09-007 | 132Q-04-120 | AMD-P | 92-10-053 |
| 132K-12-610 | REP | 92-03-031 | 132M-115-040 | REP-P | 92-04-061 | 132Q-04-120 | AMD | 92-14-038 |
| 132K-12-620 | REP | 92-03-031 | 132M-115-040 | REP | 92-09-007 | 132Q-04-130 | AMD-P | 92-10-053 |
| 132K-12-630 | REP | 92-03-031 | 132M-120 | AMD-P | 92-04-059 | 132Q-04-130 | AMD | 92-14-038 |
| 132K-12-640 | REP | 92-03-031 | 132M-120 | AMD | 92-09-094 | 132Q-04-140 | AMD-P | 92-10-053 |
| 132K-12-650 | REP | 92-03-031 | 132M-120-010 | AMD-P | 92-04-059 | 132Q-04-140 | AMD | 92-14-038 |
| 132K-12-660 | REP | 92-03-031 | 132M-120-010 | AMD | 92-09-094 | 132Q-04-170 | AMD-P | 92-10-053 |
| 132K-12-670 | REP | 92-03-031 | 132M-120-020 | AMD-P | 92-04-059 | 132Q-04-170 | AMD | 92-14-038 |
| 132K-12-680 | REP | 92-03-031 | 132M-120-020 | AMD | 92-09-094 | 132Q-04-180 | AMD-P | 92-10-053 |
| 132K-12-690 | REP | 92-03-031 | 132M-120-025 | NEW-P | 92-04-059 | 132Q-04-180 | AMD | 92-14-038 |
| 132K-12-700 | REP | 92-03-031 | 132M-120-025 | NEW | 92-09-094 | 132Q-04-190 | AMD-P | 92-10-053 |
| 132K-12-710 | REP | 92-03-031 | 132M-120-030 | AMD-P | 92-04-059 | 132Q-04-190 | AMD | 92-14-038 |
| 132K-12-720 | REP | 92-03-031 | 132M-120-030 | AMD | 92-09-094 | 132Q-04-200 | AMD-P | 92-10-053 |
| 132K-12-725 | REP | 92-03-031 | 132M-120-040 | AMD-P | 92-04-059 | 132Q-04-200 | AMD | 92-14-038 |
| 132K-12-730 | REP | 92-03-031 | 132M-120-040 | AMD | 92-09-094 | 132Q-04-210 | AMD-P | 92-10-053 |
| 132K-12-740 | REP | 92-03-031 | 132M-120-050 | REP-P | 92-04-059 | 132Q-04-210 | AMD | 92-14-038 |
| 132K-12-750 | REP | 92-03-031 | 132M-120-050 | REP | 92-09-094 | 132Q-04-250 | AMD-P | 92-10-053 |
| 132K-12-760 | REP | 92-03-031 | 132M-120-065 | NEW-P | 92-04-059 | 132Q-04-250 | AMD | 92-14-038 |
| 132K-12-770 | REP | 92-03-031 | 132M-120-065 | NEW | 92-09-094 | 132Q-04-260 | AMD-P | 92-10-053 |
| 132K-12-780 | REP | 92-03-031 | 132M-120-070 | REP-P | 92-04-059 | 132Q-04-260 | AMD | 92-14-038 |
| 132K-12-790 | REP | 92-03-031 | 132M-120-070 | REP | 92-09-094 | 132Q-04-280 | AMD-P | 92-10-053 |
| 132K-12-800 | REP | 92-03-031 | 132M-120-080 | REP-P | 92-04-059 | 132Q-04-280 | AMD | 92-14-038 |
| 132K-12-810 | REP | 92-03-031 | 132M-120-080 | REP | 92-09-094 | 132Q-05-050 | AMD-P | 92-10-052 |
| 132K-12-820 | REP | 92-03-031 | 132M-120-095 | NEW-P | 92-04-059 | 132Q-05-050 | AMD | 92-14-037 |
| 132K-12-830 | REP | 92-03-031 | 132M-120-095 | NEW | 92-09-094 | 132Q-05-060 | AMD-P | 92-10-052 |
| 132K-12-840 | REP | 92-03-031 | 132M-120-100 | NEW-P | 92-04-059 | 132Q-05-060 | AMD | 92-14-037 |
| 132M-108-010 | NEW-P | 92-04-058 | 132M-120-100 | NEW | 92-09-094 | 132Q-05-070 | AMD-P | 92-10-052 |
| 132M-108-010 | NEW | 92-09-005 | 132M-120-110 | NEW-P | 92-04-059 | 132Q-05-070 | AMD | 92-14-037 |
| 132M-108-020 | NEW-P | 92-04-058 | 132M-120-110 | NEW | 92-09-094 | 132Q-05-080 | AMD-P | 92-10-052 |
| 132M-108-020 | NEW | 92-09-005 | 132M-120-120 | NEW-P | 92-04-059 | 132Q-05-080 | AMD | 92-14-037 |
| 132M-108-030 | NEW-P | 92-04-058 | 132M-120-120 | NEW | 92-09-094 | 132Q-05-090 | AMD-P | 92-10-052 |
| 132M-108-030 | NEW | 92-09-005 | 132M-120-130 | NEW-P | 92-04-059 | 132Q-05-090 | AMD | 92-14-037 |
| 132M-108-040 | NEW-P | 92-04-058 | 132M-120-130 | NEW | 92-09-094 | 132Q-05-100 | AMD-P | 92-10-052 |
| 132M-108-040 | NEW | 92-09-005 | 132M-120-200 | NEW-P | 92-04-059 | 132Q-05-100 | AMD | 92-14-037 |
| 132M-108-050 | NEW-P | 92-04-058 | 132M-120-200 | NEW | 92-09-094 | 132Q-05-120 | AMD-P | 92-10-052 |
| 132M-108-050 | NEW | 92-09-005 | 132M-120-210 | NEW-P | 92-04-059 | 132Q-05-120 | AMD | 92-14-037 |
| 132M-108-060 | NEW-P | 92-04-058 | 132M-120-210 | NEW | 92-09-094 | 132Q-06-020 | AMD-P | 92-10-057 |
| 132M-108-060 | NEW | 92-09-005 | 132M-120-220 | NEW-P | 92-04-059 | 132Q-06-020 | AMD | 92-14-042 |
| 132M-108-070 | NEW-P | 92-04-058 | 132M-120-220 | NEW | 92-09-094 | 132Q-06-025 | AMD-P | 92-10-057 |
| 132M-108-070 | NEW | 92-09-005 | 132M-120-300 | NEW-P | 92-04-059 | 132Q-06-025 | AMD | 92-14-042 |
| 132M-108-080 | NEW-P | 92-04-058 | 132M-120-300 | NEW | 92-09-094 | 132Q-06-030 | AMD-P | 92-10-057 |
| 132M-108-080 | NEW | 92-09-005 | 132M-120-310 | NEW-P | 92-04-059 | 132Q-06-030 | AMD | 92-14-042 |
| 132M-110-130 | AMD-P | 92-04-057 | 132M-120-310 | NEW | 92-09-094 | 132Q-06-040 | AMD-P | 92-10-057 |

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| 172-122-110 | NEW-P | 92-15-127 | 172-139-030 | NEW | 92-21-043 | 173-19-2521 | AMD-P | 92-07-088 |
| 172-122-110 | NEW-W | 92-16-061 | 172-139-040 | NEW-P | 92-15-128 | 173-19-2521 | AMD-C | 92-09-128 |
| 172-122-110 | NEW-P | 92-16-098 | 172-139-040 | NEW | 92-21-043 | 173-19-2521 | AMD-C | 92-13-079 |
| 172-122-120 | NEW-P | 92-15-127 | 172-144-010 | AMD-P | 92-05-053 | 173-19-2521 | AMD-C | 92-16-094 |
| 172-122-120 | NEW-W | 92-16-061 | 172-144-010 | AMD | 92-09-102 | 173-19-2521 | AMD | 92-19-090 |
| 172-122-120 | NEW-P | 92-16-098 | 172-144-020 | AMD-P | 92-05-053 | 173-19-2521 | AMD-P | 92-20-087 |
| 172-122-200 | NEW-P | 92-15-127 | 172-144-020 | AMD | 92-09-102 | 173-19-2523 | AMD-P | 92-09-132 |
| 172-122-200 | NEW-W | 92-16-061 | 172-144-030 | REP-P | 92-05-053 | 173-19-2523 | AMD | 92-17-073 |
| 172-122-200 | NEW-P | 92-16-098 | 172-144-030 | REP | 92-09-102 | 173-19-2601 | AMD | 92-04-081 |
| 172-122-210 | NEW-P | 92-15-127 | 172-144-040 | AMD-P | 92-05-053 | 173-19-2602 | AMD-P | 92-03-129 |
| 172-122-210 | NEW-W | 92-16-061 | 172-144-040 | AMD | 92-09-102 | 173-19-2602 | AMD-C | 92-09-127 |
| 172-122-210 | NEW-P | 92-16-098 | 172-144-045 | NEW-P | 92-05-053 | 173-19-2602 | AMD-C | 92-12-054 |
| 172-122-300 | NEW-P | 92-15-127 | 172-144-045 | NEW | 92-09-102 | 173-19-2602 | AMD | 92-13-084 |
| 172-122-300 | NEW-W | 92-16-061 | 172-144-050 | REP-P | 92-05-053 | 173-19-350 | AMD-P | 92-20-088 |
| 172-122-300 | NEW-P | 92-16-098 | 172-144-050 | REP | 92-09-102 | 173-19-3503 | AMD-P | 92-20-089 |
| 172-122-400 | NEW-P | 92-15-127 | 172-149-010 | REP-P | 92-21-042 | 173-19-3514 | AMD-P | 92-15-109 |
| 172-122-400 | NEW-W | 92-16-061 | 172-149-020 | REP-P | 92-21-042 | 173-19-3514 | AMD-C | 92-21-081 |
| 172-122-400 | NEW-P | 92-16-098 | 172-149-030 | REP-P | 92-21-042 | 173-19-360 | AMD-P | 92-11-042 |
| 172-122-410 | NEW-P | 92-15-127 | 172-149-040 | REP-P | 92-21-042 | 173-19-360 | AMD-C | 92-14-120 |
| 172-122-410 | NEW-W | 92-16-061 | 172-149-050 | REP-P | 92-21-042 | 173-19-360 | AMD-P | 92-15-110 |
| 172-122-410 | NEW-P | 92-16-098 | 172-149-060 | REP-P | 92-21-042 | 173-19-360 | AMD | 92-17-074 |
| 172-122-500 | NEW-P | 92-16-098 | 172-149-070 | REP-P | 92-21-042 | 173-19-360 | AMD | 92-21-084 |
| 172-124 | AMD-P | 92-05-056 | 172-149-080 | REP-P | 92-21-042 | 173-19-4205 | AMD-P | 92-03-130 |
| 172-124 | AMD | 92-09-105 | 172-149-090 | REP-P | 92-21-042 | 173-19-4205 | AMD | 92-09-134 |
| 172-124-010 | AMD-P | 92-05-056 | 172-149-100 | REP-P | 92-21-042 | 173-19-430 | AMD-P | 92-07-089 |
| 172-124-010 | AMD | 92-09-105 | 172-149-110 | REP-P | 92-21-042 | 173-19-430 | AMD-C | 92-13-078 |
| 172-124-020 | AMD-P | 92-05-056 | 172-168-020 | AMD-P | 92-14-056 | 173-19-430 | AMD | 92-16-095 |
| 172-124-020 | AMD | 92-09-105 | 172-168-060 | REP-P | 92-14-056 | 173-19-450 | AMD-P | 92-15-108 |
| 172-124-100 | REP-P | 92-05-056 | 172-168-070 | AMD-P | 92-14-056 | 173-19-450 | AMD-C | 92-20-068 |
| 172-124-100 | REP | 92-09-105 | 172-168-080 | AMD-P | 92-14-056 | 173-19-450 | AMD-C | 92-21-082 |
| 172-124-200 | REP-P | 92-05-056 | 172-168-090 | AMD-P | 92-14-056 | 173-175-010 | NEW-P | 92-06-091 |
| 172-124-200 | REP | 92-09-105 | 172-168-100 | AMD-P | 92-14-056 | 173-175-010 | NEW | 92-12-055 |
| 172-124-210 | REP-P | 92-05-056 | 172-168-110 | AMD-P | 92-14-056 | 173-175-020 | NEW-P | 92-06-091 |
| 172-124-210 | REP | 92-09-105 | 172-168-120 | AMD-P | 92-14-056 | 173-175-020 | NEW | 92-12-055 |
| 172-124-220 | REP-P | 92-05-056 | 172-168-130 | AMD-P | 92-14-056 | 173-175-020 | AMD-P | 92-20-115 |
| 172-124-220 | REP | 92-09-105 | 172-325-010 | AMD-P | 92-05-055 | 173-175-030 | NEW-P | 92-06-091 |
| 172-136-010 | AMD-P | 92-16-063 | 172-325-010 | AMD | 92-09-104 | 173-175-030 | NEW | 92-12-055 |
| 172-136-010 | AMD | 92-21-048 | 172-325-010 | AMD-P | 92-16-062 | 173-175-030 | AMD-P | 92-20-115 |
| 172-136-015 | NEW-P | 92-16-063 | 172-325-010 | AMD | 92-21-047 | 173-175-040 | NEW-P | 92-06-091 |
| 172-136-015 | NEW | 92-21-048 | 173-03-030 | AMD-E | 92-13-049 | 173-175-040 | NEW | 92-12-055 |
| 172-136-020 | REP-P | 92-16-063 | 173-03-030 | AMD-P | 92-15-112 | 173-175-050 | NEW-P | 92-06-091 |
| 172-136-020 | REP | 92-21-048 | 173-03-030 | AMD | 92-20-116 | 173-175-050 | NEW | 92-12-055 |
| 172-136-030 | AMD-P | 92-16-063 | 173-03-030 | AMD-E | 92-20-117 | 173-175-060 | NEW-P | 92-06-091 |
| 172-136-030 | AMD | 92-21-048 | 173-03-040 | AMD-E | 92-13-049 | 173-175-060 | NEW | 92-12-055 |
| 172-136-040 | AMD-P | 92-16-063 | 173-03-040 | AMD-P | 92-15-112 | 173-175-070 | NEW-P | 92-06-091 |
| 172-136-040 | AMD | 92-21-048 | 173-03-040 | AMD | 92-20-116 | 173-175-070 | NEW | 92-12-055 |
| 172-136-050 | AMD-P | 92-16-063 | 173-03-040 | AMD-E | 92-20-117 | 173-175-070 | AMD-P | 92-20-115 |
| 172-136-050 | AMD | 92-21-048 | 173-03-060 | AMD-E | 92-13-049 | 173-175-100 | NEW-P | 92-06-091 |
| 172-136-060 | AMD-P | 92-16-063 | 173-03-060 | AMD-P | 92-15-112 | 173-175-100 | NEW | 92-12-055 |
| 172-136-060 | AMD | 92-21-048 | 173-03-060 | AMD | 92-20-116 | 173-175-110 | NEW-P | 92-06-091 |
| 172-136-070 | AMD-P | 92-16-063 | 173-03-060 | AMD-E | 92-20-117 | 173-175-110 | NEW | 92-12-055 |
| 172-136-070 | AMD | 92-21-048 | 173-03-070 | AMD-E | 92-13-049 | 173-175-120 | NEW-P | 92-06-091 |
| 172-136-080 | AMD-P | 92-16-063 | 173-03-070 | AMD-P | 92-15-112 | 173-175-120 | NEW | 92-12-055 |
| 172-136-080 | AMD | 92-21-048 | 173-03-070 | AMD | 92-20-116 | 173-175-130 | NEW-P | 92-06-091 |
| 172-136-090 | AMD-P | 92-16-063 | 173-03-070 | AMD-E | 92-20-117 | 173-175-130 | NEW | 92-12-055 |
| 172-136-090 | AMD | 92-21-048 | 173-03-100 | AMD-E | 92-13-049 | 173-175-140 | NEW-P | 92-06-091 |
| 172-136-100 | AMD-P | 92-16-063 | 173-03-100 | AMD-P | 92-15-112 | 173-175-140 | NEW | 92-12-055 |
| 172-136-100 | AMD | 92-21-048 | 173-03-100 | AMD | 92-20-116 | 173-175-150 | NEW-P | 92-06-091 |
| 172-136-110 | AMD-P | 92-16-063 | 173-03-100 | AMD-E | 92-20-117 | 173-175-150 | NEW | 92-12-055 |
| 172-136-110 | AMD | 92-21-048 | 173-19-130 | AMD-P | 92-07-091 | 173-175-160 | NEW-P | 92-06-091 |
| 172-136-120 | AMD-P | 92-16-063 | 173-19-130 | AMD | 92-13-081 | 173-175-160 | NEW | 92-12-055 |
| 172-136-120 | AMD | 92-21-048 | 173-19-140 | AMD-P | 92-20-086 | 173-175-170 | NEW-P | 92-06-091 |
| 172-136-600 | REP-P | 92-16-063 | 173-19-1404 | AMD-P | 92-20-085 | 173-175-170 | NEW | 92-12-055 |
| 172-136-600 | AMD | 92-21-048 | 173-19-1701 | AMD | 92-03-132 | 173-175-180 | NEW-P | 92-06-091 |
| 172-136-610 | REP-P | 92-16-063 | 173-19-230 | AMD-P | 92-04-080 | 173-175-180 | NEW | 92-12-055 |
| 172-136-610 | AMD | 92-21-048 | 173-19-230 | AMD | 92-09-135 | 173-175-190 | NEW-P | 92-06-091 |
| 172-136-620 | REP-P | 92-16-063 | 173-19-2503 | AMD-P | 92-07-090 | 173-175-190 | NEW | 92-12-055 |
| 172-136-620 | AMD | 92-21-048 | 173-19-2503 | AMD | 92-13-080 | 173-175-200 | NEW-P | 92-06-091 |
| 172-139-010 | NEW-P | 92-15-128 | 173-19-2511 | AMD-P | 92-07-087 | 173-175-200 | NEW | 92-12-055 |
| 172-139-010 | NEW | 92-21-043 | 173-19-2511 | AMD | 92-13-082 | 173-175-210 | NEW-P | 92-06-091 |
| 172-139-020 | NEW-P | 92-15-128 | 173-19-2515 | AMD-P | 92-03-128 | 173-175-210 | NEW | 92-12-055 |
| 172-139-020 | NEW | 92-21-043 | 173-19-2515 | AMD-C | 92-09-131 | 173-175-220 | NEW-P | 92-06-091 |

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| 173-175-230 | NEW-P | 92-06-091 | 173-180D-055 | NEW-P | 92-06-087 | 173-201-080 | REP-P | 92-11-041 |
| 173-175-230 | NEW | 92-12-055 | 173-180D-055 | NEW | 92-15-035 | 173-201-085 | REP-P | 92-11-041 |
| 173-175-240 | NEW-P | 92-06-091 | 173-180D-060 | NEW-P | 92-06-087 | 173-201-090 | REP-P | 92-11-041 |
| 173-175-240 | NEW | 92-12-055 | 173-180D-060 | NEW | 92-15-035 | 173-201-100 | REP-P | 92-11-041 |
| 173-175-250 | NEW-P | 92-06-091 | 173-180D-065 | NEW-P | 92-06-087 | 173-201-110 | REP-P | 92-11-041 |
| 173-175-250 | NEW | 92-12-055 | 173-180D-065 | NEW | 92-15-035 | 173-201-120 | REP-P | 92-11-041 |
| 173-175-260 | NEW-P | 92-06-091 | 173-180D-070 | NEW-P | 92-06-087 | 173-201A | NEW-C | 92-21-003 |
| 173-175-260 | NEW | 92-12-055 | 173-180D-070 | NEW | 92-15-035 | 173-201A-010 | NEW-P | 92-11-041 |
| 173-175-270 | NEW-P | 92-06-091 | 173-180D-075 | NEW-P | 92-06-087 | 173-201A-020 | NEW-P | 92-11-041 |
| 173-175-270 | NEW | 92-12-055 | 173-180D-075 | NEW | 92-15-035 | 173-201A-030 | NEW-P | 92-11-041 |
| 173-175-350 | NEW-P | 92-06-091 | 173-180D-080 | NEW-P | 92-06-087 | 173-201A-040 | NEW-P | 92-11-041 |
| 173-175-350 | NEW | 92-12-055 | 173-180D-080 | NEW | 92-15-035 | 173-201A-050 | NEW-P | 92-11-041 |
| 173-175-360 | NEW-P | 92-06-091 | 173-180D-085 | NEW-P | 92-06-087 | 173-201A-060 | NEW-P | 92-11-041 |
| 173-175-360 | NEW | 92-12-055 | 173-180D-085 | NEW | 92-15-035 | 173-201A-070 | NEW-P | 92-11-041 |
| 173-175-370 | NEW-P | 92-06-091 | 173-180D-090 | NEW-P | 92-06-087 | 173-201A-080 | NEW-P | 92-11-041 |
| 173-175-370 | NEW | 92-12-055 | 173-180D-090 | NEW | 92-15-035 | 173-201A-100 | NEW-P | 92-11-041 |
| 173-175-380 | NEW-P | 92-06-091 | 173-180D-098 | NEW-P | 92-06-087 | 173-201A-110 | NEW-P | 92-11-041 |
| 173-175-380 | NEW | 92-12-055 | 173-180D-098 | NEW | 92-15-035 | 173-201A-120 | NEW-P | 92-11-041 |
| 173-175-390 | NEW-P | 92-06-091 | 173-183 | NEW-C | 92-09-034 | 173-201A-130 | NEW-P | 92-11-041 |
| 173-175-390 | NEW | 92-12-055 | 173-183-010 | NEW | 92-10-005 | 173-201A-140 | NEW-P | 92-11-041 |
| 173-175-390 | AMD-P | 92-20-115 | 173-183-020 | NEW | 92-10-005 | 173-201A-150 | NEW-P | 92-11-041 |
| 173-175-400 | NEW-P | 92-06-091 | 173-183-030 | NEW | 92-10-005 | 173-201A-160 | NEW-P | 92-11-041 |
| 173-175-400 | NEW | 92-12-055 | 173-183-100 | NEW | 92-10-005 | 173-201A-170 | NEW-P | 92-11-041 |
| 173-175-500 | NEW-P | 92-06-091 | 173-183-200 | NEW | 92-10-005 | 173-201A-180 | NEW-P | 92-11-041 |
| 173-175-500 | NEW | 92-12-055 | 173-183-210 | NEW | 92-10-005 | 173-202-020 | AMD-E | 92-05-084 |
| 173-175-510 | NEW-P | 92-06-091 | 173-183-220 | NEW | 92-10-005 | 173-202-020 | AMD-P | 92-07-085 |
| 173-175-510 | NEW | 92-12-055 | 173-183-230 | NEW | 92-10-005 | 173-202-020 | AMD-S | 92-11-068 |
| 173-175-520 | NEW-P | 92-06-091 | 173-183-240 | NEW | 92-10-005 | 173-202-020 | AMD | 92-14-098 |
| 173-175-520 | NEW | 92-12-055 | 173-183-250 | NEW | 92-10-005 | 173-202-020 | AMD-P | 92-20-128 |
| 173-175-530 | NEW | 92-12-055 | 173-183-260 | NEW | 92-10-005 | 173-202-020 | AMD-E | 92-20-129 |
| 173-175-600 | NEW-P | 92-06-091 | 173-183-270 | NEW | 92-10-005 | 173-216-010 | AMD-E | 92-21-015 |
| 173-175-600 | NEW | 92-12-055 | 173-183-300 | NEW | 92-10-005 | 173-216-030 | AMD-E | 92-21-015 |
| 173-175-610 | NEW-P | 92-06-091 | 173-183-310 | NEW | 92-10-005 | 173-216-040 | AMD-E | 92-21-015 |
| 173-175-610 | NEW | 92-12-055 | 173-183-320 | NEW | 92-10-005 | 173-216-050 | AMD-E | 92-21-015 |
| 173-175-620 | NEW-P | 92-06-091 | 173-183-330 | NEW | 92-10-005 | 173-216-070 | AMD-E | 92-21-015 |
| 173-175-620 | NEW | 92-12-055 | 173-183-340 | NEW | 92-10-005 | 173-216-130 | AMD-E | 92-21-015 |
| 173-175-630 | NEW-P | 92-06-091 | 173-183-350 | NEW-W | 92-11-038 | 173-216-140 | AMD-E | 92-21-015 |
| 173-175-630 | NEW | 92-12-055 | 173-183-400 | NEW | 92-10-005 | 173-220-010 | AMD-E | 92-21-015 |
| 173-175-700 | NEW-P | 92-20-115 | 173-183-410 | NEW | 92-10-005 | 173-220-020 | AMD-E | 92-21-015 |
| 173-175-710 | NEW-P | 92-20-115 | 173-183-420 | NEW | 92-10-005 | 173-220-030 | AMD-E | 92-21-015 |
| 173-175-720 | NEW-P | 92-20-115 | 173-183-430 | NEW | 92-10-005 | 173-220-040 | AMD-E | 92-21-015 |
| 173-175-730 | NEW-P | 92-20-115 | 173-183-440 | NEW | 92-10-005 | 173-220-045 | REP-E | 92-21-015 |
| 173-175-740 | NEW-P | 92-20-115 | 173-183-450 | NEW | 92-10-005 | 173-220-050 | AMD-E | 92-21-015 |
| 173-175-750 | NEW-P | 92-20-115 | 173-183-450 | NEW | 92-13-083 | 173-220-060 | AMD-E | 92-21-015 |
| 173-175-760 | NEW-P | 92-20-115 | 173-183-460 | NEW | 92-10-005 | 173-220-070 | AMD-E | 92-21-015 |
| 173-175-770 | NEW-P | 92-20-115 | 173-183-470 | NEW | 92-10-005 | 173-220-090 | AMD-E | 92-21-015 |
| 173-175-780 | NEW-P | 92-20-115 | 173-183-500 | NEW | 92-10-005 | 173-220-100 | AMD-E | 92-21-015 |
| 173-175-790 | NEW-P | 92-20-115 | 173-183-600 | NEW | 92-10-005 | 173-220-110 | AMD-E | 92-21-015 |
| 173-175-800 | NEW-P | 92-20-115 | 173-183-610 | NEW | 92-10-005 | 173-220-225 | AMD-E | 92-21-015 |
| 173-175-810 | NEW-P | 92-20-115 | 173-183-620 | NEW | 92-10-005 | 173-224-015 | AMD | 92-03-131 |
| 173-175-820 | NEW-P | 92-20-115 | 173-183-700 | NEW | 92-10-005 | 173-224-020 | AMD | 92-03-131 |
| 173-180C | NEW-C | 92-18-029 | 173-183-710 | NEW | 92-10-005 | 173-224-030 | AMD | 92-03-131 |
| 173-180C-010 | NEW-P | 92-17-075 | 173-183-800 | NEW | 92-10-005 | 173-224-040 | AMD | 92-03-131 |
| 173-180C-020 | NEW-P | 92-17-075 | 173-183-810 | NEW | 92-10-005 | 173-224-050 | AMD | 92-03-131 |
| 173-180C-030 | NEW-P | 92-17-075 | 173-183-820 | NEW | 92-10-005 | 173-224-090 | AMD | 92-03-131 |
| 173-180C-040 | NEW-P | 92-17-075 | 173-183-830 | NEW | 92-10-005 | 173-224-100 | AMD | 92-03-131 |
| 173-180C-050 | NEW-P | 92-17-075 | 173-183-840 | NEW | 92-10-005 | 173-224-120 | AMD | 92-03-131 |
| 173-180C-060 | NEW-P | 92-17-075 | 173-183-850 | NEW | 92-10-005 | 173-226-010 | NEW-E | 92-21-015 |
| 173-180C-070 | NEW-P | 92-17-075 | 173-183-860 | NEW | 92-10-005 | 173-226-020 | NEW-E | 92-21-015 |
| 173-180C-080 | NEW-P | 92-17-075 | 173-183-865 | NEW | 92-10-005 | 173-226-030 | NEW-E | 92-21-015 |
| 173-180C-090 | NEW-P | 92-17-075 | 173-183-870 | NEW | 92-10-005 | 173-226-040 | NEW-E | 92-21-015 |
| 173-180C-095 | NEW-P | 92-17-075 | 173-183-880 | NEW | 92-10-005 | 173-226-050 | NEW-E | 92-21-015 |
| 173-180C-098 | NEW-P | 92-17-075 | 173-183-890 | NEW | 92-10-005 | 173-226-060 | NEW-E | 92-21-015 |
| 173-180D-010 | NEW-P | 92-06-087 | 173-183-900 | NEW | 92-10-005 | 173-226-070 | NEW-E | 92-21-015 |
| 173-180D-010 | NEW | 92-15-035 | 173-183-910 | NEW | 92-10-005 | 173-226-080 | NEW-E | 92-21-015 |
| 173-180D-020 | NEW-P | 92-06-087 | 173-183-920 | NEW | 92-10-005 | 173-226-090 | NEW-E | 92-21-015 |
| 173-180D-020 | NEW | 92-15-035 | 173-201 | REP-C | 92-21-003 | 173-226-100 | NEW-E | 92-21-015 |
| 173-180D-030 | NEW-P | 92-06-087 | 173-201-010 | REP-P | 92-11-041 | 173-226-110 | NEW-E | 92-21-015 |
| 173-180D-030 | NEW | 92-15-035 | 173-201-025 | REP-P | 92-11-041 | 173-226-120 | NEW-E | 92-21-015 |
| 173-180D-040 | NEW-P | 92-06-087 | 173-201-035 | REP-P | 92-11-041 | 173-226-130 | NEW-E | 92-21-015 |
| 173-180D-040 | NEW | 92-15-035 | 173-201-045 | REP-P | 92-11-041 | 173-226-140 | NEW-E | 92-21-015 |
| 173-180D-050 | NEW-P | 92-06-087 | 173-201-047 | REP-P | 92-11-041 | 173-226-150 | NEW-E | 92-21-015 |

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| 173-226-160 | NEW-E | 92-21-015 | 173-420-080 | NEW-P | 92-20-114 | 173-492-020 | NEW-S | 92-11-043 |
| 173-226-170 | NEW-E | 92-21-015 | 173-420-090 | NEW-P | 92-20-114 | 173-492-020 | NEW | 92-20-123 |
| 173-226-180 | NEW-E | 92-21-015 | 173-420-100 | NEW-P | 92-20-114 | 173-492-030 | NEW-P | 92-06-088 |
| 173-226-190 | NEW-E | 92-21-015 | 173-420-110 | NEW-P | 92-20-114 | 173-492-030 | NEW-S | 92-11-043 |
| 173-226-200 | NEW-E | 92-21-015 | 173-422 | AMD-C | 92-18-077 | 173-492-030 | NEW | 92-20-123 |
| 173-226-210 | NEW-E | 92-21-015 | 173-422-010 | AMD-P | 92-09-133 | 173-492-040 | NEW-P | 92-06-088 |
| 173-226-220 | NEW-E | 92-21-015 | 173-422-020 | AMD-P | 92-09-133 | 173-492-040 | NEW-S | 92-11-043 |
| 173-226-230 | NEW-E | 92-21-015 | 173-422-030 | AMD-P | 92-09-133 | 173-492-040 | NEW | 92-20-123 |
| 173-226-240 | NEW-E | 92-21-015 | 173-422-035 | AMD-P | 92-09-133 | 173-492-050 | NEW-P | 92-06-088 |
| 173-226-250 | NEW-E | 92-21-015 | 173-422-040 | AMD-P | 92-09-133 | 173-492-050 | NEW-S | 92-11-043 |
| 173-303-070 | AMD-P | 92-18-078 | 173-422-050 | AMD-P | 92-09-133 | 173-492-050 | NEW | 92-20-123 |
| 173-303-070 | AMD-E | 92-19-067 | 173-422-060 | AMD-P | 92-09-133 | 173-492-060 | NEW-P | 92-06-088 |
| 173-303-120 | AMD-P | 92-18-078 | 173-422-065 | NEW-P | 92-09-133 | 173-492-060 | NEW-S | 92-11-043 |
| 173-303-120 | AMD-E | 92-19-067 | 173-422-070 | AMD-P | 92-09-133 | 173-492-060 | NEW | 92-20-123 |
| 173-303-145 | AMD-P | 92-03-127 | 173-422-075 | NEW-P | 92-09-133 | 173-492-070 | NEW-P | 92-06-088 |
| 173-303-145 | AMD-C | 92-11-040 | 173-422-080 | REP-P | 92-09-133 | 173-492-070 | NEW-S | 92-11-043 |
| 173-303-145 | AMD | 92-15-036 | 173-422-090 | AMD-P | 92-09-133 | 173-492-070 | NEW | 92-20-123 |
| 173-303-506 | NEW-E | 92-11-045 | 173-422-095 | NEW-P | 92-09-133 | 173-492-080 | NEW-P | 92-06-088 |
| 173-303-506 | NEW-P | 92-18-078 | 173-422-100 | AMD-P | 92-09-133 | 173-492-080 | NEW-S | 92-11-043 |
| 173-303-506 | NEW-E | 92-19-067 | 173-422-110 | REP-P | 92-09-133 | 173-492-080 | NEW | 92-20-123 |
| 173-305-060 | REP-P | 92-05-083 | 173-422-120 | AMD-P | 92-09-133 | 173-492-090 | NEW-P | 92-06-088 |
| 173-305-060 | REP | 92-10-043 | 173-422-130 | AMD-P | 92-09-133 | 173-492-090 | NEW-S | 92-11-043 |
| 173-305-070 | REP-P | 92-05-083 | 173-422-140 | AMD-P | 92-09-133 | 173-492-090 | NEW | 92-20-123 |
| 173-305-070 | REP | 92-10-043 | 173-422-150 | REP-P | 92-09-133 | 173-492-100 | NEW-P | 92-06-088 |
| 173-305-080 | REP-P | 92-05-083 | 173-422-160 | AMD-P | 92-09-133 | 173-492-100 | NEW-S | 92-11-043 |
| 173-305-080 | REP | 92-10-043 | 173-422-170 | AMD-P | 92-09-133 | 173-492-100 | NEW | 92-20-123 |
| 173-305-090 | REP-P | 92-05-083 | 173-422-180 | REP-P | 92-09-133 | 173-563 | NEW-C | 92-16-026 |
| 173-305-090 | REP | 92-10-043 | 173-425 | AMD-C | 92-19-079 | 173-563-015 | NEW-E | 92-07-055 |
| 173-322-010 | AMD-E | 92-14-072 | 173-425-010 | AMD-P | 92-12-026 | 173-563-015 | NEW-P | 92-14-010 |
| 173-322-020 | AMD-E | 92-14-072 | 173-425-020 | AMD-P | 92-12-026 | 173-563-015 | NEW-E | 92-14-012 |
| 173-322-050 | AMD-E | 92-14-072 | 173-425-030 | AMD-P | 92-12-026 | 173-563-015 | NEW-E | 92-21-041 |
| 173-322-060 | AMD-E | 92-14-072 | 173-425-036 | REP-P | 92-12-026 | 173-564 | NEW-C | 92-16-027 |
| 173-322-070 | AMD-E | 92-14-072 | 173-425-040 | NEW-P | 92-12-026 | 173-564-010 | NEW-E | 92-07-054 |
| 173-322-080 | AMD-E | 92-14-072 | 173-425-045 | REP-P | 92-12-026 | 173-564-010 | NEW-P | 92-14-009 |
| 173-322-090 | AMD-E | 92-14-072 | 173-425-050 | NEW-P | 92-12-026 | 173-564-010 | NEW-E | 92-14-011 |
| 173-322-100 | AMD-E | 92-14-072 | 173-425-055 | REP-P | 92-12-026 | 173-564-010 | NEW-E | 92-21-040 |
| 173-322-105 | NEW-E | 92-14-072 | 173-425-060 | NEW-P | 92-12-026 | 173-564-020 | NEW-E | 92-07-054 |
| 173-326-010 | AMD-P | 92-16-087 | 173-425-065 | REP-P | 92-12-026 | 173-564-020 | NEW-P | 92-14-009 |
| 173-326-020 | AMD-P | 92-16-087 | 173-425-070 | NEW-P | 92-12-026 | 173-564-020 | NEW-E | 92-14-011 |
| 173-326-030 | AMD-P | 92-16-087 | 173-425-075 | REP-P | 92-12-026 | 173-564-020 | NEW-E | 92-21-040 |
| 173-326-040 | AMD-P | 92-16-087 | 173-425-080 | NEW-P | 92-12-026 | 173-564-030 | NEW-E | 92-07-054 |
| 173-326-050 | NEW-P | 92-16-087 | 173-425-085 | REP-P | 92-12-026 | 173-564-030 | NEW-P | 92-14-009 |
| 173-326-060 | NEW-P | 92-16-087 | 173-425-090 | NEW-P | 92-12-026 | 173-564-030 | NEW-E | 92-14-011 |
| 173-400-030 | AMD-P | 92-18-096 | 173-425-095 | REP-P | 92-12-026 | 173-564-030 | NEW-E | 92-21-040 |
| 173-400-040 | AMD-P | 92-18-096 | 173-425-100 | AMD-P | 92-12-026 | 173-564-040 | NEW-E | 92-07-054 |
| 173-400-070 | AMD-P | 92-18-096 | 173-425-110 | NEW-P | 92-12-026 | 173-564-040 | NEW-P | 92-14-009 |
| 173-400-075 | AMD-P | 92-18-096 | 173-425-115 | REP-P | 92-12-026 | 173-564-040 | NEW-E | 92-14-011 |
| 173-400-080 | NEW-P | 92-18-080 | 173-425-120 | REP-P | 92-12-026 | 173-564-040 | NEW-E | 92-21-040 |
| 173-400-100 | AMD-P | 92-18-096 | 173-425-130 | REP-P | 92-12-026 | 178-01-010 | NEW-C | 92-03-055 |
| 173-400-105 | AMD-P | 92-18-096 | 173-425-140 | REP-P | 92-12-026 | 178-01-010 | NEW-E | 92-03-056 |
| 173-400-107 | NEW-P | 92-18-096 | 173-430 | AMD-E | 92-19-018 | 178-01-010 | NEW | 92-09-002 |
| 173-400-110 | AMD-P | 92-18-096 | 173-430-020 | AMD-E | 92-19-018 | 180-16-200 | AMD | 92-05-047 |
| 173-400-112 | NEW-P | 92-18-096 | 173-430-070 | AMD-E | 92-19-018 | 180-16-200 | AMD-P | 92-13-075 |
| 173-400-113 | NEW-P | 92-18-096 | 173-433-100 | AMD-P | 92-09-035 | 180-16-200 | AMD | 92-17-053 |
| 173-400-114 | NEW-P | 92-18-096 | 173-433-100 | AMD-C | 92-15-111 | 180-16-205 | AMD | 92-05-047 |
| 173-400-115 | AMD-P | 92-18-096 | 173-433-100 | AMD-C | 92-18-095 | 180-16-205 | AMD-P | 92-13-075 |
| 173-400-116 | NEW-P | 92-18-096 | 173-433-100 | AMD-P | 92-21-083 | 180-16-205 | AMD | 92-17-053 |
| 173-400-120 | AMD-P | 92-18-096 | 173-433-110 | AMD-P | 92-09-035 | 180-16-222 | AMD | 92-04-044 |
| 173-400-131 | AMD-P | 92-18-096 | 173-433-110 | AMD-C | 92-15-111 | 180-16-223 | AMD | 92-04-044 |
| 173-400-136 | AMD-P | 92-18-096 | 173-433-110 | AMD-C | 92-18-095 | 180-20-005 | NEW-P | 92-13-098 |
| 173-400-141 | AMD-P | 92-18-096 | 173-433-110 | AMD-P | 92-21-083 | 180-20-005 | NEW-W | 92-20-119 |
| 173-400-171 | AMD-P | 92-18-096 | 173-433-170 | AMD-P | 92-09-035 | 180-20-030 | NEW-P | 92-13-098 |
| 173-400-180 | AMD-P | 92-18-096 | 173-433-170 | AMD-E | 92-10-022 | 180-20-030 | NEW-W | 92-20-119 |
| 173-400-230 | AMD-P | 92-18-096 | 173-433-170 | AMD-C | 92-15-111 | 180-20-031 | NEW-P | 92-13-098 |
| 173-400-230 | AMD-E | 92-19-017 | 173-433-170 | AMD-E | 92-18-028 | 180-20-031 | NEW-W | 92-20-119 |
| 173-400-250 | AMD-P | 92-18-096 | 173-433-170 | AMD-C | 92-18-095 | 180-20-034 | NEW-P | 92-13-098 |
| 173-420-010 | NEW-P | 92-20-114 | 173-433-170 | AMD-P | 92-21-083 | 180-20-034 | NEW-W | 92-20-119 |
| 173-420-020 | NEW-P | 92-20-114 | 173-491-050 | AMD-P | 92-19-016 | 180-20-035 | NEW-P | 92-13-098 |
| 173-420-030 | NEW-P | 92-20-114 | 173-492 | NEW-C | 92-19-066 | 180-20-035 | NEW-W | 92-20-119 |
| 173-420-040 | NEW-P | 92-20-114 | 173-492-010 | NEW-P | 92-06-088 | 180-20-036 | NEW-P | 92-13-098 |
| 173-420-050 | NEW-P | 92-20-114 | 173-492-010 | NEW-S | 92-11-043 | 180-20-036 | NEW-W | 92-20-119 |
| 173-420-060 | NEW-P | 92-20-114 | 173-492-010 | NEW | 92-20-123 | 180-20-040 | NEW-P | 92-13-098 |
| 173-420-070 | NEW-P | 92-20-114 | 173-492-020 | NEW-P | 92-06-088 | 180-20-040 | NEW-W | 92-20-119 |

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| 180-20-045 | NEW-W | 92-20-119 | 180-27-510 | NEW-P | 92-13-059 | 180-79-065 | AMD | 92-20-085 |
| 180-20-050 | NEW-P | 92-13-098 | 180-27-510 | NEW | 92-16-058 | 180-79-075 | AMD | 92-04-044 |
| 180-20-050 | NEW-W | 92-20-119 | 180-27-515 | NEW-E | 92-13-047 | 180-79-080 | AMD | 92-04-044 |
| 180-20-055 | NEW-P | 92-13-098 | 180-27-515 | NEW-P | 92-13-059 | 180-79-085 | AMD-E | 92-13-021 |
| 180-20-055 | NEW-W | 92-20-119 | 180-27-515 | NEW | 92-16-058 | 180-79-086 | AMD | 92-04-044 |
| 180-20-060 | NEW-P | 92-13-098 | 180-27-525 | NEW-E | 92-13-047 | 180-79-115 | AMD | 92-04-044 |
| 180-20-060 | NEW-W | 92-20-119 | 180-27-525 | NEW-P | 92-13-059 | 180-79-115 | AMD-E | 92-13-021 |
| 180-20-065 | NEW-P | 92-13-098 | 180-27-525 | NEW | 92-16-058 | 180-79-115 | AMD-E | 92-15-038 |
| 180-20-065 | NEW-W | 92-20-119 | 180-27-530 | NEW-E | 92-13-047 | 180-79-115 | AMD-P | 92-15-098 |
| 180-20-070 | NEW-P | 92-13-098 | 180-27-530 | NEW-P | 92-13-059 | 180-79-115 | AMD | 92-20-085 |
| 180-20-070 | NEW-W | 92-20-119 | 180-27-530 | NEW | 92-16-058 | 180-79-117 | AMD-E | 92-13-021 |
| 180-20-075 | NEW-P | 92-13-098 | 180-27-535 | NEW-E | 92-13-047 | 180-79-117 | AMD-E | 92-15-038 |
| 180-20-075 | NEW-W | 92-20-119 | 180-27-535 | NEW-P | 92-13-059 | 180-79-117 | AMD-P | 92-15-098 |
| 180-20-080 | NEW-P | 92-13-098 | 180-27-535 | NEW | 92-16-058 | 180-79-117 | AMD | 92-20-085 |
| 180-20-080 | NEW-W | 92-20-119 | 180-29-085 | AMD-E | 92-13-047 | 180-79-120 | AMD | 92-04-044 |
| 180-20-090 | NEW-P | 92-13-098 | 180-29-085 | AMD-P | 92-13-059 | 180-79-122 | AMD-E | 92-13-021 |
| 180-20-090 | NEW-W | 92-20-119 | 180-29-085 | AMD | 92-16-058 | 180-79-122 | AMD-E | 92-15-038 |
| 180-20-095 | NEW-P | 92-13-098 | 180-29-160 | AMD-P | 92-20-082 | 180-79-122 | AMD-P | 92-15-098 |
| 180-20-095 | NEW-W | 92-20-119 | 180-29-165 | AMD-P | 92-20-082 | 180-79-122 | AMD | 92-20-085 |
| 180-20-101 | NEW-P | 92-13-098 | 180-40-235 | AMD-P | 92-20-120 | 180-79-123 | NEW | 92-04-044 |
| 180-20-101 | NEW-W | 92-20-119 | 180-46 | AMD-P | 92-20-122 | 180-79-123 | AMD-E | 92-13-021 |
| 180-20-111 | NEW-P | 92-13-098 | 180-46-005 | AMD-P | 92-20-122 | 180-79-123 | AMD-E | 92-15-038 |
| 180-20-111 | NEW-W | 92-20-119 | 180-46-010 | AMD-P | 92-20-122 | 180-79-123 | AMD-P | 92-15-098 |
| 180-20-115 | NEW-P | 92-13-098 | 180-46-015 | AMD-P | 92-20-122 | 180-79-123 | AMD | 92-20-085 |
| 180-20-115 | NEW-W | 92-20-119 | 180-46-020 | AMD-P | 92-20-122 | 180-79-127 | AMD-E | 92-13-021 |
| 180-20-120 | NEW-P | 92-13-098 | 180-46-025 | AMD-P | 92-20-122 | 180-79-127 | AMD-E | 92-15-038 |
| 180-20-120 | NEW-W | 92-20-119 | 180-46-030 | AMD-P | 92-20-122 | 180-79-127 | AMD-P | 92-15-098 |
| 180-20-125 | NEW-P | 92-13-098 | 180-46-040 | AMD-P | 92-20-122 | 180-79-127 | AMD | 92-20-085 |
| 180-20-125 | NEW-W | 92-20-119 | 180-46-045 | AMD-P | 92-20-122 | 180-79-129 | REP | 92-04-044 |
| 180-20-130 | NEW-P | 92-13-098 | 180-46-050 | AMD-P | 92-20-122 | 180-79-131 | AMD | 92-04-044 |
| 180-20-130 | NEW-W | 92-20-119 | 180-46-055 | AMD-P | 92-20-122 | 180-79-136 | AMD | 92-04-044 |
| 180-20-135 | NEW-P | 92-13-098 | 180-46-065 | AMD-P | 92-20-122 | 180-79-230 | AMD | 92-04-044 |
| 180-20-135 | NEW-W | 92-20-119 | 180-51-085 | AMD-P | 92-05-067 | 180-79-241 | AMD-P | 92-08-077 |
| 180-20-140 | NEW-P | 92-13-098 | 180-51-085 | AMD | 92-08-078 | 180-79-241 | AMD | 92-15-037 |
| 180-20-140 | NEW-W | 92-20-119 | 180-53-065 | REP-P | 92-13-075 | 180-79-310 | REP | 92-04-044 |
| 180-20-145 | NEW-P | 92-13-098 | 180-53-065 | REP | 92-17-053 | 180-79-311 | NEW | 92-04-044 |
| 180-20-145 | NEW-W | 92-20-119 | 180-53-070 | NEW-P | 92-13-075 | 180-79-333 | NEW | 92-04-044 |
| 180-20-150 | NEW-P | 92-13-098 | 180-53-070 | NEW | 92-17-053 | 180-79-379 | NEW | 92-04-044 |
| 180-20-150 | NEW-W | 92-20-119 | 180-75-016 | NEW | 92-04-044 | 180-85-045 | AMD | 92-04-044 |
| 180-20-155 | NEW-P | 92-13-098 | 180-75-055 | AMD | 92-04-044 | 180-85-077 | NEW | 92-04-044 |
| 180-20-155 | NEW-W | 92-20-119 | 180-75-065 | AMD | 92-04-044 | 180-85-115 | AMD | 92-04-044 |
| 180-20-160 | NEW-P | 92-13-098 | 180-75-080 | REP | 92-04-044 | 180-86-150 | AMD-P | 92-08-077 |
| 180-20-160 | NEW-W | 92-20-119 | 180-75-085 | AMD | 92-04-044 | 180-86-150 | AMD | 92-15-037 |
| 180-25-030 | AMD-E | 92-13-047 | 180-75-085 | AMD-E | 92-13-021 | 180-86-155 | AMD-P | 92-08-077 |
| 180-25-030 | AMD-P | 92-13-059 | 180-75-085 | AMD-E | 92-15-038 | 180-86-155 | AMD | 92-15-037 |
| 180-25-030 | AMD | 92-16-058 | 180-75-085 | AMD-P | 92-15-098 | 180-86-155 | AMD-P | 92-20-121 |
| 180-25-031 | NEW | 92-04-043 | 180-75-085 | AMD | 92-20-083 | 180-86-155 | AMD-P | 92-13-058 |
| 180-25-032 | NEW-E | 92-13-047 | 180-75-087 | AMD | 92-04-044 | 180-110-035 | AMD | 92-16-057 |
| 180-25-032 | NEW-P | 92-13-059 | 180-75-089 | NEW | 92-04-044 | 182-12-111 | AMD | 92-03-040 |
| 180-25-032 | NEW | 92-16-058 | 180-75-090 | AMD | 92-04-044 | 182-12-115 | AMD-P | 92-04-001 |
| 180-27-016 | NEW-E | 92-13-047 | 180-75-110 | NEW | 92-04-044 | 182-12-115 | AMD-C | 92-07-046 |
| 180-27-016 | NEW-P | 92-13-059 | 180-77-040 | AMD | 92-05-039 | 182-12-115 | AMD | 92-08-003 |
| 180-27-016 | NEW | 92-16-058 | 180-77-045 | AMD | 92-05-039 | 192-12-017 | REP-P | 92-07-104 |
| 180-27-020 | AMD-P | 92-20-082 | 180-77-050 | AMD | 92-05-039 | 192-12-017 | REP | 92-14-047 |
| 180-27-045 | AMD-P | 92-20-082 | 180-77-065 | AMD | 92-05-039 | 192-12-019 | REP-P | 92-07-104 |
| 180-27-052 | NEW-E | 92-13-047 | 180-77-100 | NEW | 92-05-039 | 192-12-019 | REP | 92-14-047 |
| 180-27-052 | NEW-P | 92-13-059 | 180-77-105 | NEW | 92-05-039 | 192-12-072 | AMD-P | 92-07-104 |
| 180-27-052 | NEW | 92-16-058 | 180-77-110 | NEW | 92-05-039 | 192-12-072 | AMD | 92-14-047 |
| 180-27-056 | AMD-E | 92-13-047 | 180-78-165 | AMD | 92-06-027 | 192-12-300 | AMD-P | 92-03-145 |
| 180-27-056 | AMD-P | 92-13-059 | 180-78-200 | NEW-W | 92-09-108 | 192-12-300 | AMD-W | 92-16-078 |
| 180-27-056 | AMD | 92-16-058 | 180-79-045 | AMD-E | 92-13-021 | 192-12-305 | AMD-P | 92-03-145 |
| 180-27-05605 | AMD-P | 92-20-082 | 180-79-045 | AMD-E | 92-15-038 | 192-12-305 | AMD-W | 92-16-078 |
| 180-27-058 | AMD-E | 92-13-047 | 180-79-045 | AMD-P | 92-15-098 | 192-12-310 | AMD-P | 92-03-145 |
| 180-27-058 | AMD-P | 92-13-059 | 180-79-045 | AMD | 92-20-085 | 192-12-310 | AMD-W | 92-16-078 |
| 180-27-058 | AMD | 92-16-058 | 180-79-047 | AMD | 92-04-044 | 192-12-320 | AMD-P | 92-03-145 |
| 180-27-075 | AMD-P | 92-20-082 | 180-79-049 | AMD | 92-04-044 | 192-12-320 | AMD-W | 92-16-078 |
| 180-27-500 | NEW-E | 92-13-047 | 180-79-060 | AMD-E | 92-13-021 | 192-12-370 | NEW-P | 92-03-145 |
| 180-27-500 | NEW-P | 92-13-059 | 180-79-060 | AMD-E | 92-15-038 | 192-12-370 | AMD-W | 92-16-078 |
| 180-27-500 | NEW | 92-16-058 | 180-79-060 | AMD-P | 92-15-098 | 192-12-400 | NEW-P | 92-07-104 |
| 180-27-505 | NEW-E | 92-13-047 | 180-79-060 | AMD | 92-20-085 | 192-12-400 | NEW | 92-14-047 |
| 180-27-505 | NEW-P | 92-13-059 | 180-79-065 | AMD-E | 92-13-021 | 192-12-405 | NEW-P | 92-07-104 |
| 180-27-505 | NEW | 92-16-058 | 180-79-065 | AMD-E | 92-15-038 | 192-12-405 | NEW | 92-14-047 |

TABLE

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
| 212-65-001 | REP-E | 92-20-072 | 212-70-170 | REP-P | 92-20-071 | 220-24-02000R | REP-E | 92-18-001 |
| 212-65-005 | REP-P | 92-20-071 | 212-70-170 | REP-E | 92-20-072 | 220-24-02000S | NEW-E | 92-18-001 |
| 212-65-005 | REP-E | 92-20-072 | 212-70-180 | REP-P | 92-20-071 | 220-32-05100J | REP-E | 92-04-051 |
| 212-65-010 | REP-P | 92-20-071 | 212-70-180 | REP-E | 92-20-072 | 220-32-05100K | NEW-E | 92-04-051 |
| 212-65-010 | REP-E | 92-20-072 | 212-70-190 | REP-P | 92-20-071 | 220-32-05100K | REP-E | 92-07-007 |
| 212-65-015 | REP-P | 92-20-071 | 212-70-190 | REP-E | 92-20-072 | 220-32-05100L | NEW-E | 92-07-007 |
| 212-65-015 | REP-E | 92-20-072 | 212-70-200 | REP-P | 92-20-071 | 220-32-05100M | NEW-E | 92-17-009 |
| 212-65-020 | REP-P | 92-20-071 | 212-70-200 | REP-E | 92-20-072 | 220-32-05100M | REP-E | 92-18-052 |
| 212-65-020 | REP-E | 92-20-072 | 212-70-210 | REP-P | 92-20-071 | 220-32-05100N | NEW-E | 92-18-052 |
| 212-65-025 | REP-P | 92-20-071 | 212-70-210 | REP-E | 92-20-072 | 220-32-05100N | REP-E | 92-19-022 |
| 212-65-025 | REP-E | 92-20-072 | 212-70-220 | REP-P | 92-20-071 | 220-32-05100P | NEW-E | 92-19-022 |
| 212-65-030 | REP-P | 92-20-071 | 212-70-220 | REP-E | 92-20-072 | 220-32-05100P | REP-E | 92-19-097 |
| 212-65-030 | REP-E | 92-20-072 | 212-70-230 | REP-P | 92-20-071 | 220-32-05100Q | NEW-E | 92-19-097 |
| 212-65-035 | REP-P | 92-20-071 | 212-70-230 | REP-E | 92-20-072 | 220-32-05100Q | REP-E | 92-19-136 |
| 212-65-035 | REP-E | 92-20-072 | 212-70-240 | REP-P | 92-20-071 | 220-32-05100R | NEW-E | 92-19-136 |
| 212-65-040 | REP-P | 92-20-071 | 212-70-240 | REP-E | 92-20-072 | 220-32-05100R | REP-E | 92-20-053 |
| 212-65-040 | REP-E | 92-20-072 | 212-70-250 | REP-P | 92-20-071 | 220-32-05100S | NEW-E | 92-20-053 |
| 212-65-045 | REP-P | 92-20-071 | 212-70-250 | REP-E | 92-20-072 | 220-32-05100S | REP-E | 92-21-005 |
| 212-65-045 | REP-E | 92-20-072 | 212-70-260 | REP-P | 92-20-071 | 220-32-05100T | NEW-E | 92-21-005 |
| 212-65-050 | REP-P | 92-20-071 | 212-70-260 | REP-E | 92-20-072 | 220-32-05500A | NEW-E | 92-09-047 |
| 212-65-050 | REP-E | 92-20-072 | 212-80-010 | AMD-P | 92-14-073 | 220-32-05500A | REP-E | 92-09-106 |
| 212-65-055 | REP-P | 92-20-071 | 212-80-010 | AMD-E | 92-14-074 | 220-32-05500B | NEW-E | 92-09-106 |
| 212-65-055 | REP-E | 92-20-072 | 212-80-010 | AMD-E | 92-20-035 | 220-32-05700I | NEW-E | 92-03-022 |
| 212-65-060 | REP-P | 92-20-071 | 212-80-010 | AMD | 92-20-070 | 220-32-05700I | REP-E | 92-05-004 |
| 212-65-060 | REP-E | 92-20-072 | 212-80-015 | AMD-P | 92-14-073 | 220-32-05700J | NEW-E | 92-04-051 |
| 212-65-065 | REP-P | 92-20-071 | 212-80-015 | AMD-E | 92-14-074 | 220-32-05700J | REP-E | 92-07-007 |
| 212-65-065 | REP-E | 92-20-072 | 212-80-015 | AMD-E | 92-20-035 | 220-32-05700K | NEW-E | 92-08-090 |
| 212-65-070 | REP-P | 92-20-071 | 212-80-015 | AMD | 92-20-070 | 220-32-05700K | REP-E | 92-14-099 |
| 212-65-070 | REP-E | 92-20-072 | 212-80-030 | AMD-P | 92-14-073 | 220-32-05700L | NEW-E | 92-14-099 |
| 212-65-075 | REP-P | 92-20-071 | 212-80-030 | AMD-E | 92-14-074 | 220-32-05700M | NEW-E | 92-21-029 |
| 212-65-075 | REP-E | 92-20-072 | 212-80-030 | AMD-E | 92-20-035 | 220-33-01000D | REP-E | 92-05-004 |
| 212-65-080 | REP-P | 92-20-071 | 212-80-030 | AMD | 92-20-070 | 220-33-01000E | NEW-E | 92-05-004 |
| 212-65-080 | REP-E | 92-20-072 | 212-80-035 | AMD-P | 92-14-073 | 220-33-01000F | NEW-E | 92-19-027 |
| 212-65-085 | REP-P | 92-20-071 | 212-80-035 | AMD-E | 92-14-074 | 220-33-01000F | REP-E | 92-19-032 |
| 212-65-085 | REP-E | 92-20-072 | 212-80-035 | AMD-E | 92-20-035 | 220-33-01000G | NEW-E | 92-19-032 |
| 212-65-090 | REP-P | 92-20-071 | 212-80-035 | AMD | 92-20-070 | 220-33-01000G | REP-E | 92-19-134 |
| 212-65-090 | REP-E | 92-20-072 | 212-80-055 | AMD-P | 92-14-073 | 220-33-01000H | NEW-E | 92-19-134 |
| 212-65-095 | REP-P | 92-20-071 | 212-80-055 | AMD-E | 92-14-074 | 220-33-01000H | REP-E | 92-20-020 |
| 212-65-095 | REP-E | 92-20-072 | 212-80-055 | AMD-E | 92-20-035 | 220-33-01000I | NEW-E | 92-20-020 |
| 212-65-100 | REP-P | 92-20-071 | 212-80-055 | AMD | 92-20-070 | 220-33-01000I | REP-E | 92-20-067 |
| 212-65-100 | REP-E | 92-20-072 | 212-80-065 | AMD-P | 92-14-073 | 220-33-01000J | NEW-E | 92-20-067 |
| 212-70-010 | REP-P | 92-20-071 | 212-80-065 | AMD-E | 92-14-074 | 220-33-01000J | REP-E | 92-21-005 |
| 212-70-010 | REP-E | 92-20-072 | 212-80-065 | AMD-E | 92-20-035 | 220-33-01000K | NEW-E | 92-21-005 |
| 212-70-020 | REP-P | 92-20-071 | 212-80-065 | AMD | 92-20-070 | 220-33-01000K | REP-E | 92-21-053 |
| 212-70-020 | REP-E | 92-20-072 | 212-80-115 | AMD-P | 92-14-073 | 220-33-01000L | NEW-E | 92-21-053 |
| 212-70-030 | REP-P | 92-20-071 | 212-80-115 | AMD-E | 92-14-074 | 220-33-03000D | NEW-E | 92-11-066 |
| 212-70-030 | REP-E | 92-20-072 | 212-80-115 | AMD-E | 92-20-035 | 220-36-02300N | NEW-E | 92-18-013 |
| 212-70-040 | REP-P | 92-20-071 | 212-80-115 | AMD | 92-20-070 | 220-36-02300N | REP-E | 92-18-066 |
| 212-70-040 | REP-E | 92-20-072 | 212-80-125 | NEW-P | 92-14-073 | 220-36-02300P | NEW-E | 92-18-066 |
| 212-70-050 | REP-P | 92-20-071 | 212-80-125 | NEW-E | 92-14-074 | 220-36-02300P | REP-E | 92-19-020 |
| 212-70-050 | REP-E | 92-20-072 | 212-80-125 | NEW-E | 92-20-035 | 220-36-02300Q | NEW-E | 92-19-020 |
| 212-70-060 | REP-P | 92-20-071 | 212-80-125 | NEW | 92-20-070 | 220-36-02300Q | REP-E | 92-19-058 |
| 212-70-060 | REP-E | 92-20-072 | 220-16 | AMD-C | 92-11-083 | 220-36-02300R | NEW-E | 92-19-058 |
| 212-70-070 | REP-P | 92-20-071 | 220-16 | AMD-S | 92-11-083 | 220-36-02300R | REP-E | 92-19-096 |
| 212-70-070 | REP-E | 92-20-072 | 220-16-01500A | NEW-E | 92-13-040 | 220-36-02300S | NEW-E | 92-19-096 |
| 212-70-080 | REP-P | 92-20-071 | 220-16-040 | AMD-P | 92-09-137 | 220-36-02300S | REP-E | 92-20-003 |
| 212-70-080 | REP-E | 92-20-072 | 220-16-040 | AMD | 92-15-105 | 220-36-02300T | NEW-E | 92-20-003 |
| 212-70-090 | REP-P | 92-20-071 | 220-16-046 | NEW-P | 92-09-137 | 220-40-027 | AMD-P | 92-10-081 |
| 212-70-090 | REP-E | 92-20-072 | 220-16-046 | NEW | 92-15-105 | 220-40-02700E | NEW-E | 92-18-034 |
| 212-70-100 | REP-P | 92-20-071 | 220-20-020 | AMD-P | 92-10-081 | 220-40-02700E | REP-E | 92-21-006 |
| 212-70-100 | REP-E | 92-20-072 | 220-20-02000W | NEW-E | 92-16-054 | 220-40-02700F | NEW-E | 92-21-028 |
| 212-70-110 | REP-P | 92-20-071 | 220-20-021 | AMD-P | 92-10-081 | 220-44-030 | AMD-P | 92-03-150 |
| 212-70-110 | REP-E | 92-20-072 | 220-24-02000L | NEW-E | 92-09-130 | 220-44-030 | AMD | 92-07-008 |
| 212-70-120 | REP-P | 92-20-071 | 220-24-02000L | REP-E | 92-15-076 | 220-44-04000B | NEW-E | 92-10-064 |
| 212-70-120 | REP-E | 92-20-072 | 220-24-02000M | NEW-E | 92-15-076 | 220-44-04000B | REP-E | 92-18-035 |
| 212-70-130 | REP-P | 92-20-071 | 220-24-02000M | REP-E | 92-16-022 | 220-44-04000C | NEW-E | 92-19-050 |
| 212-70-130 | REP-E | 92-20-072 | 220-24-02000N | NEW-E | 92-16-022 | 220-44-050 | AMD-P | 92-03-150 |
| 212-70-140 | REP-P | 92-20-071 | 220-24-02000N | REP-E | 92-16-034 | 220-44-050 | AMD | 92-07-008 |
| 212-70-140 | REP-E | 92-20-072 | 220-24-02000P | NEW-E | 92-16-034 | 220-44-05000R | REP-E | 92-03-030 |
| 212-70-150 | REP-P | 92-20-071 | 220-24-02000P | REP-E | 92-16-085 | 220-44-05000S | NEW-E | 92-03-030 |
| 212-70-150 | REP-E | 92-20-072 | 220-24-02000Q | NEW-E | 92-16-085 | 220-44-05000S | REP-E | 92-08-007 |
| 212-70-160 | REP-P | 92-20-071 | 220-24-02000Q | REP-E | 92-17-028 | 220-44-05000T | NEW-E | 92-08-007 |
| 212-70-160 | REP-E | 92-20-072 | 220-24-02000R | NEW-E | 92-17-028 | 220-44-05000T | REP-E | 92-09-084 |

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Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|---------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
| 220-44-05000U | NEW-E | 92-09-084 | 220-48-00500A | NEW-E | 92-09-073 | 220-56-24000G | NEW-E | 92-09-083 |
| 220-44-05000U | REP-E | 92-11-021 | 220-48-011 | AMD-P | 92-06-092 | 220-56-24500K | NEW-E | 92-10-039 |
| 220-44-05000V | NEW-E | 92-11-021 | 220-48-011 | AMD-C | 92-08-079 | 220-56-24500K | REP-E | 92-12-002 |
| 220-44-05000V | REP-E | 92-12-018 | 220-48-01700B | NEW-E | 92-20-054 | 220-56-24500L | NEW-E | 92-12-002 |
| 220-44-05000W | NEW-E | 92-12-018 | 220-48-02900A | NEW-E | 92-19-063 | 220-56-250 | AMD-P | 92-03-151 |
| 220-44-05000W | REP-E | 92-16-002 | 220-48-042 | AMD-P | 92-06-092 | 220-56-250 | AMD | 92-11-012 |
| 220-44-05000X | NEW-E | 92-16-002 | 220-48-042 | AMD-C | 92-08-079 | 220-56-25000E | NEW-E | 92-09-083 |
| 220-44-05000X | REP-E | 92-20-064 | 220-48-042 | AMD | 92-11-011 | 220-56-25500L | NEW-E | 92-10-039 |
| 220-44-05000Y | NEW-E | 92-20-064 | 220-48-052 | AMD-P | 92-06-092 | 220-56-25500L | REP-E | 92-12-002 |
| 220-44-09000A | NEW-E | 92-11-004 | 220-48-052 | AMD-C | 92-08-079 | 220-56-25500M | NEW-E | 92-12-002 |
| 220-47 | AMD-C | 92-11-083 | 220-48-052 | AMD | 92-11-011 | 220-56-25500M | REP-E | 92-15-010 |
| 220-47 | AMD-S | 92-11-083 | 220-49-02000D | NEW-E | 92-08-022 | 220-56-25500N | NEW-E | 92-15-010 |
| 220-47-301 | AMD-P | 92-09-137 | 220-52-05100J | NEW-E | 92-10-002 | 220-56-25500N | REP-E | 92-15-040 |
| 220-47-302 | AMD-P | 92-09-137 | 220-52-05100K | NEW-E | 92-10-020 | 220-56-25500P | NEW-E | 92-15-040 |
| 220-47-302 | AMD | 92-15-105 | 220-52-05100K | REP-E | 92-11-065 | 220-56-25500P | REP-E | 92-16-036 |
| 220-47-304 | AMD-P | 92-09-137 | 220-52-05100L | NEW-E | 92-11-008 | 220-56-25500Q | NEW-E | 92-16-036 |
| 220-47-304 | AMD | 92-15-105 | 220-52-05100M | NEW-E | 92-13-040 | 220-56-25500Q | REP-E | 92-19-135 |
| 220-47-307 | AMD-P | 92-09-137 | 220-52-07300H | NEW-E | 92-06-054 | 220-56-28000A | NEW-E | 92-07-015 |
| 220-47-307 | AMD | 92-15-105 | 220-56-10500A | NEW-E | 92-08-031 | 220-56-282 | AMD-P | 92-03-151 |
| 220-47-311 | AMD-P | 92-09-137 | 220-56-116 | AMD-P | 92-03-151 | 220-56-282 | AMD-W | 92-16-077 |
| 220-47-311 | AMD | 92-15-105 | 220-56-116 | AMD | 92-11-012 | 220-56-285 | AMD-P | 92-03-151 |
| 220-47-319 | AMD-P | 92-09-137 | 220-56-145 | AMD-P | 92-03-151 | 220-56-285 | AMD | 92-11-012 |
| 220-47-319 | AMD | 92-15-105 | 220-56-156 | AMD-P | 92-03-151 | 220-56-2850F | NEW-E | 92-09-083 |
| 220-47-401 | AMD-P | 92-09-137 | 220-56-156 | AMD | 92-11-012 | 220-56-310 | AMD-P | 92-03-151 |
| 220-47-401 | AMD | 92-15-105 | 220-56-15600E | NEW-E | 92-09-083 | 220-56-310 | AMD | 92-11-012 |
| 220-47-411 | AMD-P | 92-09-137 | 220-56-160 | AMD-P | 92-03-151 | 220-56-31000K | NEW-E | 92-09-083 |
| 220-47-411 | AMD | 92-09-105 | 220-56-160 | AMD-W | 92-16-077 | 220-56-315 | AMD-P | 92-03-151 |
| 220-47-412 | AMD-P | 92-09-137 | 220-56-19000A | NEW-E | 92-17-010 | 220-56-315 | AMD | 92-11-012 |
| 220-47-412 | AMD | 92-15-105 | 220-56-19000A | REP-E | 92-18-010 | 220-56-31500A | NEW-E | 92-09-083 |
| 220-47-500 | AMD-P | 92-09-137 | 220-56-19000B | NEW-E | 92-17-020 | 220-56-320 | AMD-P | 92-03-151 |
| 220-47-500 | AMD | 92-15-105 | 220-56-19000B | REP-E | 92-18-094 | 220-56-320 | AMD | 92-11-012 |
| 220-47-801 | NEW-E | 92-16-020 | 220-56-19000C | NEW-E | 92-18-010 | 220-56-32000C | NEW-E | 92-09-083 |
| 220-47-801 | REP-E | 92-16-055 | 220-56-19000C | REP-E | 92-18-054 | 220-56-32500U | NEW-E | 92-10-020 |
| 220-47-802 | NEW-E | 92-16-055 | 220-56-19000D | NEW-E | 92-18-011 | 220-56-32500U | REP-E | 92-11-065 |
| 220-47-802 | REP-E | 92-16-084 | 220-56-19000D | REP-E | 92-19-021 | 220-56-32500V | NEW-E | 92-11-065 |
| 220-47-803 | NEW-E | 92-16-084 | 220-56-19000E | NEW-E | 92-18-054 | 220-56-335 | AMD-P | 92-03-151 |
| 220-47-803 | REP-E | 92-17-021 | 220-56-19000E | REP-E | 92-19-064 | 220-56-335 | AMD | 92-11-012 |
| 220-47-804 | NEW-E | 92-17-021 | 220-56-19000F | NEW-E | 92-18-094 | 220-56-33500G | NEW-E | 92-09-083 |
| 220-47-804 | REP-E | 92-17-030 | 220-56-19000F | REP-E | 92-19-111 | 220-56-350 | AMD-P | 92-03-151 |
| 220-47-805 | NEW-E | 92-17-030 | 220-56-19000G | NEW-E | 92-19-021 | 220-56-350 | AMD | 92-11-012 |
| 220-47-805 | REP-E | 92-17-048 | 220-56-19000H | NEW-E | 92-19-064 | 220-56-35000P | NEW-E | 92-09-083 |
| 220-47-806 | NEW-E | 92-17-048 | 220-56-19000H | REP-E | 92-19-112 | 220-56-35000Q | NEW-E | 92-16-010 |
| 220-47-806 | REP-E | 92-17-061 | 220-56-19000I | NEW-E | 92-19-112 | 220-56-360 | AMD-P | 92-03-151 |
| 220-47-807 | NEW-E | 92-17-061 | 220-56-19000I | REP-E | 92-20-002 | 220-56-360 | AMD | 92-11-012 |
| 220-47-807 | REP-E | 92-18-007 | 220-56-19000J | NEW-E | 92-19-111 | 220-56-380 | AMD-P | 92-03-151 |
| 220-47-808 | NEW-E | 92-18-007 | 220-56-19000J | REP-E | 92-20-065 | 220-56-380 | AMD | 92-11-012 |
| 220-47-808 | REP-E | 92-18-012 | 220-56-19000K | NEW-E | 92-20-002 | 220-56-38000J | NEW-E | 92-09-083 |
| 220-47-809 | NEW-E | 92-18-012 | 220-56-19000L | NEW-E | 92-20-065 | 220-56-38000K | NEW-E | 92-16-010 |
| 220-47-809 | REP-E | 92-18-025 | 220-56-19000S | NEW-E | 92-10-017 | 220-56-400 | AMD-P | 92-03-151 |
| 220-47-810 | NEW-E | 92-18-025 | 220-56-19000S | REP-E | 92-12-013 | 220-56-400 | AMD | 92-11-012 |
| 220-47-810 | REP-E | 92-18-053 | 220-56-19000T | NEW-E | 92-12-013 | 220-56-40000B | NEW-E | 92-09-083 |
| 220-47-811 | NEW-E | 92-18-053 | 220-56-19000U | NEW-E | 92-13-071 | 220-57-13700B | NEW-E | 92-19-077 |
| 220-47-811 | REP-E | 92-18-069 | 220-56-19000U | REP-E | 92-15-086 | 220-57-13700B | REP-E | 92-20-037 |
| 220-47-812 | NEW-E | 92-18-069 | 220-56-19000V | NEW-E | 92-14-046 | 220-57-13700C | NEW-E | 92-20-037 |
| 220-47-812 | REP-E | 92-19-019 | 220-56-19000V | REP-E | 92-15-106 | 220-57-160 | AMD-P | 92-03-151 |
| 220-47-813 | NEW-E | 92-19-019 | 220-56-19000W | NEW-E | 92-15-086 | 220-57-160 | AMD | 92-11-012 |
| 220-47-813 | REP-E | 92-19-062 | 220-56-19000W | REP-E | 92-17-003 | 220-57-16000L | NEW-E | 92-04-050 |
| 220-47-814 | NEW-E | 92-19-062 | 220-56-19000X | NEW-E | 92-15-106 | 220-57-16000M | NEW-E | 92-08-059 |
| 220-47-814 | REP-E | 92-19-110 | 220-56-19000X | REP-E | 92-16-035 | 220-57-16000N | NEW-E | 92-09-083 |
| 220-47-815 | NEW-E | 92-19-110 | 220-56-19000Y | NEW-E | 92-16-035 | 220-57-16000P | NEW-E | 92-16-011 |
| 220-47-815 | REP-E | 92-19-117 | 220-56-19000Y | REP-E | 92-17-010 | 220-57-175 | AMD-P | 92-03-151 |
| 220-47-816 | NEW-E | 92-19-117 | 220-56-19000Z | NEW-E | 92-16-003 | 220-57-175 | AMD | 92-11-012 |
| 220-47-816 | REP-E | 92-20-018 | 220-56-19000Z | REP-E | 92-18-011 | 220-57-17500W | NEW-E | 92-09-083 |
| 220-47-817 | NEW-E | 92-20-018 | 220-56-195 | AMD-P | 92-03-151 | 220-57-195 | AMD-W | 92-04-011 |
| 220-47-817 | REP-E | 92-20-066 | 220-56-195 | AMD | 92-11-012 | 220-57-205 | AMD-P | 92-03-151 |
| 220-47-818 | NEW-E | 92-20-066 | 220-56-19500I | NEW-E | 92-18-051 | 220-57-205 | AMD-W | 92-04-011 |
| 220-47-818 | REP-E | 92-20-102 | 220-56-205 | AMD-P | 92-03-151 | 220-57-205 | AMD | 92-11-012 |
| 220-47-819 | NEW-E | 92-20-102 | 220-56-205 | AMD | 92-11-012 | 220-57-210 | AMD-P | 92-03-151 |
| 220-47-819 | REP-E | 92-21-054 | 220-56-235 | AMD-P | 92-03-151 | 220-57-210 | AMD-W | 92-04-011 |
| 220-47-820 | NEW-E | 92-21-054 | 220-56-235 | AMD | 92-11-012 | 220-57-210 | AMD | 92-11-012 |
| 220-48-005 | AMD-P | 92-06-092 | 220-56-23500G | NEW-E | 92-09-083 | 220-57-255 | AMD-P | 92-03-151 |
| 220-48-005 | AMD-C | 92-08-079 | 220-56-240 | AMD-P | 92-03-151 | 220-57-255 | AMD | 92-11-012 |
| 220-48-005 | AMD | 92-11-011 | 220-56-240 | AMD | 92-11-012 | 220-57-265 | AMD-W | 92-04-011 |

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| 220-57-29000M | NEW-E | 92-11-020 | 220-110-100 | AMD-W | 92-15-095 | 222-16-030 | AMD-S | 92-11-069 |
| 220-57-31500V | NEW-E | 92-08-031 | 220-110-110 | REP-P | 92-11-082 | 222-16-030 | AMD | 92-15-011 |
| 220-57-33500F | NEW-E | 92-21-030 | 220-110-110 | REP-W | 92-15-095 | 222-16-035 | NEW-P | 92-07-093 |
| 220-57-38000A | NEW-E | 92-18-068 | 220-110-120 | AMD-P | 92-11-082 | 222-16-035 | NEW-S | 92-11-069 |
| 220-57-385 | AMD-P | 92-03-151 | 220-110-120 | AMD-W | 92-15-095 | 222-16-035 | NEW | 92-15-011 |
| 220-57-385 | AMD | 92-11-012 | 220-110-130 | AMD-P | 92-11-082 | 222-16-046 | NEW-E | 92-09-064 |
| 220-57-38500T | NEW-E | 92-07-035 | 220-110-130 | AMD-W | 92-15-095 | 222-16-050 | AMD-E | 92-06-004 |
| 220-57-405 | AMD-P | 92-03-151 | 220-110-140 | AMD-P | 92-11-082 | 222-16-050 | AMD-P | 92-07-093 |
| 220-57-405 | AMD | 92-11-012 | 220-110-140 | AMD-W | 92-15-095 | 222-16-050 | AMD-S | 92-11-069 |
| 220-57-425 | AMD-P | 92-03-151 | 220-110-150 | AMD-P | 92-11-082 | 222-16-050 | AMD-E | 92-12-038 |
| 220-57-425 | AMD | 92-11-012 | 220-110-150 | AMD-W | 92-15-095 | 222-16-050 | AMD | 92-15-011 |
| 220-57-42500Y | NEW-E | 92-17-008 | 220-110-160 | AMD-P | 92-11-082 | 222-16-070 | NEW-E | 92-06-004 |
| 220-57-430 | AMD-P | 92-03-151 | 220-110-160 | AMD-W | 92-15-095 | 222-16-070 | NEW-P | 92-07-093 |
| 220-57-430 | AMD-W | 92-04-011 | 220-110-170 | AMD-P | 92-11-082 | 222-16-070 | NEW-S | 92-11-069 |
| 220-57-430 | AMD | 92-11-012 | 220-110-170 | AMD-W | 92-15-095 | 222-16-070 | NEW-E | 92-12-038 |
| 220-57-43000G | NEW-E | 92-19-037 | 220-110-180 | AMD-P | 92-11-082 | 222-16-070 | NEW | 92-15-011 |
| 220-57-435 | AMD-P | 92-03-151 | 220-110-180 | AMD-W | 92-15-095 | 222-16-080 | NEW-P | 92-07-093 |
| 220-57-435 | AMD | 92-11-012 | 220-110-190 | AMD-P | 92-11-082 | 222-16-080 | NEW-S | 92-11-069 |
| 220-57-43500G | NEW-E | 92-15-052 | 220-110-190 | AMD-W | 92-15-095 | 222-16-080 | NEW | 92-15-011 |
| 220-57-43500G | REP-E | 92-18-068 | 220-110-200 | AMD-P | 92-11-082 | 222-20-080 | AMD-E | 92-16-044 |
| 220-57-43500H | NEW-E | 92-18-068 | 220-110-200 | AMD-W | 92-15-095 | 222-20-080 | AMD-P | 92-19-142 |
| 220-57-450 | AMD-P | 92-03-151 | 220-110-210 | AMD-P | 92-11-082 | 222-22-010 | NEW-P | 92-07-093 |
| 220-57-450 | AMD | 92-11-012 | 220-110-210 | AMD-W | 92-15-095 | 222-22-010 | NEW-S | 92-11-069 |
| 220-57-45000H | NEW-E | 92-18-068 | 220-110-220 | AMD-P | 92-11-082 | 222-22-010 | NEW | 92-15-011 |
| 220-57-455 | AMD-P | 92-03-151 | 220-110-220 | AMD-W | 92-15-095 | 222-22-020 | NEW-P | 92-07-093 |
| 220-57-455 | AMD | 92-11-012 | 220-110-223 | NEW-P | 92-11-082 | 222-22-020 | NEW-S | 92-11-069 |
| 220-57-45500C | NEW-E | 92-18-068 | 220-110-223 | NEW-W | 92-15-095 | 222-22-020 | NEW | 92-15-011 |
| 220-57-460 | AMD-P | 92-03-151 | 220-110-224 | NEW-P | 92-11-082 | 222-22-030 | NEW-P | 92-07-093 |
| 220-57-460 | AMD | 92-11-012 | 220-110-224 | NEW-W | 92-15-095 | 222-22-030 | NEW-S | 92-11-069 |
| 220-57-46000Y | NEW-E | 92-07-035 | 220-110-225 | NEW-P | 92-11-082 | 222-22-030 | NEW | 92-15-011 |
| 220-57-465 | AMD-P | 92-03-151 | 220-110-225 | NEW-W | 92-15-095 | 222-22-040 | NEW-P | 92-07-093 |
| 220-57-465 | AMD | 92-11-012 | 220-110-250 | AMD-P | 92-11-082 | 222-22-040 | NEW-S | 92-11-069 |
| 220-57-46500F | NEW-E | 92-19-037 | 220-110-250 | AMD-W | 92-15-095 | 222-22-040 | NEW | 92-15-011 |
| 220-57-470 | AMD-W | 92-04-011 | 220-110-260 | REP-P | 92-11-082 | 222-22-050 | NEW-P | 92-07-093 |
| 220-57-490 | AMD-P | 92-03-151 | 220-110-260 | REP-W | 92-15-095 | 222-22-050 | NEW-S | 92-11-069 |
| 220-57-490 | AMD-W | 92-04-011 | 220-110-270 | AMD-P | 92-11-082 | 222-22-050 | NEW | 92-15-011 |
| 220-57-490 | AMD | 92-11-012 | 220-110-270 | AMD-W | 92-15-095 | 222-22-060 | NEW-P | 92-07-093 |
| 220-57-50500T | NEW-E | 92-08-031 | 220-110-280 | AMD-P | 92-11-082 | 222-22-060 | NEW-S | 92-11-069 |
| 220-57-51000H | NEW-E | 92-21-030 | 220-110-280 | AMD-W | 92-15-095 | 222-22-060 | NEW | 92-15-011 |
| 220-57-51500H | NEW-E | 92-08-031 | 220-110-285 | NEW-P | 92-11-082 | 222-22-070 | NEW-P | 92-07-093 |
| 220-57A-180 | AMD-P | 92-03-151 | 220-110-285 | NEW-W | 92-15-095 | 222-22-070 | NEW-S | 92-11-069 |
| 220-57A-180 | AMD | 92-11-012 | 220-110-290 | AMD-P | 92-11-082 | 222-22-070 | NEW | 92-15-011 |
| 220-57A-18300C | NEW-E | 92-16-021 | 220-110-290 | AMD-W | 92-15-095 | 222-22-080 | NEW-P | 92-07-093 |
| 220-69-25000A | NEW-E | 92-11-004 | 220-110-300 | AMD-P | 92-11-082 | 222-22-080 | NEW-S | 92-11-069 |
| 220-88-010 | NEW-P | 92-09-129 | 220-110-300 | AMD-W | 92-15-095 | 222-22-080 | NEW | 92-15-011 |
| 220-88-010 | NEW | 92-19-012 | 220-110-320 | AMD-P | 92-11-082 | 222-22-090 | NEW-P | 92-07-093 |
| 220-88-020 | NEW-P | 92-09-129 | 220-110-320 | AMD-W | 92-15-095 | 222-22-090 | NEW-S | 92-11-069 |
| 220-88-020 | NEW | 92-19-012 | 220-110-330 | AMD-P | 92-11-082 | 222-22-090 | NEW | 92-15-011 |
| 220-88-030 | NEW-P | 92-09-129 | 220-110-330 | AMD-W | 92-15-095 | 222-22-100 | NEW-P | 92-07-093 |
| 220-88-030 | NEW | 92-19-012 | 220-110-340 | AMD-P | 92-11-082 | 222-22-100 | NEW-S | 92-11-069 |
| 220-88-040 | NEW-P | 92-09-129 | 220-110-340 | AMD-W | 92-15-095 | 222-22-100 | NEW | 92-15-011 |
| 220-88-040 | NEW | 92-19-012 | 220-110-350 | AMD-P | 92-11-082 | 222-24-010 | AMD-P | 92-07-093 |
| 220-88-050 | NEW-P | 92-09-129 | 220-110-350 | AMD-W | 92-15-095 | 222-24-010 | AMD-S | 92-11-069 |
| 220-110 | AMD-C | 92-14-045 | 220-110-360 | NEW-P | 92-11-082 | 222-24-010 | AMD | 92-15-011 |
| 220-110-010 | AMD-P | 92-11-082 | 220-110-360 | NEW-W | 92-15-095 | 222-24-020 | AMD-P | 92-07-093 |
| 220-110-010 | AMD-W | 92-15-095 | 222-12-040 | AMD-S | 92-11-069 | 222-24-020 | AMD-S | 92-11-069 |
| 220-110-020 | AMD-P | 92-11-082 | 222-12-040 | AMD | 92-15-011 | 222-24-020 | AMD | 92-15-011 |
| 220-110-020 | AMD-W | 92-15-095 | 222-12-046 | NEW-P | 92-07-093 | 222-24-025 | AMD-P | 92-07-093 |
| 220-110-030 | AMD-P | 92-11-082 | 222-12-046 | NEW-S | 92-11-069 | 222-24-025 | AMD-S | 92-11-069 |
| 220-110-030 | AMD-W | 92-15-095 | 222-12-046 | NEW | 92-15-011 | 222-24-025 | AMD | 92-15-011 |
| 220-110-035 | NEW-P | 92-11-082 | 222-12-090 | AMD-P | 92-07-093 | 222-24-030 | AMD-P | 92-07-093 |
| 220-110-035 | NEW-W | 92-15-095 | 222-12-090 | AMD-S | 92-11-069 | 222-24-030 | AMD-S | 92-11-069 |
| 220-110-050 | AMD-P | 92-11-082 | 222-12-090 | AMD | 92-15-113 | 222-24-030 | AMD | 92-15-011 |
| 220-110-050 | AMD-W | 92-15-095 | 222-16-010 | AMD | 92-03-028 | 222-24-030 | AMD-P | 92-19-142 |
| 220-110-060 | AMD-P | 92-11-082 | 222-16-010 | AMD-E | 92-06-004 | 222-24-035 | AMD-P | 92-07-093 |
| 220-110-060 | AMD-W | 92-15-095 | 222-16-010 | AMD-P | 92-07-093 | 222-24-035 | AMD-S | 92-11-069 |
| 220-110-070 | AMD-P | 92-11-082 | 222-16-010 | AMD-S | 92-11-069 | 222-24-035 | AMD | 92-15-011 |
| 220-110-070 | AMD-W | 92-15-095 | 222-16-010 | AMD-E | 92-12-038 | 222-24-040 | AMD-P | 92-07-093 |
| 220-110-080 | AMD-P | 92-11-082 | 222-16-010 | AMD | 92-15-011 | 222-24-040 | AMD-S | 92-11-069 |
| 220-110-080 | AMD-W | 92-15-095 | 222-16-020 | AMD-P | 92-07-093 | 222-24-040 | AMD | 92-15-011 |
| 220-110-090 | REP-P | 92-11-082 | 222-16-020 | REP-S | 92-11-069 | 222-24-040 | AMD-P | 92-19-142 |
| 220-110-090 | REP-W | 92-15-095 | 222-16-020 | REP | 92-15-011 | 222-24-050 | AMD-P | 92-07-093 |
| 220-110-100 | AMD-P | 92-11-082 | 222-16-030 | AMD-P | 92-07-093 | 222-24-050 | AMD-S | 92-11-069 |

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| 222-24-060 | AMD-P | 92-07-093 | 230-20-685 | NEW | 92-19-106 | 232-28-22701 | NEW-E | 92-12-019 |
| 222-24-060 | AMD-S | 92-11-069 | 230-30-075 | AMD-P | 92-21-055 | 232-28-228 | AMD-P | 92-02-087 |
| 222-24-060 | AMD | 92-15-011 | 230-30-200 | AMD-P | 92-16-039 | 232-28-228 | AMD | 92-06-018 |
| 222-30-010 | AMD-P | 92-07-093 | 230-30-200 | AMD | 92-19-107 | 232-28-228 | AMD-P | 92-06-077 |
| 222-30-010 | AMD-S | 92-11-069 | 230-46-070 | AMD-P | 92-19-013 | 232-28-228 | AMD | 92-12-060 |
| 222-30-010 | AMD | 92-15-011 | 230-50-010 | AMD-P | 92-14-018 | 232-28-229 | REP-P | 92-06-078 |
| 222-30-020 | AMD-P | 92-07-093 | 230-50-010 | AMD-E | 92-14-019 | 232-28-229 | REP | 92-12-061 |
| 222-30-020 | AMD-S | 92-11-069 | 230-50-010 | AMD | 92-19-107 | 232-28-230 | REP-P | 92-06-079 |
| 222-30-020 | AMD | 92-15-011 | 230-50-012 | AMD-P | 92-14-018 | 232-28-230 | REP | 92-12-062 |
| 222-30-020 | AMD-E | 92-18-055 | 230-50-012 | AMD-E | 92-14-019 | 232-28-231 | REP-P | 92-06-080 |
| 222-30-020 | AMD-E | 92-18-086 | 230-50-012 | AMD | 92-19-107 | 232-28-231 | REP | 92-12-063 |
| 222-30-020 | AMD-P | 92-19-142 | 230-50-015 | NEW-P | 92-14-018 | 232-28-233 | NEW-P | 92-06-078 |
| 222-30-025 | NEW-P | 92-07-093 | 230-50-015 | NEW-E | 92-14-019 | 232-28-233 | NEW | 92-12-061 |
| 222-30-025 | NEW-S | 92-11-069 | 230-50-015 | NEW | 92-19-107 | 232-28-234 | NEW-P | 92-06-079 |
| 222-30-025 | NEW | 92-15-011 | 230-50-018 | NEW-P | 92-14-018 | 232-28-234 | NEW | 92-12-062 |
| 222-30-040 | AMD-P | 92-07-093 | 230-50-018 | NEW-E | 92-14-019 | 232-28-235 | NEW-P | 92-06-080 |
| 222-30-040 | AMD-S | 92-11-069 | 230-50-018 | NEW | 92-19-107 | 232-28-235 | NEW | 92-12-063 |
| 222-30-040 | AMD | 92-15-011 | 230-50-150 | AMD-P | 92-14-018 | 232-28-235 | REP-P | 92-14-107 |
| 222-30-040 | AMD-E | 92-18-056 | 230-50-150 | AMD-E | 92-14-019 | 232-28-415 | REP | 92-18-085 |
| 222-30-050 | AMD-P | 92-07-093 | 230-50-150 | AMD | 92-19-107 | 232-28-416 | NEW-P | 92-14-107 |
| 222-30-050 | AMD-S | 92-11-069 | 230-50-235 | NEW-P | 92-14-018 | 232-28-416 | NEW | 92-18-085 |
| 222-30-050 | AMD | 92-15-011 | 230-50-235 | NEW-E | 92-14-019 | 232-28-512 | REP-P | 92-14-108 |
| 222-30-060 | AMD-P | 92-07-093 | 230-50-235 | NEW | 92-19-107 | 232-28-512 | REP | 92-18-084 |
| 222-30-060 | AMD-S | 92-11-069 | 230-50-580 | AMD-E | 92-06-033 | 232-28-513 | NEW-P | 92-14-108 |
| 222-30-060 | AMD | 92-15-011 | 230-50-580 | AMD-P | 92-14-018 | 232-28-513 | NEW | 92-18-084 |
| 222-30-070 | AMD-P | 92-07-093 | 230-50-580 | AMD-E | 92-14-020 | 232-28-61825 | NEW-E | 92-03-013 |
| 222-30-070 | AMD-S | 92-11-069 | 230-50-580 | AMD | 92-21-056 | 232-28-61826 | NEW-E | 92-05-022 |
| 222-30-070 | AMD | 92-15-011 | 232-12-017 | AMD-E | 92-14-015 | 232-28-61827 | NEW-E | 92-05-021 |
| 222-30-090 | AMD-P | 92-07-093 | 232-12-017 | AMD-E | 92-21-051 | 232-28-61828 | NEW-E | 92-05-019 |
| 222-30-090 | AMD-S | 92-11-069 | 232-12-019 | AMD-P | 92-17-069 | 232-28-61829 | NEW-E | 92-05-024 |
| 222-30-090 | AMD | 92-15-011 | 232-12-021 | AMD-P | 92-02-086 | 232-28-61830 | NEW-E | 92-08-067 |
| 222-30-100 | AMD-P | 92-07-093 | 232-12-021 | AMD-C | 92-05-018 | 232-28-61831 | NEW-E | 92-08-064 |
| 222-30-100 | AMD-S | 92-11-069 | 232-12-021 | AMD-W | 92-12-057 | 232-28-61901 | NEW-P | 92-02-088 |
| 222-30-100 | AMD | 92-15-011 | 232-12-021 | AMD-E | 92-14-014 | 232-28-61901 | NEW | 92-07-038 |
| 222-30-110 | NEW-P | 92-07-093 | 232-12-021 | AMD-P | 92-21-045 | 232-28-61902 | NEW-P | 92-02-089 |
| 222-30-110 | NEW-S | 92-11-069 | 232-12-021 | AMD-E | 92-21-052 | 232-28-61902 | NEW | 92-07-039 |
| 222-30-110 | NEW | 92-15-011 | 232-12-064 | AMD-E | 92-14-014 | 232-28-61903 | NEW-P | 92-02-090 |
| 222-30-120 | NEW | 92-08-025 | 232-12-064 | AMD-P | 92-21-045 | 232-28-61903 | NEW-W | 92-07-037 |
| 222-34-040 | AMD-P | 92-07-093 | 232-12-064 | AMD-E | 92-21-052 | 232-28-61904 | NEW-P | 92-02-091 |
| 222-34-040 | AMD | 92-20-021 | 232-12-074 | AMD-P | 92-02-086 | 232-28-61904 | NEW | 92-07-040 |
| 222-38-010 | AMD-P | 92-07-093 | 232-12-074 | AMD-C | 92-05-018 | 232-28-61905 | NEW-P | 92-02-092 |
| 222-38-010 | AMD-S | 92-11-069 | 232-12-074 | AMD-W | 92-12-057 | 232-28-61905 | NEW | 92-07-041 |
| 222-38-010 | AMD | 92-15-011 | 232-12-077 | AMD-P | 92-02-086 | 232-28-61906 | NEW-P | 92-02-093 |
| 222-38-020 | AMD-P | 92-07-093 | 232-12-077 | AMD-C | 92-05-018 | 232-28-61906 | NEW | 92-07-042 |
| 222-38-020 | AMD-S | 92-11-069 | 232-12-077 | AMD-W | 92-12-057 | 232-28-61907 | NEW-E | 92-05-020 |
| 222-38-020 | AMD | 92-15-011 | 232-12-141 | AMD-P | 92-14-105 | 232-28-61907 | NEW-P | 92-06-073 |
| 222-38-030 | NEW-P | 92-07-093 | 232-12-141 | AMD | 92-18-083 | 232-28-61907 | NEW | 92-11-079 |
| 222-38-030 | NEW-S | 92-11-069 | 232-12-147 | AMD-P | 92-06-072 | 232-28-61908 | NEW-P | 92-06-074 |
| 222-38-030 | NEW | 92-15-011 | 232-12-147 | AMD-E | 92-08-066 | 232-28-61908 | NEW | 92-11-080 |
| 222-38-040 | NEW-P | 92-07-093 | 232-12-147 | AMD | 92-11-078 | 232-28-61909 | NEW-P | 92-09-136 |
| 222-38-040 | NEW-S | 92-11-069 | 232-12-160 | NEW | 92-09-076 | 232-28-61909 | NEW-E | 92-12-020 |
| 222-38-040 | NEW | 92-15-011 | 232-12-168 | AMD-P | 92-17-068 | 232-28-61909 | NEW | 92-16-064 |
| 230-04-020 | AMD-P | 92-19-013 | 232-12-170 | NEW | 92-09-076 | 232-28-61910 | NEW-P | 92-14-100 |
| 230-04-138 | AMD-P | 92-20-084 | 232-12-171 | NEW | 92-09-076 | 232-28-61910 | NEW | 92-19-001 |
| 230-04-201 | AMD-P | 92-15-055 | 232-12-175 | NEW | 92-09-076 | 232-28-61911 | NEW-P | 92-14-101 |
| 230-04-201 | AMD | 92-21-056 | 232-12-180 | NEW | 92-09-076 | 232-28-61911 | NEW | 92-19-002 |
| 230-04-220 | AMD-P | 92-19-013 | 232-12-242 | NEW-P | 92-17-070 | 232-28-61912 | NEW-P | 92-14-104 |
| 230-08-010 | AMD-P | 92-14-018 | 232-12-267 | AMD-P | 92-02-086 | 232-28-61912 | NEW | 92-19-023 |
| 230-08-010 | AMD | 92-19-107 | 232-12-267 | AMD-C | 92-05-018 | 232-28-61913 | NEW-P | 92-14-102 |
| 230-08-025 | AMD-P | 92-14-018 | 232-12-267 | AMD | 92-12-064 | 232-28-61913 | NEW | 92-19-003 |
| 230-08-025 | AMD | 92-19-107 | 232-12-277 | AMD-P | 92-02-086 | 232-28-61914 | NEW-P | 92-14-103 |
| 230-08-180 | AMD-P | 92-14-018 | 232-12-277 | AMD-C | 92-05-018 | 232-28-61915 | NEW-E | 92-14-013 |
| 230-08-180 | AMD-W | 92-14-057 | 232-12-277 | AMD | 92-12-064 | 232-28-61916 | NEW-P | 92-17-067 |
| 230-08-180 | AMD-P | 92-15-055 | 232-28-022 | AMD-P | 92-02-085 | 232-28-61916 | NEW | 92-21-026 |
| 230-08-180 | AMD | 92-21-021 | 232-28-022 | AMD | 92-06-017 | 232-28-61917 | NEW-P | 92-17-066 |
| 230-08-240 | REP-P | 92-14-018 | 232-28-022 | AMD-P | 92-09-042 | 232-28-61918 | NEW-P | 92-17-065 |
| 230-08-240 | REP-W | 92-14-057 | 232-28-022 | AMD | 92-12-065 | 232-28-61919 | NEW-P | 92-17-064 |
| 230-08-240 | REP-P | 92-15-055 | 232-28-226 | AMD-P | 92-06-075 | 232-28-61920 | NEW-P | 92-17-063 |
| 230-08-240 | REP | 92-21-021 | 232-28-226 | AMD | 92-12-058 | 232-28-61920 | NEW-W | 92-19-128 |
| 230-20-670 | AMD-P | 92-15-055 | 232-28-227 | AMD-P | 92-06-076 | 232-28-61921 | NEW-E | 92-17-072 |
| 230-20-670 | AMD | 92-21-056 | 232-28-227 | AMD | 92-12-059 | 232-28-61922 | NEW-E | 92-19-065 |
| 230-20-680 | AMD-P | 92-20-084 | 232-28-227 | AMD-P | 92-14-106 | 232-28-714 | REP-P | 92-02-094 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|------------|-------|-----------|------------|-------|-----------|
| 232-28-714 | REP | 92-06-019 | 240-15-010 | AMD | 92-11-017 | 242-02-240 | NEW-E | 92-14-001 |
| 236-12-001 | AMD | 92-04-036 | 240-15-015 | AMD-P | 92-08-060 | 242-02-240 | NEW-P | 92-15-134 |
| 236-12-010 | REP | 92-04-036 | 240-15-015 | AMD | 92-11-017 | 242-02-240 | NEW | 92-21-034 |
| 236-12-011 | REP | 92-04-036 | 240-15-020 | AMD-P | 92-08-060 | 242-02-250 | NEW-E | 92-14-001 |
| 236-12-011 | AMD-W | 92-11-039 | 240-15-020 | AMD | 92-11-017 | 242-02-250 | NEW-P | 92-15-134 |
| 236-12-012 | REP | 92-04-036 | 240-15-025 | AMD-P | 92-08-060 | 242-02-250 | NEW | 92-21-034 |
| 236-12-013 | REP | 92-04-036 | 240-15-025 | AMD | 92-11-017 | 242-02-260 | NEW-E | 92-14-001 |
| 236-12-014 | REP | 92-04-036 | 240-15-030 | AMD-P | 92-08-060 | 242-02-260 | NEW-P | 92-15-134 |
| 236-12-015 | NEW | 92-04-036 | 240-15-030 | AMD | 92-11-017 | 242-02-260 | NEW | 92-21-034 |
| 236-12-040 | REP | 92-04-036 | 240-15-035 | AMD-P | 92-08-060 | 242-02-270 | NEW-E | 92-14-001 |
| 236-12-050 | REP | 92-04-036 | 240-15-035 | AMD | 92-11-017 | 242-02-270 | NEW-P | 92-15-134 |
| 236-12-060 | REP | 92-04-036 | 242-02-010 | NEW-E | 92-14-001 | 242-02-270 | NEW | 92-21-034 |
| 236-12-061 | REP | 92-04-036 | 242-02-010 | NEW-P | 92-15-134 | 242-02-280 | NEW-E | 92-14-001 |
| 236-12-120 | REP | 92-04-036 | 242-02-010 | NEW | 92-21-034 | 242-02-280 | NEW-P | 92-15-134 |
| 236-12-130 | REP | 92-04-036 | 242-02-020 | NEW-E | 92-14-001 | 242-02-280 | NEW | 92-21-034 |
| 236-12-131 | REP | 92-04-036 | 242-02-020 | NEW-P | 92-15-134 | 242-02-310 | NEW-E | 92-14-001 |
| 236-12-132 | REP | 92-04-036 | 242-02-020 | NEW | 92-21-034 | 242-02-310 | NEW-P | 92-15-134 |
| 236-12-133 | REP | 92-04-036 | 242-02-030 | NEW-E | 92-14-001 | 242-02-310 | NEW | 92-21-034 |
| 236-12-160 | NEW | 92-09-076 | 242-02-030 | NEW-P | 92-15-134 | 242-02-320 | NEW-E | 92-14-001 |
| 236-12-170 | NEW | 92-09-076 | 242-02-030 | NEW | 92-21-034 | 242-02-320 | NEW-P | 92-15-134 |
| 236-12-171 | NEW | 92-09-076 | 242-02-040 | NEW-E | 92-14-001 | 242-02-320 | NEW | 92-21-034 |
| 236-12-175 | NEW | 92-09-076 | 242-02-040 | NEW-P | 92-15-134 | 242-02-330 | NEW-E | 92-14-001 |
| 236-12-180 | NEW | 92-09-076 | 242-02-040 | NEW | 92-21-034 | 242-02-330 | NEW-P | 92-15-134 |
| 236-12-185 | NEW | 92-04-036 | 242-02-050 | NEW-E | 92-14-001 | 242-02-330 | NEW | 92-21-034 |
| 236-12-186 | NEW | 92-04-036 | 242-02-050 | NEW-P | 92-15-134 | 242-02-340 | NEW-E | 92-14-001 |
| 236-12-187 | NEW | 92-04-036 | 242-02-050 | NEW | 92-21-034 | 242-02-340 | NEW-P | 92-15-134 |
| 236-12-188 | NEW | 92-04-036 | 242-02-052 | NEW-E | 92-14-001 | 242-02-340 | NEW | 92-21-034 |
| 236-12-189 | NEW | 92-04-036 | 242-02-052 | NEW-P | 92-15-134 | 242-02-410 | NEW-E | 92-14-001 |
| 236-12-190 | NEW | 92-04-036 | 242-02-052 | NEW | 92-21-034 | 242-02-410 | NEW-P | 92-15-134 |
| 236-12-191 | NEW | 92-04-036 | 242-02-054 | NEW-E | 92-14-001 | 242-02-410 | NEW | 92-21-034 |
| 236-12-200 | AMD | 92-04-036 | 242-02-054 | NEW-P | 92-15-134 | 242-02-420 | NEW-E | 92-14-001 |
| 236-12-220 | AMD | 92-04-036 | 242-02-054 | NEW | 92-21-034 | 242-02-420 | NEW-P | 92-15-134 |
| 236-12-225 | REP | 92-04-036 | 242-02-060 | NEW-E | 92-14-001 | 242-02-420 | NEW | 92-21-034 |
| 236-12-290 | AMD | 92-04-037 | 242-02-060 | NEW-P | 92-15-134 | 242-02-430 | NEW-E | 92-14-001 |
| 236-12-300 | AMD | 92-04-037 | 242-02-060 | NEW | 92-21-034 | 242-02-430 | NEW-P | 92-15-134 |
| 236-12-320 | AMD | 92-04-036 | 242-02-070 | NEW-E | 92-14-001 | 242-02-430 | NEW | 92-21-034 |
| 236-12-340 | REP | 92-04-036 | 242-02-070 | NEW-P | 92-15-134 | 242-02-440 | NEW-E | 92-14-001 |
| 236-12-350 | NEW | 92-04-036 | 242-02-070 | NEW | 92-21-034 | 242-02-440 | NEW-P | 92-15-134 |
| 236-12-351 | NEW | 92-04-036 | 242-02-072 | NEW-P | 92-15-134 | 242-02-440 | NEW | 92-21-034 |
| 236-12-360 | NEW | 92-04-036 | 242-02-072 | NEW | 92-21-034 | 242-02-450 | NEW-E | 92-14-001 |
| 236-12-361 | NEW | 92-04-036 | 242-02-074 | NEW-E | 92-14-001 | 242-02-450 | NEW-P | 92-15-134 |
| 236-12-362 | NEW | 92-04-036 | 242-02-074 | NEW-P | 92-15-134 | 242-02-450 | NEW | 92-21-034 |
| 236-12-365 | NEW | 92-04-036 | 242-02-074 | NEW | 92-21-034 | 242-02-460 | NEW-E | 92-14-001 |
| 236-12-370 | NEW | 92-04-036 | 242-02-075 | NEW-E | 92-14-001 | 242-02-460 | NEW-P | 92-15-134 |
| 236-12-371 | NEW | 92-04-036 | 242-02-080 | NEW-E | 92-14-001 | 242-02-460 | NEW | 92-21-034 |
| 236-12-372 | NEW | 92-04-036 | 242-02-080 | NEW-P | 92-15-134 | 242-02-470 | NEW-E | 92-14-001 |
| 236-14-010 | NEW-P | 92-10-082 | 242-02-080 | NEW | 92-21-034 | 242-02-470 | NEW-P | 92-15-134 |
| 236-14-010 | NEW-W | 92-16-091 | 242-02-090 | NEW-E | 92-14-001 | 242-02-470 | NEW | 92-21-034 |
| 236-14-010 | NEW-P | 92-16-102 | 242-02-090 | NEW-P | 92-15-134 | 242-02-510 | NEW-E | 92-14-001 |
| 236-14-015 | NEW-P | 92-10-082 | 242-02-090 | NEW | 92-21-034 | 242-02-510 | NEW-P | 92-15-134 |
| 236-14-015 | NEW-W | 92-16-091 | 242-02-110 | NEW-E | 92-14-001 | 242-02-510 | NEW | 92-21-034 |
| 236-14-015 | NEW-P | 92-16-102 | 242-02-110 | NEW-P | 92-15-134 | 242-02-520 | NEW-E | 92-14-001 |
| 236-14-050 | NEW-P | 92-16-102 | 242-02-110 | NEW | 92-21-034 | 242-02-520 | NEW-P | 92-15-134 |
| 236-14-100 | NEW-P | 92-10-082 | 242-02-120 | NEW-E | 92-14-001 | 242-02-520 | NEW | 92-21-034 |
| 236-14-100 | NEW-W | 92-16-091 | 242-02-120 | NEW-P | 92-15-134 | 242-02-522 | NEW | 92-21-034 |
| 236-14-100 | NEW-P | 92-16-102 | 242-02-120 | NEW | 92-21-034 | 242-02-530 | NEW-E | 92-14-001 |
| 236-14-200 | NEW-P | 92-16-102 | 242-02-130 | NEW-E | 92-14-001 | 242-02-530 | NEW-P | 92-15-134 |
| 236-14-300 | NEW-P | 92-16-102 | 242-02-130 | NEW-P | 92-15-134 | 242-02-530 | NEW | 92-21-034 |
| 236-14-900 | NEW-P | 92-10-082 | 242-02-130 | NEW | 92-21-034 | 242-02-532 | NEW-E | 92-14-001 |
| 236-14-900 | NEW-W | 92-16-091 | 242-02-140 | NEW-E | 92-14-001 | 242-02-532 | NEW-P | 92-15-134 |
| 236-14-900 | NEW-P | 92-16-102 | 242-02-140 | NEW-P | 92-15-134 | 242-02-532 | NEW | 92-21-034 |
| 236-22-010 | NEW-P | 92-09-155 | 242-02-140 | NEW | 92-21-034 | 242-02-534 | NEW-E | 92-14-001 |
| 236-22-010 | NEW | 92-12-092 | 242-02-150 | NEW-P | 92-15-134 | 242-02-534 | NEW-P | 92-15-134 |
| 236-22-100 | NEW-P | 92-09-155 | 242-02-150 | NEW | 92-21-034 | 242-02-534 | NEW | 92-21-034 |
| 236-22-100 | NEW | 92-12-092 | 242-02-210 | NEW-E | 92-14-001 | 242-02-540 | NEW-E | 92-14-001 |
| 236-48-190 | AMD-P | 92-05-042 | 242-02-210 | NEW-P | 92-15-134 | 242-02-540 | NEW-P | 92-15-134 |
| 236-48-190 | AMD | 92-09-016 | 242-02-210 | NEW | 92-21-034 | 242-02-540 | NEW | 92-21-034 |
| 240-10-040 | AMD-E | 92-09-096 | 242-02-220 | NEW-E | 92-14-001 | 242-02-550 | NEW-E | 92-14-001 |
| 240-10-040 | AMD-P | 92-16-046 | 242-02-220 | NEW-P | 92-15-134 | 242-02-550 | NEW-P | 92-15-134 |
| 240-10-040 | AMD | 92-19-082 | 242-02-220 | NEW | 92-21-034 | 242-02-550 | NEW | 92-21-034 |
| 240-15-005 | AMD-P | 92-08-060 | 242-02-230 | NEW-E | 92-14-001 | 242-02-552 | NEW-E | 92-14-001 |
| 240-15-005 | AMD | 92-11-017 | 242-02-230 | NEW-P | 92-15-134 | 242-02-552 | NEW-P | 92-15-134 |
| 240-15-010 | AMD-P | 92-08-060 | 242-02-230 | NEW | 92-21-034 | 242-02-552 | NEW | 92-21-034 |

TABLE

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|------------|-------|-----------|-------------|-------|-----------|
| 242-02-554 | NEW-E | 92-14-001 | 242-02-850 | NEW | 92-21-034 | 242-06-020 | NEW-P | 92-15-134 |
| 242-02-554 | NEW-P | 92-15-134 | 242-02-860 | NEW-E | 92-14-001 | 242-06-020 | NEW | 92-21-034 |
| 242-02-554 | NEW | 92-21-034 | 242-02-860 | NEW-P | 92-15-134 | 246-08-390 | NEW | 92-07-080 |
| 242-02-556 | NEW-E | 92-14-001 | 242-02-860 | NEW | 92-21-034 | 246-205 | AMD-S | 92-03-143 |
| 242-02-556 | NEW-P | 92-15-134 | 242-02-870 | NEW-E | 92-14-001 | 246-205 | AMD-S | 92-04-071 |
| 242-02-556 | NEW | 92-21-034 | 242-02-870 | NEW-P | 92-15-134 | 246-205 | AMD | 92-10-027 |
| 242-02-558 | NEW-E | 92-14-001 | 242-02-870 | NEW | 92-21-034 | 246-205-001 | AMD-S | 92-03-143 |
| 242-02-558 | NEW-P | 92-15-134 | 242-02-880 | NEW-E | 92-14-001 | 246-205-001 | AMD-S | 92-04-071 |
| 242-02-558 | NEW | 92-21-034 | 242-02-880 | NEW-P | 92-15-134 | 246-205-001 | AMD | 92-10-027 |
| 242-02-560 | NEW-E | 92-14-001 | 242-02-880 | NEW | 92-21-034 | 246-205-010 | AMD-S | 92-04-071 |
| 242-02-560 | NEW-P | 92-15-134 | 242-02-890 | NEW-E | 92-14-001 | 246-205-010 | AMD | 92-10-027 |
| 242-02-560 | NEW | 92-21-034 | 242-02-890 | NEW-P | 92-15-134 | 246-205-520 | NEW-S | 92-03-143 |
| 242-02-562 | NEW-P | 92-15-134 | 242-02-890 | NEW | 92-21-034 | 246-205-520 | NEW-S | 92-04-071 |
| 242-02-565 | NEW-E | 92-14-001 | 242-02-892 | NEW-P | 92-15-134 | 246-205-520 | NEW | 92-10-027 |
| 242-02-570 | NEW-E | 92-14-001 | 242-02-892 | NEW | 92-21-034 | 246-205-530 | NEW-S | 92-03-143 |
| 242-02-570 | NEW-P | 92-15-134 | 242-02-910 | NEW-E | 92-14-001 | 246-205-530 | NEW-S | 92-04-071 |
| 242-02-570 | NEW | 92-21-034 | 242-02-910 | NEW-P | 92-15-134 | 246-205-530 | NEW | 92-10-027 |
| 242-02-580 | NEW-E | 92-14-001 | 242-02-910 | NEW | 92-21-034 | 246-205-540 | NEW-S | 92-03-143 |
| 242-02-580 | NEW-P | 92-15-134 | 242-02-920 | NEW-E | 92-14-001 | 246-205-540 | NEW-S | 92-04-071 |
| 242-02-580 | NEW | 92-21-034 | 242-02-920 | NEW-P | 92-15-134 | 246-205-540 | NEW | 92-10-027 |
| 242-02-582 | NEW-P | 92-15-134 | 242-02-920 | NEW | 92-21-034 | 246-205-550 | NEW-S | 92-03-143 |
| 242-02-582 | NEW | 92-21-034 | 242-02-930 | NEW-E | 92-14-001 | 246-205-550 | NEW-S | 92-04-071 |
| 242-02-585 | NEW-E | 92-14-001 | 242-02-930 | NEW-P | 92-15-134 | 246-205-550 | NEW | 92-10-027 |
| 242-02-610 | NEW-E | 92-14-001 | 242-02-930 | NEW | 92-21-034 | 246-205-560 | NEW-S | 92-03-143 |
| 242-02-610 | NEW-P | 92-15-134 | 242-04-010 | NEW-E | 92-14-001 | 246-205-560 | NEW-S | 92-04-071 |
| 242-02-610 | NEW | 92-21-034 | 242-04-010 | NEW-P | 92-15-134 | 246-205-560 | NEW | 92-10-027 |
| 242-02-612 | NEW-P | 92-15-134 | 242-04-010 | NEW | 92-21-034 | 246-205-570 | NEW-S | 92-03-143 |
| 242-02-612 | NEW | 92-21-034 | 242-04-020 | NEW-E | 92-14-001 | 246-205-570 | NEW-S | 92-04-071 |
| 242-02-620 | NEW-E | 92-14-001 | 242-04-020 | NEW-P | 92-15-134 | 246-205-570 | NEW | 92-10-027 |
| 242-02-620 | NEW-P | 92-15-134 | 242-04-020 | NEW | 92-21-034 | 246-205-580 | NEW-S | 92-03-143 |
| 242-02-620 | NEW | 92-21-034 | 242-04-030 | NEW-E | 92-14-001 | 246-205-580 | NEW-S | 92-04-071 |
| 242-02-630 | NEW-E | 92-14-001 | 242-04-030 | NEW-P | 92-15-134 | 246-205-580 | NEW | 92-10-027 |
| 242-02-630 | NEW-P | 92-15-134 | 242-04-030 | NEW | 92-21-034 | 246-215-001 | AMD-P | 92-03-142 |
| 242-02-630 | NEW | 92-21-034 | 242-04-040 | NEW-E | 92-14-001 | 246-215-001 | AMD | 92-08-112 |
| 242-02-632 | NEW-P | 92-15-134 | 242-04-040 | NEW-P | 92-15-134 | 246-215-009 | REP-P | 92-03-142 |
| 242-02-632 | NEW | 92-21-034 | 242-04-040 | NEW | 92-21-034 | 246-215-009 | REP | 92-08-112 |
| 242-02-634 | NEW-P | 92-15-134 | 242-04-050 | NEW-E | 92-14-001 | 246-215-010 | NEW-P | 92-03-142 |
| 242-02-634 | NEW | 92-21-034 | 242-04-050 | NEW-P | 92-15-134 | 246-215-010 | NEW | 92-08-112 |
| 242-02-640 | NEW-E | 92-14-001 | 242-04-050 | NEW | 92-21-034 | 246-215-019 | REP-P | 92-03-142 |
| 242-02-640 | NEW-P | 92-15-134 | 242-04-060 | NEW-E | 92-14-001 | 246-215-019 | REP | 92-08-112 |
| 242-02-640 | NEW | 92-21-034 | 242-04-060 | NEW-P | 92-15-134 | 246-215-020 | NEW-P | 92-03-142 |
| 242-02-650 | NEW-E | 92-14-001 | 242-04-060 | NEW | 92-21-034 | 246-215-020 | NEW | 92-08-112 |
| 242-02-650 | NEW-P | 92-15-134 | 242-04-070 | NEW-E | 92-14-001 | 246-215-029 | REP-P | 92-03-142 |
| 242-02-650 | NEW | 92-21-034 | 242-04-070 | NEW-P | 92-15-134 | 246-215-029 | REP | 92-08-112 |
| 242-02-660 | NEW-E | 92-14-001 | 242-04-070 | NEW | 92-21-034 | 246-215-030 | NEW-P | 92-03-142 |
| 242-02-660 | NEW-P | 92-15-134 | 242-04-080 | NEW-E | 92-14-001 | 246-215-030 | NEW | 92-08-112 |
| 242-02-660 | NEW | 92-21-034 | 242-04-080 | NEW-P | 92-15-134 | 246-215-039 | REP-P | 92-03-142 |
| 242-02-670 | NEW-E | 92-14-001 | 242-04-080 | NEW | 92-21-034 | 246-215-039 | REP | 92-08-112 |
| 242-02-670 | NEW-P | 92-15-134 | 242-04-090 | NEW-E | 92-14-001 | 246-215-040 | NEW-P | 92-03-142 |
| 242-02-670 | NEW | 92-21-034 | 242-04-090 | NEW-P | 92-15-134 | 246-215-040 | NEW | 92-08-112 |
| 242-02-680 | NEW-E | 92-14-001 | 242-04-090 | NEW | 92-21-034 | 246-215-049 | REP-P | 92-03-142 |
| 242-02-680 | NEW-P | 92-15-134 | 242-04-100 | NEW-E | 92-14-001 | 246-215-049 | REP | 92-08-112 |
| 242-02-680 | NEW | 92-21-034 | 242-04-100 | NEW-P | 92-15-134 | 246-215-050 | NEW-P | 92-03-142 |
| 242-02-710 | NEW-E | 92-14-001 | 242-04-100 | NEW | 92-21-034 | 246-215-050 | NEW | 92-08-112 |
| 242-02-710 | NEW-P | 92-15-134 | 242-04-110 | NEW-E | 92-14-001 | 246-215-059 | REP-P | 92-03-142 |
| 242-02-710 | NEW | 92-21-034 | 242-04-110 | NEW-P | 92-15-134 | 246-215-059 | REP | 92-08-112 |
| 242-02-720 | NEW-E | 92-14-001 | 242-04-110 | NEW | 92-21-034 | 246-215-060 | NEW-P | 92-03-142 |
| 242-02-720 | NEW-P | 92-15-134 | 242-04-120 | NEW-E | 92-14-001 | 246-215-060 | NEW | 92-08-112 |
| 242-02-720 | NEW | 92-21-034 | 242-04-120 | NEW-P | 92-15-134 | 246-215-069 | REP-P | 92-03-142 |
| 242-02-810 | NEW-E | 92-14-001 | 242-04-120 | NEW | 92-21-034 | 246-215-069 | REP | 92-08-112 |
| 242-02-810 | NEW-P | 92-15-134 | 242-04-130 | NEW-E | 92-14-001 | 246-215-070 | NEW-P | 92-03-142 |
| 242-02-810 | NEW | 92-21-034 | 242-04-130 | NEW-P | 92-15-134 | 246-215-070 | NEW | 92-08-112 |
| 242-02-820 | NEW-E | 92-14-001 | 242-04-130 | NEW | 92-21-034 | 246-215-079 | REP-P | 92-03-142 |
| 242-02-820 | NEW-P | 92-15-134 | 242-04-140 | NEW-E | 92-14-001 | 246-215-079 | REP | 92-08-112 |
| 242-02-820 | NEW | 92-21-034 | 242-04-140 | NEW-P | 92-15-134 | 246-215-080 | NEW-P | 92-03-142 |
| 242-02-830 | NEW-E | 92-14-001 | 242-04-140 | NEW | 92-21-034 | 246-215-080 | NEW | 92-08-112 |
| 242-02-830 | NEW-P | 92-15-134 | 242-04-150 | NEW-E | 92-14-001 | 246-215-089 | REP-P | 92-03-142 |
| 242-02-830 | NEW | 92-21-034 | 242-04-150 | NEW-P | 92-15-134 | 246-215-089 | REP | 92-08-112 |
| 242-02-840 | NEW-E | 92-14-001 | 242-04-150 | NEW | 92-21-034 | 246-215-090 | NEW-P | 92-03-142 |
| 242-02-840 | NEW-P | 92-15-134 | 242-06-010 | NEW-E | 92-14-001 | 246-215-090 | NEW | 92-08-112 |
| 242-02-840 | NEW | 92-21-034 | 242-06-010 | NEW-P | 92-15-134 | 246-215-099 | REP-P | 92-03-142 |
| 242-02-850 | NEW-E | 92-14-001 | 242-06-010 | NEW | 92-21-034 | 246-215-099 | REP | 92-08-112 |
| 242-02-850 | NEW-P | 92-15-134 | 242-06-020 | NEW-E | 92-14-001 | 246-215-100 | NEW-P | 92-03-142 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 246-215-100 | NEW | 92-08-112 | 246-217-030 | AMD-P | 92-09-144 | 246-358-035 | AMD | 92-04-082 |
| 246-215-109 | REP-P | 92-03-142 | 246-217-030 | AMD | 92-14-093 | 246-358-035 | REP-P | 92-21-087 |
| 246-215-109 | REP | 92-08-112 | 246-221-090 | AMD | 92-06-008 | 246-358-045 | AMD | 92-04-082 |
| 246-215-110 | NEW-P | 92-03-142 | 246-225-160 | NEW | 92-05-011 | 246-358-045 | AMD-P | 92-21-087 |
| 246-215-110 | NEW | 92-08-112 | 246-232-050 | AMD | 92-06-008 | 246-358-055 | AMD | 92-04-082 |
| 246-215-119 | REP-P | 92-03-142 | 246-235-075 | NEW | 92-06-008 | 246-358-055 | AMD-P | 92-21-087 |
| 246-215-119 | REP | 92-08-112 | 246-239-010 | AMD | 92-06-008 | 246-358-065 | AMD-P | 92-21-087 |
| 246-215-120 | NEW-P | 92-03-142 | 246-239-015 | NEW-W | 92-13-074 | 246-358-075 | AMD | 92-04-082 |
| 246-215-120 | NEW | 92-08-112 | 246-239-025 | NEW | 92-06-008 | 246-358-075 | AMD-P | 92-21-087 |
| 246-215-129 | REP-P | 92-03-142 | 246-240-010 | NEW | 92-06-008 | 246-358-085 | AMD-P | 92-21-087 |
| 246-215-129 | REP | 92-08-112 | 246-240-015 | NEW-W | 92-13-074 | 246-358-095 | AMD | 92-04-082 |
| 246-215-130 | NEW-P | 92-03-142 | 246-240-050 | NEW | 92-06-008 | 246-358-095 | AMD-P | 92-21-087 |
| 246-215-130 | NEW | 92-08-112 | 246-243-050 | AMD | 92-06-008 | 246-358-105 | AMD | 92-04-082 |
| 246-215-139 | REP-P | 92-03-142 | 246-243-190 | AMD | 92-06-008 | 246-358-105 | AMD-P | 92-21-087 |
| 246-215-139 | REP | 92-08-112 | 246-290-010 | AMD | 92-04-070 | 246-358-115 | AMD | 92-04-082 |
| 246-215-140 | NEW-P | 92-03-142 | 246-290-300 | AMD | 92-04-070 | 246-358-115 | AMD-P | 92-21-087 |
| 246-215-140 | NEW | 92-08-112 | 246-290-310 | AMD | 92-04-070 | 246-358-125 | AMD | 92-04-082 |
| 246-215-149 | REP-P | 92-03-142 | 246-290-320 | AMD | 92-04-070 | 246-358-125 | AMD-P | 92-21-087 |
| 246-215-149 | REP | 92-08-112 | 246-290-330 | AMD | 92-04-070 | 246-358-135 | AMD | 92-04-082 |
| 246-215-150 | NEW-P | 92-03-142 | 246-290-480 | AMD | 92-04-070 | 246-358-135 | AMD-P | 92-21-087 |
| 246-215-150 | NEW | 92-08-112 | 246-290-990 | PREP | 92-10-025 | 246-358-140 | NEW-P | 92-21-087 |
| 246-215-159 | REP-P | 92-03-142 | 246-290-990 | AMD-P | 92-19-083 | 246-358-145 | AMD | 92-04-082 |
| 246-215-159 | REP | 92-08-112 | 246-310-020 | AMD | 92-05-057 | 246-358-145 | AMD-P | 92-21-087 |
| 246-215-160 | NEW-P | 92-03-142 | 246-310-132 | AMD-P | 92-09-086 | 246-358-155 | AMD | 92-04-082 |
| 246-215-160 | NEW | 92-08-112 | 246-310-132 | AMD-E | 92-09-087 | 246-358-155 | AMD-P | 92-21-087 |
| 246-215-169 | REP-P | 92-03-142 | 246-310-132 | AMD | 92-16-081 | 246-358-165 | AMD-P | 92-21-087 |
| 246-215-169 | REP | 92-08-112 | 246-310-135 | NEW | 92-05-057 | 246-358-175 | AMD | 92-04-082 |
| 246-215-170 | NEW-P | 92-03-142 | 246-310-136 | NEW | 92-05-057 | 246-358-175 | AMD-P | 92-21-087 |
| 246-215-170 | NEW | 92-08-112 | 246-310-250 | REP | 92-12-015 | 246-358-990 | AMD-P | 92-21-088 |
| 246-215-179 | REP-P | 92-03-142 | 246-310-261 | NEW | 92-12-015 | 246-360-990 | AMD-P | 92-17-034 |
| 246-215-179 | REP | 92-08-112 | 246-310-262 | NEW | 92-12-015 | 246-360-990 | AMD | 92-21-089 |
| 246-215-180 | NEW-P | 92-03-142 | 246-316-020 | AMD-P | 92-15-085 | 246-388-070 | AMD-P | 92-15-085 |
| 246-215-180 | NEW | 92-08-112 | 246-316-040 | AMD-P | 92-15-085 | 246-388-072 | NEW-P | 92-15-085 |
| 246-215-189 | REP-P | 92-03-142 | 246-316-045 | NEW-P | 92-15-085 | 246-390-001 | NEW-P | 92-07-078 |
| 246-215-189 | REP | 92-08-112 | 246-316-050 | AMD-P | 92-15-085 | 246-390-001 | NEW | 92-15-152 |
| 246-215-190 | NEW-P | 92-03-142 | 246-316-990 | AMD-P | 92-07-097 | 246-390-010 | NEW-P | 92-07-078 |
| 246-215-190 | NEW | 92-08-112 | 246-316-990 | AMD | 92-12-086 | 246-390-010 | NEW | 92-15-152 |
| 246-215-199 | REP-P | 92-03-142 | 246-318-040 | AMD-P | 92-15-085 | 246-390-020 | NEW-P | 92-07-078 |
| 246-215-199 | REP | 92-08-112 | 246-318-042 | NEW-P | 92-15-085 | 246-390-020 | NEW | 92-15-152 |
| 246-215-200 | NEW-P | 92-03-142 | 246-318-990 | AMD-P | 92-07-097 | 246-390-020 | NEW | 92-15-152 |
| 246-215-200 | NEW | 92-08-112 | 246-318-990 | AMD | 92-12-028 | 246-390-030 | NEW-P | 92-07-078 |
| 246-215-209 | REP-P | 92-03-142 | 246-321-018 | NEW-P | 92-15-085 | 246-390-030 | NEW | 92-15-152 |
| 246-215-209 | REP | 92-08-112 | 246-322-990 | AMD-P | 92-07-097 | 246-390-040 | NEW-P | 92-07-078 |
| 246-215-210 | NEW-P | 92-03-142 | 246-322-990 | AMD | 92-12-028 | 246-390-040 | NEW | 92-15-152 |
| 246-215-210 | NEW | 92-08-112 | 246-322-991 | AMD-P | 92-07-097 | 246-390-050 | NEW-P | 92-07-078 |
| 246-215-219 | REP-P | 92-03-142 | 246-322-991 | AMD | 92-12-028 | 246-390-050 | NEW | 92-15-152 |
| 246-215-219 | REP | 92-08-112 | 246-323-022 | NEW-P | 92-15-085 | 246-390-060 | NEW-P | 92-07-078 |
| 246-215-220 | NEW-P | 92-03-142 | 246-323-990 | AMD-P | 92-10-014 | 246-390-060 | NEW | 92-15-152 |
| 246-215-220 | NEW | 92-08-112 | 246-323-990 | AMD | 92-15-048 | 246-390-070 | NEW-P | 92-07-078 |
| 246-215-229 | REP-P | 92-03-142 | 246-325-022 | NEW-P | 92-15-085 | 246-390-070 | NEW | 92-15-152 |
| 246-215-229 | REP | 92-08-112 | 246-325-990 | AMD-P | 92-10-014 | 246-390-100 | NEW-P | 92-07-078 |
| 246-215-230 | NEW-P | 92-03-142 | 246-325-990 | AMD | 92-15-048 | 246-390-100 | NEW | 92-15-152 |
| 246-215-230 | NEW | 92-08-112 | 246-326-990 | AMD-P | 92-07-097 | 246-390-990 | NEW-P | 92-15-149 |
| 246-215-239 | REP-P | 92-03-142 | 246-326-990 | AMD | 92-12-028 | 246-390-990 | NEW-C | 92-17-057 |
| 246-215-239 | REP | 92-08-112 | 246-327-090 | NEW-P | 92-15-085 | 246-510-400 | NEW-P | 92-07-077 |
| 246-215-240 | NEW-P | 92-03-142 | 246-327-990 | AMD-P | 92-10-013 | 246-510-400 | NEW | 92-14-055 |
| 246-215-240 | NEW | 92-08-112 | 246-327-990 | AMD | 92-15-084 | 246-762-010 | AMD-P | 92-02-096 |
| 246-215-250 | NEW-P | 92-03-142 | 246-329-035 | NEW-P | 92-15-085 | 246-762-010 | AMD | 92-06-067 |
| 246-215-250 | NEW | 92-08-112 | 246-331-100 | AMD-P | 92-15-085 | 246-762-020 | AMD-P | 92-02-096 |
| 246-215-260 | NEW-P | 92-03-142 | 246-331-990 | AMD-P | 92-10-013 | 246-762-020 | AMD | 92-06-067 |
| 246-215-260 | NEW | 92-08-112 | 246-331-990 | AMD | 92-15-084 | 246-762-040 | AMD-P | 92-02-096 |
| 246-215-270 | NEW-P | 92-03-142 | 246-336-100 | AMD-P | 92-15-085 | 246-762-040 | AMD | 92-06-067 |
| 246-215-270 | NEW | 92-08-112 | 246-336-990 | AMD-P | 92-10-013 | 246-790-010 | AMD-P | 92-17-077 |
| 246-215-280 | NEW-P | 92-03-142 | 246-336-990 | AMD | 92-15-084 | 246-790-020 | REP-P | 92-17-077 |
| 246-215-280 | NEW | 92-08-112 | 246-340-085 | NEW-P | 92-15-085 | 246-790-050 | AMD-P | 92-17-077 |
| 246-215-290 | NEW-P | 92-03-142 | 246-358-001 | AMD | 92-04-082 | 246-790-060 | AMD-P | 92-17-077 |
| 246-215-290 | NEW | 92-08-112 | 246-358-001 | AMD-P | 92-21-087 | 246-790-070 | AMD-P | 92-17-077 |
| 246-215-300 | NEW-P | 92-03-142 | 246-358-010 | AMD | 92-04-082 | 246-790-080 | AMD-P | 92-17-077 |
| 246-215-300 | NEW | 92-08-112 | 246-358-010 | AMD-P | 92-21-087 | 246-790-090 | AMD-P | 92-17-077 |
| 246-215-500 | REP-P | 92-03-142 | 246-358-020 | NEW-P | 92-21-087 | 246-790-100 | AMD-P | 92-17-077 |
| 246-215-500 | REP | 92-08-112 | 246-358-025 | AMD | 92-04-082 | 246-790-110 | AMD-P | 92-17-077 |
| 246-215-900 | REP-P | 92-03-142 | 246-358-025 | AMD-P | 92-21-088 | 246-790-120 | AMD-P | 92-17-077 |
| 246-215-900 | REP | 92-08-112 | 246-358-030 | NEW-P | 92-21-088 | 246-790-130 | AMD-P | 92-17-077 |
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| 246-802-030 | AMD-P | 92-14-128 | 246-816-710 | NEW-P | 92-06-064 | 246-847-370 | NEW-P | 92-09-153 |
| 246-802-030 | AMD | 92-17-035 | 246-816-710 | NEW | 92-09-069 | 246-847-370 | NEW | 92-18-015 |
| 246-802-090 | AMD-P | 92-14-128 | 246-816-720 | NEW-W | 92-06-063 | 246-849-200 | NEW-P | 92-19-099 |
| 246-802-090 | AMD | 92-17-035 | 246-816-720 | NEW-P | 92-06-064 | 246-849-210 | NEW-P | 92-19-099 |
| 246-802-130 | AMD-P | 92-14-128 | 246-816-720 | NEW | 92-09-069 | 246-849-220 | NEW-P | 92-19-099 |
| 246-802-130 | AMD | 92-17-035 | 246-816-730 | NEW-W | 92-06-063 | 246-849-230 | NEW-P | 92-19-099 |
| 246-802-150 | REP-P | 92-14-128 | 246-816-730 | NEW-P | 92-06-064 | 246-849-240 | NEW-P | 92-19-099 |
| 246-802-150 | REP | 92-17-035 | 246-816-730 | NEW | 92-09-069 | 246-849-250 | NEW-P | 92-19-099 |
| 246-802-160 | AMD-P | 92-14-128 | 246-816-740 | NEW-W | 92-06-063 | 246-849-260 | NEW-P | 92-19-099 |
| 246-802-160 | AMD | 92-17-035 | 246-816-740 | NEW-P | 92-06-064 | 246-849-270 | NEW-P | 92-19-099 |
| 246-802-240 | AMD-P | 92-14-128 | 246-816-740 | NEW | 92-09-069 | 246-849-280 | NEW-P | 92-19-099 |
| 246-802-240 | AMD | 92-17-035 | 246-818-990 | AMD-P | 92-13-009 | 246-849-980 | NEW-P | 92-19-099 |
| 246-802-250 | AMD-P | 92-14-128 | 246-818-990 | AMD-E | 92-13-010 | 246-851-030 | REP-P | 92-02-095 |
| 246-802-250 | AMD | 92-17-035 | 246-818-990 | AMD | 92-17-059 | 246-851-030 | REP | 92-06-030 |
| 246-802-990 | AMD-P | 92-14-128 | 246-828-005 | NEW-W | 92-09-109 | 246-851-050 | REP-P | 92-02-095 |
| 246-802-990 | AMD | 92-17-035 | 246-830-401 | AMD-P | 92-03-139 | 246-851-050 | REP | 92-06-030 |
| 246-806-050 | REP-P | 92-12-090 | 246-830-401 | AMD | 92-15-153 | 246-851-090 | AMD-P | 92-02-095 |
| 246-806-050 | REP | 92-17-026 | 246-830-410 | AMD-P | 92-03-139 | 246-851-090 | AMD | 92-06-030 |
| 246-806-060 | AMD-P | 92-12-090 | 246-830-410 | AMD | 92-15-153 | 246-851-270 | PREP | 92-03-032 |
| 246-806-060 | AMD | 92-17-026 | 246-830-420 | AMD-P | 92-03-139 | 246-851-270 | AMD-P | 92-14-092 |
| 246-806-070 | AMD-P | 92-12-090 | 246-830-420 | AMD | 92-15-153 | 246-851-270 | AMD | 92-20-048 |
| 246-806-070 | AMD | 92-17-026 | 246-830-430 | AMD-P | 92-03-139 | 246-851-360 | PREP | 92-03-032 |
| 246-806-085 | NEW-P | 92-12-090 | 246-830-430 | AMD | 92-15-153 | 246-851-360 | AMD-P | 92-14-092 |
| 246-806-085 | NEW | 92-17-026 | 246-830-440 | AMD-P | 92-03-139 | 246-851-360 | AMD | 92-20-048 |
| 246-806-090 | AMD-P | 92-12-090 | 246-830-440 | AMD | 92-15-153 | 246-851-390 | AMD-P | 92-16-080 |
| 246-806-090 | AMD | 92-17-026 | 246-830-450 | AMD-P | 92-03-139 | 246-851-390 | AMD | 92-20-019 |
| 246-806-180 | AMD-P | 92-12-090 | 246-830-450 | AMD | 92-15-153 | 246-851-440 | NEW-P | 92-02-095 |
| 246-806-180 | AMD | 92-17-026 | 246-836-210 | NEW-P | 92-02-097 | 246-851-440 | NEW | 92-06-030 |
| 246-806-990 | AMD-P | 92-03-140 | 246-836-210 | NEW | 92-06-020 | 246-851-450 | NEW-P | 92-02-095 |
| 246-806-990 | AMD | 92-07-017 | 246-838-010 | AMD-P | 92-12-088 | 246-851-450 | NEW | 92-06-030 |
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| 246-807-300 | RESCIND | 92-12-007 | 246-838-030 | AMD-P | 92-12-088 | 246-851-460 | NEW | 92-06-030 |
| 246-807-300 | AMD-E | 92-12-008 | 246-838-030 | AMD | 92-17-023 | 246-851-470 | NEW-P | 92-02-095 |
| 246-807-300 | AMD-E | 92-18-031 | 246-838-050 | AMD-P | 92-12-088 | 246-851-470 | NEW | 92-06-030 |
| 246-807-300 | AMD-P | 92-18-032 | 246-838-050 | AMD | 92-17-023 | 246-851-480 | NEW-P | 92-02-095 |
| 246-807-480 | NEW-P | 92-06-065 | 246-838-120 | AMD-P | 92-20-098 | 246-851-480 | NEW | 92-06-030 |
| 246-807-480 | NEW-E | 92-06-066 | 246-838-120 | AMD-E | 92-20-100 | 246-851-490 | NEW-P | 92-02-095 |
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| 246-815-031 | AMD | 92-03-006 | 246-838-240 | AMD | 92-17-023 | 246-851-490 | AMD-P | 92-16-080 |
| 246-815-090 | AMD-P | 92-11-014 | 246-838-320 | NEW-P | 92-12-088 | 246-851-390 | AMD | 92-20-019 |
| 246-815-090 | AMD | 92-15-033 | 246-838-320 | NEW | 92-17-023 | 246-851-500 | NEW-P | 92-16-080 |
| 246-815-115 | NEW | 92-03-126 | 246-838-330 | NEW-P | 92-20-098 | 246-851-500 | AMD | 92-20-019 |
| 246-816-050 | AMD | 92-05-012 | 246-838-330 | NEW-E | 92-20-100 | 246-851-510 | NEW-P | 92-16-080 |
| 246-816-160 | NEW-P | 92-02-098 | 246-838-990 | AMD-P | 92-21-036 | 246-851-510 | NEW | 92-20-019 |
| 246-816-160 | NEW-W | 92-06-007 | 246-838-990 | AMD-E | 92-21-037 | 246-851-520 | NEW-P | 92-14-092 |
| 246-816-201 | AMD | 92-05-012 | 246-839-300 | AMD-P | 92-14-126 | 246-851-520 | NEW | 92-20-048 |
| 246-816-210 | AMD | 92-05-012 | 246-839-300 | AMD | 92-20-047 | 246-851-530 | NEW-P | 92-14-092 |
| 246-816-230 | AMD | 92-05-012 | 246-839-310 | AMD-P | 92-14-126 | 246-851-530 | NEW | 92-20-048 |
| 246-816-240 | AMD-P | 92-17-019 | 246-839-310 | AMD | 92-20-047 | 246-851-990 | AMD | 92-06-029 |
| 246-816-240 | AMD | 92-20-036 | 246-839-320 | AMD-P | 92-14-126 | 246-851-990 | AMD-P | 92-17-011 |
| 246-816-250 | AMD | 92-05-012 | 246-839-320 | AMD | 92-20-047 | 246-851-990 | AMD-C | 92-17-058 |
| 246-816-250 | AMD-P | 92-17-019 | 246-839-330 | AMD-P | 92-14-126 | 246-853-025 | NEW-P | 92-13-065 |
| 246-816-250 | AMD | 92-20-036 | 246-839-330 | AMD | 92-20-047 | 246-853-025 | NEW | 92-20-001 |
| 246-816-260 | AMD | 92-05-012 | 246-847-010 | AMD-P | 92-09-153 | 246-853-045 | NEW-P | 92-13-065 |
| 246-816-301 | AMD | 92-05-012 | 246-847-010 | AMD | 92-18-015 | 246-853-045 | NEW | 92-20-001 |
| 246-816-310 | AMD | 92-05-012 | 246-847-055 | NEW-P | 92-09-153 | 246-853-135 | NEW-P | 92-13-065 |
| 246-816-360 | AMD | 92-05-012 | 246-847-065 | AMD-P | 92-09-153 | 246-853-135 | NEW | 92-20-001 |
| 246-816-370 | AMD | 92-05-012 | 246-847-065 | AMD | 92-18-015 | 246-853-400 | NEW-P | 92-13-065 |
| 246-816-390 | AMD | 92-05-012 | 246-847-068 | NEW-P | 92-09-153 | 246-853-400 | NEW | 92-20-001 |
| 246-816-410 | AMD | 92-05-012 | 246-847-070 | AMD-P | 92-09-153 | 246-853-990 | AMD-P | 92-06-028 |
| 246-816-510 | AMD | 92-05-012 | 246-847-080 | AMD-P | 92-09-153 | 246-853-990 | AMD | 92-14-054 |
| 246-816-610 | NEW-W | 92-05-085 | 246-847-080 | AMD | 92-18-015 | 246-857-020 | AMD-P | 92-07-098 |
| 246-816-620 | NEW-W | 92-05-085 | 246-847-110 | AMD-P | 92-09-153 | 246-857-020 | AMD | 92-12-035 |
| 246-816-630 | NEW-W | 92-05-085 | 246-847-110 | AMD | 92-18-015 | 246-857-180 | AMD-P | 92-07-098 |
| 246-816-640 | NEW-W | 92-05-085 | 246-847-117 | NEW-P | 92-09-153 | 246-857-180 | AMD | 92-12-035 |
| 246-816-650 | NEW-W | 92-05-085 | 246-847-117 | NEW | 92-18-015 | 246-857-320 | AMD-P | 92-07-098 |
| 246-816-660 | NEW-W | 92-05-085 | 246-847-125 | NEW-P | 92-09-153 | 246-857-320 | AMD | 92-12-035 |
| 246-816-670 | NEW-W | 92-05-085 | 246-847-340 | NEW-P | 92-09-153 | 246-857-330 | AMD-P | 92-07-098 |
| 246-816-680 | NEW-W | 92-05-085 | 246-847-340 | NEW | 92-18-015 | 246-857-330 | AMD | 92-12-035 |
| 246-816-701 | NEW-W | 92-06-063 | 246-847-350 | NEW-P | 92-09-153 | 246-857-340 | AMD-P | 92-07-098 |
| 246-816-701 | NEW-P | 92-06-064 | 246-847-350 | NEW | 92-18-015 | 246-857-340 | AMD | 92-12-035 |
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| 246-858-040 | AMD | 92-12-035 | 246-875-020 | AMD-P | 92-07-098 |
| 246-858-060 | AMD-P | 92-07-098 | 246-875-020 | AMD | 92-12-035 |
| 246-858-060 | AMD | 92-12-035 | 246-875-020 | AMD-P | 92-18-044 |
| 246-858-070 | AMD-P | 92-07-098 | 246-875-030 | AMD-P | 92-18-044 |
| 246-858-070 | AMD | 92-12-035 | 246-875-040 | AMD-P | 92-18-044 |
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| 246-861-030 | AMD | 92-03-029 | 246-875-060 | AMD | 92-12-035 |
| 246-861-040 | AMD | 92-03-029 | 246-875-060 | AMD-P | 92-18-044 |
| 246-861-050 | AMD | 92-03-029 | 246-875-070 | AMD-P | 92-07-098 |
| 246-861-060 | AMD | 92-03-029 | 246-875-070 | AMD | 92-12-035 |
| 246-861-070 | REP | 92-03-029 | 246-875-070 | AMD-P | 92-18-044 |
| 246-861-080 | REP | 92-03-029 | 246-875-080 | AMD-P | 92-07-098 |
| 246-861-090 | AMD | 92-03-029 | 246-875-080 | AMD | 92-12-035 |
| 246-861-095 | NEW | 92-03-029 | 246-875-080 | AMD-P | 92-18-044 |
| 246-861-100 | REP | 92-03-029 | 246-875-090 | REP-P | 92-07-098 |
| 246-861-110 | REP | 92-03-029 | 246-875-090 | REP | 92-12-035 |
| 246-861-120 | AMD | 92-03-029 | 246-879-010 | AMD-P | 92-10-070 |
| 246-863-035 | NEW-P | 92-18-043 | 246-879-010 | AMD | 92-15-069 |
| 246-863-060 | AMD-P | 92-07-098 | 246-879-020 | AMD-P | 92-07-098 |
| 246-863-060 | AMD | 92-12-035 | 246-879-020 | AMD-W | 92-10-026 |
| 246-863-070 | AMD-P | 92-07-098 | 246-879-020 | AMD-P | 92-10-070 |
| 246-863-070 | AMD | 92-12-035 | 246-879-020 | AMD | 92-15-069 |
| 246-863-080 | AMD-P | 92-03-124 | 246-879-030 | AMD-P | 92-07-098 |
| 246-863-080 | AMD-P | 92-07-098 | 246-879-030 | AMD-W | 92-10-026 |
| 246-863-080 | AMD-W | 92-08-061 | 246-879-030 | AMD-P | 92-10-070 |
| 246-863-080 | AMD | 92-12-035 | 246-879-030 | AMD | 92-15-069 |
| 246-863-090 | AMD-P | 92-07-098 | 246-879-040 | AMD-P | 92-07-098 |
| 246-863-090 | AMD | 92-12-035 | 246-879-040 | AMD-W | 92-10-026 |
| 246-863-110 | AMD-P | 92-07-098 | 246-879-040 | AMD-P | 92-10-070 |
| 246-863-110 | AMD | 92-12-035 | 246-879-040 | AMD | 92-15-069 |
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| 246-918-210 | REP | 92-12-089 | 246-930-020 | AMD | 92-12-027 | 246-975-100 | REP-P | 92-15-034 |
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| 251-01-395 | AMD-W | 92-07-019 | 260-13-390 | AMD-P | 92-12-067 | 284-07-150 | NEW-P | 92-15-104 |
| 251-01-410 | AMD-C | 92-05-026 | 260-13-390 | AMD-C | 92-13-088 | 284-07-150 | NEW | 92-19-040 |
| 251-01-410 | AMD-W | 92-07-018 | 260-13-390 | AMD | 92-17-002 | 284-07-160 | NEW-P | 92-15-104 |
| 251-04-060 | AMD-P | 92-09-123 | 260-13-400 | AMD-P | 92-12-067 | 284-07-160 | NEW | 92-19-040 |
| 251-04-060 | AMD-W | 92-13-055 | 260-13-400 | AMD-C | 92-13-088 | 284-07-170 | NEW-P | 92-15-104 |
| 251-04-060 | AMD-P | 92-13-061 | 260-13-400 | AMD | 92-17-002 | 284-07-170 | NEW | 92-19-040 |
| 251-04-060 | AMD-C | 92-14-113 | 260-24-280 | AMD-P | 92-12-068 | 284-07-180 | NEW-P | 92-15-104 |
| 251-04-060 | AMD | 92-20-043 | 260-24-280 | AMD-C | 92-13-089 | 284-07-180 | NEW | 92-19-040 |
| 251-09-025 | AMD | 92-05-034 | 260-32-400 | AMD-P | 92-15-097 | 284-07-190 | NEW-P | 92-15-104 |
| 251-09-030 | AMD | 92-05-034 | 260-32-400 | AMD-C | 92-18-026 | 284-07-190 | NEW | 92-19-040 |
| 251-09-071 | NEW-P | 92-05-075 | 260-32-400 | AMD | 92-21-027 | 284-07-200 | NEW-P | 92-15-104 |
| 251-09-071 | NEW-W | 92-07-019 | 260-56-065 | NEW-P | 92-12-066 | 284-07-200 | NEW | 92-19-040 |
| 251-10-030 | AMD-C | 92-05-027 | 260-56-065 | NEW-C | 92-13-087 | 284-07-210 | NEW-P | 92-15-104 |
| 251-10-030 | AMD-W | 92-07-018 | 260-56-065 | NEW-W | 92-17-001 | 284-07-210 | NEW | 92-19-040 |
| 251-10-030 | AMD-P | 92-09-121 | 260-88-010 | AMD-P | 92-12-068 | 284-07-220 | NEW-P | 92-15-104 |
| 251-10-030 | AMD-W | 92-13-008 | 260-88-010 | AMD-C | 92-13-089 | 284-07-220 | NEW | 92-19-040 |
| 251-10-030 | AMD-P | 92-21-076 | 260-88-010 | AMD | 92-17-002 | 284-07-230 | NEW-P | 92-15-104 |
| 251-12-072 | AMD-C | 92-05-028 | 262-01-110 | NEW-E | 92-20-051 | 284-07-230 | NEW | 92-19-040 |
| 251-12-072 | AMD-W | 92-07-018 | 262-01-110 | NEW-P | 92-20-052 | 284-15-090 | NEW-P | 92-21-097 |
| 251-12-072 | AMD-P | 92-09-126 | 262-01-120 | NEW-E | 92-20-051 | 284-16-050 | REP-P | 92-15-101 |
| 251-12-072 | AMD-W | 92-13-008 | 262-01-120 | NEW-P | 92-20-052 | 284-16-050 | REP-C | 92-21-038 |
| 251-12-072 | AMD-P | 92-21-078 | 275-16-030 | AMD-P | 92-06-043 | 284-16-060 | REP-P | 92-15-103 |
| 251-12-090 | REP-P | 92-09-124 | 275-16-030 | AMD-E | 92-06-044 | 284-16-060 | REP | 92-19-038 |
| 251-12-090 | REP | 92-13-063 | 275-16-030 | AMD | 92-09-118 | 284-16-300 | NEW-P | 92-15-102 |
| 251-12-290 | AMD-P | 92-09-125 | 275-16-030 | AMD-P | 92-14-077 | 284-16-300 | NEW | 92-19-039 |
| 251-12-290 | AMD-C | 92-13-062 | 275-16-030 | AMD-E | 92-14-080 | 284-16-310 | NEW-P | 92-15-102 |
| 251-12-290 | AMD-C | 92-14-114 | 275-16-030 | AMD | 92-17-007 | 284-16-310 | NEW | 92-19-039 |
| 251-12-290 | AMD-W | 92-21-070 | 275-25-020 | AMD-P | 92-06-059 | 284-16-320 | NEW-P | 92-15-102 |
| 251-17 | AMD-C | 92-05-029 | 275-25-020 | AMD | 92-09-115 | 284-16-320 | NEW | 92-19-039 |
| 251-17-010 | AMD-W | 92-07-018 | 275-25-530 | AMD-P | 92-09-045 | 284-16-400 | NEW-P | 92-15-103 |
| 251-17-040 | AMD-W | 92-07-018 | 275-25-530 | AMD-E | 92-09-046 | 284-16-400 | NEW | 92-19-038 |
| 251-17-040 | AMD-P | 92-09-122 | 275-25-530 | RESCIND | 92-09-051 | 284-16-410 | NEW-P | 92-15-103 |
| 251-17-040 | AMD-W | 92-13-008 | 275-25-530 | AMD | 92-13-032 | 284-16-410 | NEW | 92-19-038 |
| 251-17-040 | AMD-P | 92-21-079 | 275-27-020 | AMD-P | 92-06-059 | 284-16-420 | NEW-P | 92-15-103 |
| 251-17-060 | AMD-W | 92-07-018 | 275-27-020 | AMD | 92-09-115 | 284-16-420 | NEW | 92-19-038 |
| 251-17-060 | AMD-P | 92-09-122 | 275-27-026 | AMD | 92-04-004 | 284-16-430 | NEW-P | 92-15-103 |
| 251-17-060 | AMD-W | 92-13-008 | 275-27-219 | NEW-P | 92-09-113 | 284-16-430 | NEW | 92-19-038 |
| 251-17-060 | AMD-P | 92-21-079 | 275-27-219 | NEW-E | 92-09-119 | 284-16-440 | NEW-P | 92-15-103 |
| 251-17-070 | AMD-W | 92-07-018 | 275-27-219 | NEW | 92-13-024 | 284-16-440 | NEW | 92-19-038 |
| 251-17-070 | AMD-P | 92-09-122 | 275-27-220 | AMD-P | 92-05-076 | 284-16-450 | NEW-P | 92-15-103 |
| 251-17-070 | AMD-W | 92-13-008 | 275-27-220 | AMD-E | 92-05-077 | 284-16-450 | NEW | 92-19-038 |
| 251-17-070 | AMD-P | 92-21-079 | 275-27-220 | AMD | 92-09-114 | 284-16-460 | NEW-P | 92-15-103 |
| 251-17-090 | AMD-W | 92-07-018 | 275-27-223 | AMD-P | 92-05-076 | 284-16-460 | NEW | 92-19-038 |
| 251-17-110 | AMD-W | 92-07-018 | 275-27-223 | AMD-E | 92-05-077 | 284-16-470 | NEW-P | 92-15-103 |
| 251-17-120 | AMD-W | 92-07-018 | 275-27-223 | AMD | 92-09-114 | 284-16-470 | NEW | 92-19-038 |
| 251-17-160 | AMD-W | 92-07-018 | 275-56-005 | AMD-P | 92-07-033 | 284-16-480 | NEW-P | 92-15-103 |
| 251-17-160 | AMD-P | 92-09-122 | 275-56-005 | AMD-E | 92-07-034 | 284-16-480 | NEW | 92-19-038 |
| 251-17-160 | AMD-W | 92-13-008 | 275-56-005 | AMD | 92-11-055 | 284-16-490 | NEW-P | 92-15-103 |
| 251-17-160 | AMD-P | 92-21-079 | 275-56-015 | AMD-P | 92-07-033 | 284-16-490 | NEW | 92-19-038 |
| 251-17-165 | NEW-W | 92-07-018 | 275-56-015 | AMD-E | 92-07-034 | 284-16-500 | NEW-P | 92-15-103 |
| 251-17-165 | NEW-P | 92-09-122 | 275-56-015 | AMD | 92-11-055 | 284-16-500 | NEW | 92-19-038 |
| 251-17-165 | NEW-W | 92-13-008 | 275-56-088 | AMD-P | 92-07-033 | 284-16-510 | NEW-P | 92-15-103 |
| 251-17-165 | NEW-P | 92-21-079 | 275-56-088 | AMD-E | 92-07-034 | 284-16-510 | NEW | 92-19-038 |
| 251-17-170 | AMD-W | 92-07-018 | 275-56-088 | AMD | 92-11-055 | 284-16-520 | NEW-P | 92-15-103 |
| 251-17-170 | AMD-P | 92-09-122 | 275-56-447 | NEW-E | 92-07-034 | 284-16-520 | NEW | 92-19-038 |
| 251-17-170 | AMD-W | 92-13-008 | 275-56-447 | NEW | 92-11-055 | 284-16-530 | NEW-P | 92-15-103 |
| 251-17-170 | AMD-P | 92-21-079 | 275-156-010 | AMD-P | 92-15-008 | 284-16-530 | NEW | 92-19-038 |
| 251-17-190 | AMD-W | 92-07-018 | 275-156-010 | AMD | 92-18-037 | 284-16-540 | NEW-P | 92-15-103 |
| 251-17-200 | AMD-W | 92-07-018 | 275-156-020 | AMD-P | 92-15-008 | 284-16-540 | NEW | 92-19-038 |
| 251-17-200 | AMD-P | 92-09-122 | 275-156-020 | AMD | 92-18-037 | 284-22-010 | NEW-E | 92-14-085 |
| 251-17-200 | AMD-W | 92-13-008 | 284-02-020 | AMD-P | 92-19-105 | 284-22-010 | NEW-P | 92-16-092 |
| 251-17-200 | AMD-P | 92-21-079 | 284-07-050 | NEW-P | 92-15-104 | 284-22-010 | NEW | 92-19-095 |

Table of WAC Sections Affected

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|------------|-------|------------|--------------|---------|-----------|---------------|-------|-----------|
| 284-22-020 | NEW-E | 92-14-085 | 284-66-142 | NEW | 92-06-021 | 296-21-050 | REP-P | 92-20-127 |
| 284-22-020 | NEW-P | 92-16-092 | 284-66-150 | REP | 92-06-021 | 296-21-0501 | REP-P | 92-20-127 |
| 284-22-020 | NEW | 92-19-095 | 284-66-160 | AMD | 92-06-021 | 296-21-0502 | REP-P | 92-20-127 |
| 284-22-030 | NEW-E | 92-14-085 | 284-66-170 | AMD | 92-06-021 | 296-21-057 | REP-P | 92-20-127 |
| 284-22-030 | NEW-P | 92-16-092 | 284-66-180 | REP | 92-06-021 | 296-21-062 | REP-P | 92-20-127 |
| 284-22-030 | NEW | 92-19-095 | 284-66-190 | REP | 92-06-021 | 296-21-064 | REP-P | 92-20-127 |
| 284-22-040 | NEW-E | 92-14-085 | 284-66-200 | AMD | 92-06-021 | 296-21-066 | REP-P | 92-20-127 |
| 284-22-040 | NEW-P | 92-16-092 | 284-66-203 | NEW | 92-06-021 | 296-21-070 | REP-P | 92-20-127 |
| 284-22-040 | NEW | 92-19-095 | 284-66-210 | AMD | 92-06-021 | 296-21-075 | REP-P | 92-20-127 |
| 284-22-050 | NEW-E | 92-14-085 | 284-66-220 | AMD | 92-06-021 | 296-21-080 | REP-P | 92-20-127 |
| 284-22-050 | NEW-P | 92-16-092 | 284-66-220 | AMD-P | 92-14-130 | 296-21-086 | REP-P | 92-20-127 |
| 284-22-050 | NEW | 92-19-095 | 284-66-220 | AMD | 92-17-078 | 296-21-090 | REP-P | 92-20-127 |
| 284-22-060 | NEW-E | 92-14-085 | 284-66-230 | REP | 92-06-021 | 296-21-095 | REP-P | 92-20-127 |
| 284-22-060 | NEW-P | 92-16-092 | 284-66-232 | NEW | 92-06-021 | 296-21-125 | REP-P | 92-20-127 |
| 284-22-060 | NEW | 92-19-095 | 284-66-240 | AMD | 92-06-021 | 296-21-128 | REP-P | 92-20-127 |
| 284-22-070 | NEW-E | 92-14-085 | 284-66-243 | NEW | 92-06-021 | 296-21-130 | REP-P | 92-20-127 |
| 284-22-070 | NEW-P | 92-16-092 | 284-66-250 | AMD | 92-06-021 | 296-21-140 | NEW-P | 92-20-127 |
| 284-22-070 | NEW | 92-19-095 | 284-66-260 | AMD | 92-06-021 | 296-21-150 | NEW-P | 92-20-127 |
| 284-22-080 | NEW-E | 92-14-085 | 284-66-270 | AMD | 92-06-021 | 296-21-160 | NEW-P | 92-20-127 |
| 284-22-080 | NEW-P | 92-16-092 | 284-66-300 | AMD | 92-06-021 | 296-21-170 | NEW-P | 92-20-127 |
| 284-22-080 | NEW | 92-19-095 | 284-66-310 | AMD | 92-06-021 | 296-21-180 | NEW-P | 92-20-127 |
| 284-22-090 | NEW-E | 92-14-085 | 284-66-320 | AMD | 92-06-021 | 296-21-190 | NEW-P | 92-20-127 |
| 284-22-090 | NEW-P | 92-16-092 | 284-66-323 | NEW | 92-06-021 | 296-21-200 | NEW-P | 92-20-127 |
| 284-22-090 | NEW | 92-19-095 | 284-66-330 | AMD | 92-06-021 | 296-21-210 | NEW-P | 92-20-127 |
| 284-44 | PREP | 92-14-129 | 284-66-340 | AMD | 92-06-021 | 296-21-230 | NEW-P | 92-20-127 |
| 284-44-042 | NEW-P | 92-20-092 | 284-66-350 | AMD | 92-06-021 | 296-21A-010 | NEW-P | 92-20-127 |
| 284-44-043 | NEW-P | 92-17-080 | 284-66-400 | AMD | 92-06-021 | 296-21A-011 | NEW-P | 92-20-127 |
| 284-44-043 | NEW | 92-21-099 | 284-96-010 | NEW-P | 92-17-081 | 296-21A-013 | NEW-P | 92-20-127 |
| 284-44-046 | NEW-P | 92-13-013 | 284-96-010 | NEW | 92-21-100 | 296-21A-014 | NEW-P | 92-20-127 |
| 284-44-046 | NEW | 92-16-009 | 284-96-015 | NEW-P | 92-17-081 | 296-21A-01401 | NEW-P | 92-20-127 |
| 284-44-240 | NEW-P | 92-06-056 | 284-96-015 | NEW | 92-21-100 | 296-21A-035 | NEW-P | 92-20-127 |
| 284-44-240 | NEW | 92-09-044 | 284-96-020 | NEW-P | 92-20-094 | 296-21A-037 | NEW-P | 92-20-127 |
| 284-44-345 | NEW-P | 92-19-141 | 296-14-015 | NEW | 92-03-053 | 296-21A-040 | NEW-P | 92-20-127 |
| 284-46 | PREP | 92-14-129 | 296-17-45004 | NEW-P | 92-13-091 | 296-21A-045 | NEW-P | 92-20-127 |
| 284-46-060 | NEW-P | 92-19-140 | 296-17-45004 | NEW | 92-18-065 | 296-21A-046 | NEW-P | 92-20-127 |
| 284-46-506 | NEW-P | 92-20-093 | 296-17-66002 | REP-W | 92-06-034 | 296-21A-047 | NEW-P | 92-20-127 |
| 284-46-507 | NEW-P | 92-17-079 | 296-17-66002 | AMD-P | 92-13-091 | 296-21A-050 | NEW-P | 92-20-127 |
| 284-46-507 | NEW | 92-21-098 | 296-17-66002 | AMD | 92-18-065 | 296-21A-0501 | NEW-P | 92-20-127 |
| 284-46-575 | NEW-P | 92-06-055 | 296-17-66003 | NEW-W | 92-06-034 | 296-21A-0502 | NEW-P | 92-20-127 |
| 284-46-575 | NEW | 92-09-044A | 296-17-855 | AMD-P | 92-20-125 | 296-21A-057 | NEW-P | 92-20-127 |
| 284-50 | PREP | 92-14-129 | 296-17-875 | AMD-P | 92-20-125 | 296-21A-062 | NEW-P | 92-20-127 |
| 284-50-270 | NEW-P | 92-13-014 | 296-17-880 | AMD-P | 92-20-125 | 296-21A-064 | NEW-P | 92-20-127 |
| 284-50-270 | NEW-W | 92-13-086 | 296-17-885 | AMD-W | 92-06-034 | 296-21A-066 | NEW-P | 92-20-127 |
| 284-50-270 | NEW-P | 92-16-093 | 296-17-885 | AMD-P | 92-20-125 | 296-21A-070 | NEW-P | 92-20-127 |
| 284-50-270 | NEW | 92-19-061 | 296-17-890 | AMD-P | 92-20-125 | 296-21A-075 | NEW-P | 92-20-127 |
| 284-50-377 | NEW-P | 92-17-082 | 296-17-895 | AMD-W | 92-06-034 | 296-21A-080 | NEW-P | 92-20-127 |
| 284-50-377 | NEW | 92-21-101 | 296-17-895 | AMD-P | 92-20-125 | 296-21A-086 | NEW-P | 92-20-127 |
| 284-52 | PREP | 92-14-129 | 296-17-919 | AMD-P | 92-20-125 | 296-21A-090 | NEW-P | 92-20-127 |
| 284-58 | PREP | 92-14-129 | 296-17-920 | AMD-P | 92-20-125 | 296-21A-095 | NEW-P | 92-20-127 |
| 284-60 | PREP | 92-14-129 | 296-18A-460 | AMD-P | 92-14-116 | 296-21A-125 | NEW-P | 92-20-127 |
| 284-66-010 | AMD | 92-06-021 | 296-18A-460 | AMD | 92-19-026 | 296-21A-128 | NEW-P | 92-20-127 |
| 284-66-020 | AMD | 92-06-021 | 296-18A-465 | REP-P | 92-14-116 | 296-21A-130 | NEW-P | 92-20-127 |
| 284-66-030 | AMD | 92-06-021 | 296-18A-465 | REP | 92-19-026 | 296-22-010 | AMD-P | 92-20-127 |
| 284-66-040 | AMD | 92-06-021 | 296-20-010 | AMD-P | 92-20-127 | 296-22-020 | AMD-P | 92-20-127 |
| 284-66-050 | AMD | 92-06-021 | 296-20-01002 | AMD | 92-05-041 | 296-22-021 | AMD-P | 92-20-127 |
| 284-66-060 | AMD | 92-06-021 | 296-20-01002 | AMD-P | 92-20-127 | 296-22-022 | AMD-P | 92-20-127 |
| 284-66-063 | NEW | 92-06-021 | 296-20-030 | AMD-E | 92-07-100 | 296-22-023 | AMD-P | 92-20-127 |
| 284-66-066 | NEW | 92-06-021 | 296-20-030 | RESCIND | 92-08-097 | 296-22-024 | AMD-P | 92-20-127 |
| 284-66-066 | AMD-P | 92-14-130 | 296-20-03001 | AMD-E | 92-07-100 | 296-22-025 | AMD-P | 92-20-127 |
| 284-66-066 | AMD | 92-17-078 | 296-20-03001 | RESCIND | 92-08-097 | 296-22-026 | AMD-P | 92-20-127 |
| 284-66-070 | REP | 92-06-021 | 296-20-091 | AMD | 92-05-041 | 296-22-027 | AMD-P | 92-20-127 |
| 284-66-073 | NEW | 92-06-021 | 296-21 | AMD | 92-20-127 | 296-22-030 | AMD-P | 92-20-127 |
| 284-66-077 | NEW | 92-06-021 | 296-21-010 | REP-P | 92-20-127 | 296-22-031 | AMD-P | 92-20-127 |
| 284-66-080 | AMD | 92-06-021 | 296-21-011 | REP-P | 92-20-127 | 296-22-035 | AMD-P | 92-20-127 |
| 284-66-090 | REP | 92-06-021 | 296-21-013 | REP-P | 92-20-127 | 296-22-036 | AMD-P | 92-20-127 |
| 284-66-092 | NEW | 92-06-021 | 296-21-014 | REP-P | 92-20-127 | 296-22-037 | AMD-P | 92-20-127 |
| 284-66-092 | AMD-P | 92-14-130 | 296-21-01401 | REP-P | 92-20-127 | 296-22-038 | AMD-P | 92-20-127 |
| 284-66-092 | AMD | 92-17-078 | 296-21-035 | REP-P | 92-20-127 | 296-22-039 | AMD-P | 92-20-127 |
| 284-66-100 | REP | 92-06-021 | 296-21-037 | REP-P | 92-20-127 | 296-22-040 | AMD-P | 92-20-127 |
| 284-66-110 | AMD | 92-06-021 | 296-21-040 | REP-P | 92-20-127 | 296-22-042 | AMD-P | 92-20-127 |
| 284-66-120 | AMD | 92-06-021 | 296-21-045 | REP-P | 92-20-127 | 296-22-051 | AMD-P | 92-20-127 |
| 284-66-130 | AMD | 92-06-021 | 296-21-046 | REP-P | 92-20-127 | 296-22-052 | AMD-P | 92-20-127 |
| 284-66-140 | REP | 92-06-021 | 296-21-047 | REP-P | 92-20-127 | 296-22-053 | AMD-P | 92-20-127 |

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| 296-37-590 | NEW-P | 92-15-147 | 296-67-037 | NEW | 92-17-022 | 296-94-170 | AMD-P | 92-19-033 |
| 296-46-910 | AMD-P | 92-03-136 | 296-67-041 | NEW-P | 92-12-087 | 296-94-180 | AMD-P | 92-19-033 |
| 296-46-910 | AMD | 92-08-102 | 296-67-041 | NEW | 92-17-022 | 296-94-200 | AMD-P | 92-19-033 |
| 296-46-910 | AMD-E | 92-08-103 | 296-67-045 | NEW-P | 92-12-087 | 296-94-210 | AMD-P | 92-19-033 |
| 296-46-915 | AMD-P | 92-03-136 | 296-67-045 | NEW | 92-17-022 | 296-94-240 | AMD-P | 92-19-033 |
| 296-46-915 | AMD | 92-08-102 | 296-67-049 | NEW-P | 92-12-087 | 296-94-250 | REP-P | 92-19-033 |
| 296-46-915 | AMD-E | 92-08-103 | 296-67-049 | NEW | 92-17-022 | 296-95-101 | NEW-P | 92-19-033 |
| 296-52-401 | AMD-P | 92-12-087 | 296-67-053 | NEW-P | 92-12-087 | 296-95-110 | NEW-P | 92-19-033 |
| 296-52-401 | AMD | 92-17-022 | 296-67-053 | NEW | 92-17-022 | 296-95-111 | NEW-P | 92-19-033 |
| 296-52-461 | AMD-P | 92-12-087 | 296-67-057 | NEW-P | 92-12-087 | 296-95-113 | NEW-P | 92-19-033 |
| 296-52-461 | AMD | 92-17-022 | 296-67-057 | NEW | 92-17-022 | 296-95-115 | NEW-P | 92-19-033 |
| 296-52-489 | AMD-P | 92-12-087 | 296-67-061 | NEW-P | 92-12-087 | 296-95-116 | NEW-P | 92-19-033 |
| 296-52-489 | AMD | 92-17-022 | 296-67-061 | NEW | 92-17-022 | 296-95-121 | NEW-P | 92-19-033 |
| 296-52-493 | AMD-P | 92-12-087 | 296-67-285 | NEW-P | 92-12-087 | 296-95-122 | NEW-P | 92-19-033 |
| 296-52-493 | AMD | 92-17-022 | 296-67-285 | NEW | 92-17-022 | 296-95-123 | NEW-P | 92-19-033 |
| 296-56-60001 | AMD-P | 92-15-147 | 296-67-289 | NEW-P | 92-12-087 | 296-95-124 | NEW-P | 92-19-033 |
| 296-56-60005 | AMD-P | 92-15-147 | 296-67-289 | NEW | 92-17-022 | 296-95-125 | NEW-P | 92-19-033 |
| 296-56-60007 | AMD-P | 92-15-147 | 296-67-291 | NEW-P | 92-12-087 | 296-95-126 | NEW-P | 92-19-033 |
| 296-56-60041 | AMD-P | 92-15-147 | 296-67-291 | NEW | 92-17-022 | 296-95-130 | NEW-P | 92-19-033 |
| 296-56-60043 | AMD-P | 92-15-147 | 296-67-293 | NEW-P | 92-12-087 | 296-95-131 | NEW-P | 92-19-033 |
| 296-56-60053 | AMD-P | 92-15-147 | 296-67-293 | NEW | 92-17-022 | 296-95-132 | NEW-P | 92-19-033 |
| 296-56-60057 | AMD-P | 92-15-147 | 296-81-007 | AMD-P | 92-19-033 | 296-95-133 | NEW-P | 92-19-033 |
| 296-56-60073 | AMD-P | 92-15-147 | 296-81-010 | REP-P | 92-19-033 | 296-95-140 | NEW-P | 92-19-033 |
| 296-56-60079 | AMD-P | 92-15-147 | 296-81-020 | REP-P | 92-19-033 | 296-95-150 | NEW-P | 92-19-033 |
| 296-56-60083 | AMD-P | 92-15-147 | 296-81-030 | REP-P | 92-19-033 | 296-95-151 | NEW-P | 92-19-033 |
| 296-56-60085 | AMD-P | 92-15-147 | 296-81-040 | REP-P | 92-19-033 | 296-95-152 | NEW-P | 92-19-033 |
| 296-56-60091 | AMD-P | 92-15-147 | 296-81-050 | REP-P | 92-19-033 | 296-95-153 | NEW-P | 92-19-033 |
| 296-56-60103 | AMD-P | 92-15-147 | 296-81-060 | REP-P | 92-19-033 | 296-95-154 | NEW-P | 92-19-033 |
| 296-56-60107 | AMD-P | 92-15-147 | 296-81-070 | REP-P | 92-19-033 | 296-95-155 | NEW-P | 92-19-033 |
| 296-56-60109 | AMD-P | 92-15-147 | 296-81-080 | REP-P | 92-19-033 | 296-95-156 | NEW-P | 92-19-033 |
| 296-56-60115 | AMD-P | 92-15-147 | 296-81-090 | REP-P | 92-19-033 | 296-95-157 | NEW-P | 92-19-033 |
| 296-56-60123 | AMD-P | 92-15-147 | 296-81-100 | REP-P | 92-19-033 | 296-95-158 | NEW-P | 92-19-033 |
| 296-56-60131 | AMD-P | 92-15-147 | 296-81-110 | REP-P | 92-19-033 | 296-95-160 | NEW-P | 92-19-033 |
| 296-56-60209 | AMD-P | 92-15-147 | 296-81-120 | REP-P | 92-19-033 | 296-95-161 | NEW-P | 92-19-033 |
| 296-56-60215 | AMD-P | 92-15-147 | 296-81-130 | REP-P | 92-19-033 | 296-95-162 | NEW-P | 92-19-033 |
| 296-56-60223 | AMD-P | 92-15-147 | 296-81-140 | REP-P | 92-19-033 | 296-95-165 | NEW-P | 92-19-033 |
| 296-56-60229 | AMD-P | 92-15-147 | 296-81-150 | REP-P | 92-19-033 | 296-95-166 | NEW-P | 92-19-033 |
| 296-56-60235 | AMD-P | 92-15-147 | 296-81-160 | REP-P | 92-19-033 | 296-95-200 | NEW-P | 92-19-033 |
| 296-56-60237 | AMD-P | 92-15-147 | 296-81-170 | REP-P | 92-19-033 | 296-95-203 | NEW-P | 92-19-033 |
| 296-56-60239 | AMD-P | 92-15-147 | 296-81-180 | REP-P | 92-19-033 | 296-95-205 | NEW-P | 92-19-033 |
| 296-62 | PREP | 92-03-135 | 296-81-190 | REP-P | 92-19-033 | 296-95-206 | NEW-P | 92-19-033 |
| 296-62-07509 | AMD-P | 92-19-130 | 296-81-220 | REP-P | 92-19-033 | 296-95-207 | NEW-P | 92-19-033 |
| 296-62-07515 | AMD-P | 92-19-130 | 296-81-240 | AMD-P | 92-19-033 | 296-95-208 | NEW-P | 92-19-033 |
| 296-62-07540 | AMD-P | 92-18-098 | 296-81-260 | REP-P | 92-19-033 | 296-95-209 | NEW-P | 92-19-033 |
| 296-62-07542 | AMD-P | 92-18-098 | 296-81-270 | REP-P | 92-19-033 | 296-95-215 | NEW-P | 92-19-033 |
| 296-62-07721 | AMD-P | 92-18-098 | 296-81-275 | AMD-P | 92-19-033 | 296-95-216 | NEW-P | 92-19-033 |
| 296-62-07721 | AMD-P | 92-19-146 | 296-81-277 | AMD-P | 92-19-033 | 296-95-220 | NEW-P | 92-19-033 |
| 296-62-07721 | AMD-W | 92-21-017 | 296-81-280 | NEW-P | 92-19-033 | 296-95-221 | NEW-P | 92-19-033 |
| 296-62-08001 | NEW-P | 92-03-137 | 296-81-290 | NEW-P | 92-19-033 | 296-95-222 | NEW-P | 92-19-033 |
| 296-62-08001 | NEW | 92-08-100 | 296-81-305 | REP-P | 92-19-033 | 296-95-225 | NEW-P | 92-19-033 |
| 296-62-08001 | AMD-P | 92-19-130 | 296-81-315 | AMD-P | 92-19-033 | 296-95-226 | NEW-P | 92-19-033 |
| 296-62-08050 | NEW-P | 92-03-137 | 296-81-320 | AMD-P | 92-19-033 | 296-95-227 | NEW-P | 92-19-033 |
| 296-62-08050 | NEW | 92-08-100 | 296-81-325 | AMD-P | 92-19-033 | 296-95-228 | NEW-P | 92-19-033 |
| 296-62-09005 | AMD-P | 92-15-147 | 296-81-330 | AMD-P | 92-19-033 | 296-95-229 | NEW-P | 92-19-033 |
| 296-67-001 | NEW-P | 92-12-087 | 296-81-340 | AMD-P | 92-19-033 | 296-95-235 | NEW-P | 92-19-033 |
| 296-67-001 | NEW | 92-17-022 | 296-81-350 | AMD-P | 92-19-033 | 296-95-236 | NEW-P | 92-19-033 |
| 296-67-005 | NEW-P | 92-12-087 | 296-81-370 | AMD-P | 92-19-033 | 296-95-240 | NEW-P | 92-19-033 |
| 296-67-005 | NEW | 92-17-022 | 296-86 | AMD-P | 92-19-033 | 296-95-241 | NEW-P | 92-19-033 |
| 296-67-009 | NEW-P | 92-12-087 | 296-86-030 | AMD-P | 92-19-033 | 296-95-243 | NEW-P | 92-19-033 |
| 296-67-009 | NEW | 92-17-022 | 296-86-060 | AMD-P | 92-19-033 | 296-95-244 | NEW-P | 92-19-033 |
| 296-67-013 | NEW-P | 92-12-087 | 296-94 | AMD-P | 92-19-033 | 296-95-245 | NEW-P | 92-19-033 |
| 296-67-013 | NEW | 92-17-022 | 296-94-010 | AMD-P | 92-19-033 | 296-95-250 | NEW-P | 92-19-033 |
| 296-67-017 | NEW-P | 92-12-087 | 296-94-020 | AMD-P | 92-19-033 | 296-95-255 | NEW-P | 92-19-033 |
| 296-67-017 | NEW | 92-17-022 | 296-94-030 | AMD-P | 92-19-033 | 296-95-256 | NEW-P | 92-19-033 |
| 296-67-021 | NEW-P | 92-12-087 | 296-94-040 | AMD-P | 92-19-033 | 296-95-260 | NEW-P | 92-19-033 |
| 296-67-021 | NEW | 92-17-022 | 296-94-050 | AMD-P | 92-19-033 | 296-95-261 | NEW-P | 92-19-033 |
| 296-67-025 | NEW-P | 92-12-087 | 296-94-080 | AMD-P | 92-19-033 | 296-95-262 | NEW-P | 92-19-033 |
| 296-67-025 | NEW | 92-17-022 | 296-94-090 | AMD-P | 92-19-033 | 296-95-264 | NEW-P | 92-19-033 |
| 296-67-029 | NEW-P | 92-12-087 | 296-94-100 | AMD-P | 92-19-033 | 296-95-266 | NEW-P | 92-19-033 |
| 296-67-029 | NEW | 92-17-022 | 296-94-110 | AMD-P | 92-19-033 | 296-95-268 | NEW-P | 92-19-033 |
| 296-67-033 | NEW-P | 92-12-087 | 296-94-120 | AMD-P | 92-19-033 | 296-95-269 | NEW-P | 92-19-033 |
| 296-67-033 | NEW | 92-17-022 | 296-94-150 | AMD-P | 92-19-033 | 296-95-270 | NEW-P | 92-19-033 |
| 296-67-037 | NEW-P | 92-12-087 | 296-94-160 | AMD-P | 92-19-033 | 296-95-272 | NEW-P | 92-19-033 |

TABLE

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|--------------|-------|-----------|---------------|-------|-----------|
| 296-95-274 | NEW-P | 92-19-033 | 296-95-810 | NEW-P | 92-19-033 | 296-125-120 | REP-C | 92-15-100 |
| 296-95-276 | NEW-P | 92-19-033 | 296-104-010 | AMD-P | 92-08-087 | 296-125-125 | REP-P | 92-12-093 |
| 296-95-277 | NEW-P | 92-19-033 | 296-104-010 | AMD | 92-11-070 | 296-125-125 | REP-C | 92-15-100 |
| 296-95-278 | NEW-P | 92-19-033 | 296-104-018 | NEW-P | 92-08-087 | 296-125-130 | REP-P | 92-12-093 |
| 296-95-279 | NEW-P | 92-19-033 | 296-104-018 | NEW | 92-11-070 | 296-125-130 | REP-C | 92-15-100 |
| 296-95-280 | NEW-P | 92-19-033 | 296-104-200 | AMD-P | 92-08-087 | 296-125-135 | REP-P | 92-12-093 |
| 296-95-282 | NEW-P | 92-19-033 | 296-104-200 | AMD | 92-11-070 | 296-125-135 | REP-C | 92-15-100 |
| 296-95-283 | NEW-P | 92-19-033 | 296-104-500 | AMD-P | 92-08-087 | 296-125-140 | REP-P | 92-12-093 |
| 296-95-284 | NEW-P | 92-19-033 | 296-104-500 | AMD | 92-11-070 | 296-125-140 | REP-C | 92-15-100 |
| 296-95-285 | NEW-P | 92-19-033 | 296-104-501 | AMD-P | 92-08-087 | 296-125-145 | REP-P | 92-12-093 |
| 296-95-287 | NEW-P | 92-19-033 | 296-104-501 | AMD | 92-11-070 | 296-125-145 | REP-C | 92-15-100 |
| 296-95-288 | NEW-P | 92-19-033 | 296-104-530 | AMD-P | 92-08-087 | 296-125-155 | REP-P | 92-12-093 |
| 296-95-289 | NEW-P | 92-19-033 | 296-104-530 | AMD | 92-11-070 | 296-125-155 | REP-C | 92-15-100 |
| 296-95-290 | NEW-P | 92-19-033 | 296-116-075 | PREP | 92-07-075 | 296-125-160 | REP-P | 92-12-093 |
| 296-95-291 | NEW-P | 92-19-033 | 296-116-075 | AMD-P | 92-12-079 | 296-125-160 | REP-C | 92-15-100 |
| 296-95-300 | NEW-P | 92-19-033 | 296-116-075 | AMD | 92-15-064 | 296-125-165 | REP-P | 92-12-093 |
| 296-95-302 | NEW-P | 92-19-033 | 296-116-080 | AMD-P | 92-08-049 | 296-125-165 | REP-C | 92-15-100 |
| 296-95-304 | NEW-P | 92-19-033 | 296-116-080 | AMD-E | 92-08-053 | 296-125-170 | REP-P | 92-12-093 |
| 296-95-307 | NEW-P | 92-19-033 | 296-116-080 | AMD | 92-14-070 | 296-125-170 | REP-C | 92-15-100 |
| 296-95-309 | NEW-P | 92-19-033 | 296-116-082 | AMD-P | 92-04-075 | 296-125-175 | REP-P | 92-12-093 |
| 296-95-311 | NEW-P | 92-19-033 | 296-116-082 | AMD | 92-08-051 | 296-125-175 | REP-C | 92-15-100 |
| 296-95-313 | NEW-P | 92-19-033 | 296-116-082 | AMD-E | 92-08-054 | 296-127-018 | NEW | 92-08-101 |
| 296-95-316 | NEW-P | 92-19-033 | 296-116-082 | AMD-P | 92-20-090 | 296-131-006 | NEW-P | 92-10-078 |
| 296-95-318 | NEW-P | 92-19-033 | 296-116-110 | AMD-E | 92-03-108 | 296-131-006 | NEW | 92-15-099 |
| 296-95-321 | NEW-P | 92-19-033 | 296-116-110 | AMD-P | 92-04-073 | 296-131-120 | AMD-P | 92-10-078 |
| 296-95-322 | NEW-P | 92-19-033 | 296-116-110 | AMD | 92-08-050 | 296-131-120 | AMD | 92-15-099 |
| 296-95-323 | NEW-P | 92-19-033 | 296-116-185 | AMD-P | 92-08-048 | 296-131-130 | AMD-P | 92-10-078 |
| 296-95-324 | NEW-P | 92-19-033 | 296-116-185 | AMD-C | 92-11-035 | 296-131-130 | AMD | 92-15-099 |
| 296-95-325 | NEW-P | 92-19-033 | 296-116-185 | AMD | 92-14-069 | 296-155-110 | AMD-P | 92-03-137 |
| 296-95-326 | NEW-P | 92-19-033 | 296-116-185 | AMD-P | 92-20-091 | 296-155-110 | AMD-C | 92-08-099 |
| 296-95-328 | NEW-P | 92-19-033 | 296-116-2051 | AMD-P | 92-04-074 | 296-155-110 | AMD | 92-09-148 |
| 296-95-330 | NEW-P | 92-19-033 | 296-116-2051 | AMD | 92-08-052 | 296-155-300 | AMD-P | 92-19-130 |
| 296-95-332 | NEW-P | 92-19-033 | 296-116-300 | AMD-P | 92-07-076 | 296-155-305 | AMD-P | 92-19-130 |
| 296-95-334 | NEW-P | 92-19-033 | 296-116-300 | AMD | 92-14-007 | 296-155-428 | AMD-P | 92-18-098 |
| 296-95-336 | NEW-P | 92-19-033 | 296-116-300 | AMD-E | 92-14-008 | 296-155-444 | AMD-P | 92-18-098 |
| 296-95-338 | NEW-P | 92-19-033 | 296-125 | AMD-P | 92-12-093 | 296-155-449 | AMD-P | 92-18-098 |
| 296-95-340 | NEW-P | 92-19-033 | 296-125 | AMD-C | 92-14-115 | 296-155-48527 | AMD-P | 92-12-087 |
| 296-95-342 | NEW-P | 92-19-033 | 296-125 | AMD-C | 92-15-100 | 296-155-48527 | AMD | 92-17-022 |
| 296-95-344 | NEW-P | 92-19-033 | 296-125-010 | AMD-P | 92-12-093 | 296-155-48529 | AMD-P | 92-12-087 |
| 296-95-400 | NEW-P | 92-19-033 | 296-125-010 | AMD-C | 92-15-100 | 296-155-48529 | AMD | 92-17-022 |
| 296-95-405 | NEW-P | 92-19-033 | 296-125-011 | NEW-P | 92-12-093 | 296-155-48531 | AMD-P | 92-12-087 |
| 296-95-408 | NEW-P | 92-19-033 | 296-125-011 | NEW-C | 92-15-100 | 296-155-48531 | AMD | 92-17-022 |
| 296-95-410 | NEW-P | 92-19-033 | 296-125-012 | NEW-P | 92-12-093 | 296-155-48536 | AMD-P | 92-15-147 |
| 296-95-412 | NEW-P | 92-19-033 | 296-125-012 | NEW-C | 92-15-100 | 296-155-650 | AMD-P | 92-15-147 |
| 296-95-414 | NEW-P | 92-19-033 | 296-125-015 | AMD-P | 92-12-093 | 296-155-655 | AMD-P | 92-15-147 |
| 296-95-416 | NEW-P | 92-19-033 | 296-125-015 | AMD-C | 92-15-100 | 296-155-657 | AMD-P | 92-15-147 |
| 296-95-418 | NEW-P | 92-19-033 | 296-125-020 | AMD-P | 92-12-093 | 296-155-66103 | AMD-P | 92-15-147 |
| 296-95-420 | NEW-P | 92-19-033 | 296-125-020 | AMD-C | 92-15-100 | 296-155-66105 | AMD-P | 92-15-147 |
| 296-95-422 | NEW-P | 92-19-033 | 296-125-023 | REP-P | 92-12-093 | 296-155-66109 | AMD-P | 92-15-147 |
| 296-95-424 | NEW-P | 92-19-033 | 296-125-023 | REP-C | 92-15-100 | 296-155-664 | AMD-P | 92-15-147 |
| 296-95-427 | NEW-P | 92-19-033 | 296-125-024 | NEW-P | 92-12-093 | 296-155-66401 | NEW-P | 92-15-147 |
| 296-95-429 | NEW-P | 92-19-033 | 296-125-024 | NEW-C | 92-15-100 | 296-155-66403 | NEW-P | 92-15-147 |
| 296-95-431 | NEW-P | 92-19-033 | 296-125-026 | NEW-P | 92-12-093 | 296-155-66405 | NEW-P | 92-15-147 |
| 296-95-432 | NEW-P | 92-19-033 | 296-125-026 | NEW-C | 92-15-100 | 296-155-66407 | NEW-P | 92-15-147 |
| 296-95-434 | NEW-P | 92-19-033 | 296-125-027 | AMD-P | 92-12-093 | 296-155-66409 | NEW-P | 92-15-147 |
| 296-95-436 | NEW-P | 92-19-033 | 296-125-027 | AMD-C | 92-15-100 | 296-155-66411 | NEW-P | 92-15-147 |
| 296-95-438 | NEW-P | 92-19-033 | 296-125-028 | NEW-P | 92-12-093 | 296-155-694 | AMD-P | 92-15-147 |
| 296-95-440 | NEW-P | 92-19-033 | 296-125-028 | NEW-C | 92-15-100 | 296-306 | PREP | 92-08-098 |
| 296-95-442 | NEW-P | 92-19-033 | 296-125-030 | AMD-P | 92-12-093 | 296-306 | PREP | 92-11-072 |
| 296-95-444 | NEW-P | 92-19-033 | 296-125-030 | AMD-C | 92-15-100 | 296-306-010 | AMD-P | 92-18-099 |
| 296-95-446 | NEW-P | 92-19-033 | 296-125-033 | AMD-P | 92-12-093 | 296-306-010 | AMD-W | 92-21-016 |
| 296-95-448 | NEW-P | 92-19-033 | 296-125-033 | AMD-C | 92-15-100 | 296-306-010 | AMD-P | 92-21-106 |
| 296-95-450 | NEW-P | 92-19-033 | 296-125-050 | AMD-P | 92-12-093 | 296-306-012 | AMD-P | 92-18-099 |
| 296-95-500 | NEW-P | 92-19-033 | 296-125-050 | AMD-C | 92-15-100 | 296-306-012 | AMD-W | 92-21-016 |
| 296-95-510 | NEW-P | 92-19-033 | 296-125-055 | REP-P | 92-12-093 | 296-306-012 | AMD-P | 92-21-106 |
| 296-95-540 | NEW-P | 92-19-033 | 296-125-055 | REP-C | 92-15-100 | 296-306-035 | AMD-P | 92-18-099 |
| 296-95-600 | NEW-P | 92-19-033 | 296-125-060 | AMD-P | 92-12-093 | 296-306-035 | AMD-W | 92-21-016 |
| 296-95-610 | NEW-P | 92-19-033 | 296-125-060 | AMD-C | 92-15-100 | 296-306-035 | AMD-P | 92-21-106 |
| 296-95-620 | NEW-P | 92-19-033 | 296-125-110 | REP-P | 92-12-093 | 296-306-060 | AMD-P | 92-18-099 |
| 296-95-630 | NEW-P | 92-19-033 | 296-125-110 | REP-C | 92-15-100 | 296-306-060 | AMD-W | 92-21-016 |
| 296-95-700 | NEW-P | 92-19-033 | 296-125-115 | REP-P | 92-12-093 | 296-306-060 | AMD-P | 92-21-106 |
| 296-95-710 | NEW-P | 92-19-033 | 296-125-115 | REP-C | 92-15-100 | 296-306-061 | NEW-P | 92-18-099 |
| 296-95-800 | NEW-P | 92-19-033 | 296-125-120 | REP-P | 92-12-093 | 296-306-061 | NEW-W | 92-21-016 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|---------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
| 296-306-061 | NEW-P | 92-21-106 | 296-306-06703 | NEW-P | 92-18-099 | 296-306-105 | AMD-W | 92-21-016 |
| 296-306-06101 | NEW-P | 92-18-099 | 296-306-06703 | NEW-W | 92-21-016 | 296-306-105 | AMD-P | 92-21-106 |
| 296-306-06101 | NEW-W | 92-21-016 | 296-306-06703 | NEW-P | 92-21-106 | 296-306-115 | AMD-P | 92-18-099 |
| 296-306-06101 | NEW-P | 92-21-106 | 296-306-06705 | NEW-P | 92-18-099 | 296-306-115 | AMD-W | 92-21-016 |
| 296-306-06103 | NEW-P | 92-18-099 | 296-306-06705 | NEW-W | 92-21-016 | 296-306-115 | AMD-P | 92-21-106 |
| 296-306-06103 | NEW-W | 92-21-016 | 296-306-06705 | NEW-P | 92-21-106 | 296-306-145 | AMD-P | 92-18-099 |
| 296-306-06103 | NEW-P | 92-21-106 | 296-306-06707 | NEW-P | 92-18-099 | 296-306-145 | AMD-W | 92-21-016 |
| 296-306-06105 | NEW-P | 92-18-099 | 296-306-06707 | NEW-W | 92-21-016 | 296-306-145 | AMD-P | 92-21-106 |
| 296-306-06105 | NEW-W | 92-21-016 | 296-306-06707 | NEW-P | 92-21-106 | 296-306-14501 | NEW-P | 92-18-099 |
| 296-306-06105 | NEW-P | 92-21-106 | 296-306-06709 | NEW-P | 92-18-099 | 296-306-14501 | NEW-W | 92-21-016 |
| 296-306-06107 | NEW-P | 92-18-099 | 296-306-06709 | NEW-W | 92-21-016 | 296-306-14501 | NEW-P | 92-21-106 |
| 296-306-06107 | NEW-W | 92-21-016 | 296-306-06709 | NEW-P | 92-21-106 | 296-306-14503 | NEW-P | 92-18-099 |
| 296-306-06109 | NEW-P | 92-18-099 | 296-306-068 | NEW-P | 92-18-099 | 296-306-14503 | NEW-W | 92-21-016 |
| 296-306-06109 | NEW-W | 92-21-016 | 296-306-068 | NEW-W | 92-21-016 | 296-306-14503 | NEW-P | 92-21-106 |
| 296-306-06109 | NEW-P | 92-21-106 | 296-306-068 | NEW-P | 92-21-106 | 296-306-14505 | NEW-P | 92-18-099 |
| 296-306-06109 | NEW-W | 92-21-106 | 296-306-06801 | NEW-P | 92-18-099 | 296-306-14505 | NEW-W | 92-21-016 |
| 296-306-06111 | NEW-P | 92-18-099 | 296-306-06801 | NEW-W | 92-21-016 | 296-306-14505 | NEW-P | 92-21-106 |
| 296-306-06111 | NEW-W | 92-21-016 | 296-306-06801 | NEW-P | 92-21-106 | 296-306-14507 | NEW-P | 92-18-099 |
| 296-306-06111 | NEW-P | 92-21-106 | 296-306-06803 | NEW-P | 92-18-099 | 296-306-14507 | NEW-W | 92-21-016 |
| 296-306-06113 | NEW-P | 92-18-099 | 296-306-06803 | NEW-W | 92-21-016 | 296-306-14507 | NEW-P | 92-21-106 |
| 296-306-06113 | NEW-W | 92-21-016 | 296-306-06803 | NEW-P | 92-21-106 | 296-306-14509 | NEW-P | 92-18-099 |
| 296-306-06113 | NEW-P | 92-21-106 | 296-306-06805 | NEW-P | 92-18-099 | 296-306-14509 | NEW-W | 92-21-016 |
| 296-306-06115 | NEW-P | 92-18-099 | 296-306-06805 | NEW-W | 92-21-016 | 296-306-14509 | NEW-P | 92-21-106 |
| 296-306-06115 | NEW-W | 92-21-016 | 296-306-06805 | NEW-P | 92-21-106 | 296-306-146 | NEW-P | 92-18-099 |
| 296-306-06115 | NEW-P | 92-21-106 | 296-306-070 | AMD-P | 92-18-099 | 296-306-146 | NEW-W | 92-21-016 |
| 296-306-06117 | NEW-P | 92-18-099 | 296-306-070 | AMD-W | 92-21-016 | 296-306-146 | NEW-P | 92-21-106 |
| 296-306-06117 | NEW-W | 92-21-016 | 296-306-070 | AMD-P | 92-21-106 | 296-306-147 | NEW-P | 92-18-099 |
| 296-306-06117 | NEW-P | 92-21-106 | 296-306-081 | NEW-P | 92-18-099 | 296-306-147 | NEW-W | 92-21-016 |
| 296-306-06119 | NEW-P | 92-18-099 | 296-306-081 | NEW-W | 92-21-016 | 296-306-147 | NEW-P | 92-21-106 |
| 296-306-06119 | NEW-W | 92-21-016 | 296-306-081 | NEW-P | 92-21-106 | 296-306-148 | NEW-P | 92-18-099 |
| 296-306-06119 | NEW-P | 92-21-106 | 296-306-08101 | NEW-P | 92-18-099 | 296-306-148 | NEW-W | 92-21-016 |
| 296-306-062 | NEW-P | 92-18-099 | 296-306-08101 | NEW-W | 92-21-016 | 296-306-148 | NEW-P | 92-21-106 |
| 296-306-062 | NEW-W | 92-21-016 | 296-306-08101 | NEW-P | 92-21-106 | 296-306-165 | AMD-P | 92-18-099 |
| 296-306-062 | NEW-P | 92-21-106 | 296-306-08103 | NEW-P | 92-18-099 | 296-306-165 | AMD-W | 92-21-016 |
| 296-306-063 | NEW-P | 92-18-099 | 296-306-08103 | NEW-W | 92-21-016 | 296-306-165 | AMD-P | 92-21-106 |
| 296-306-063 | NEW-W | 92-21-016 | 296-306-08103 | NEW-P | 92-21-106 | 296-306-200 | AMD-P | 92-21-106 |
| 296-306-063 | NEW-P | 92-21-106 | 296-306-08105 | NEW-P | 92-18-099 | 296-306-26001 | AMD-P | 92-18-099 |
| 296-306-064 | NEW-P | 92-18-099 | 296-306-08105 | NEW-W | 92-21-016 | 296-306-26001 | AMD-W | 92-21-016 |
| 296-306-064 | NEW-W | 92-21-016 | 296-306-08105 | NEW-P | 92-21-106 | 296-306-26001 | AMD-P | 92-21-106 |
| 296-306-064 | NEW-P | 92-21-106 | 296-306-082 | NEW-P | 92-18-099 | 296-306-265 | AMD-P | 92-18-099 |
| 296-306-06401 | NEW-P | 92-18-099 | 296-306-082 | NEW-W | 92-21-016 | 296-306-265 | AMD-W | 92-21-016 |
| 296-306-06401 | NEW-W | 92-21-016 | 296-306-082 | NEW-P | 92-21-106 | 296-306-270 | AMD-P | 92-21-106 |
| 296-306-06401 | NEW-P | 92-21-106 | 296-306-08201 | NEW-P | 92-18-099 | 296-306-270 | AMD-W | 92-18-099 |
| 296-306-06403 | NEW-P | 92-18-099 | 296-306-08201 | NEW-W | 92-21-016 | 296-306-270 | AMD-P | 92-21-106 |
| 296-306-06403 | NEW-W | 92-21-016 | 296-306-08201 | NEW-P | 92-21-106 | 296-306-27095 | AMD-P | 92-18-099 |
| 296-306-06403 | NEW-P | 92-21-106 | 296-306-083 | NEW-P | 92-18-099 | 296-306-27095 | AMD-W | 92-21-016 |
| 296-306-06405 | NEW-P | 92-18-099 | 296-306-083 | NEW-W | 92-21-016 | 296-306-27095 | AMD-P | 92-21-106 |
| 296-306-06405 | NEW-W | 92-21-016 | 296-306-083 | NEW-P | 92-21-106 | 296-306-330 | NEW-P | 92-18-099 |
| 296-306-06405 | NEW-P | 92-21-106 | 296-306-08301 | NEW-P | 92-18-099 | 296-306-330 | NEW-W | 92-21-016 |
| 296-306-06407 | NEW-P | 92-18-099 | 296-306-08301 | NEW-W | 92-21-016 | 296-306-330 | NEW-P | 92-21-106 |
| 296-306-06407 | NEW-W | 92-21-016 | 296-306-08301 | NEW-P | 92-21-106 | 296-306-33001 | NEW-P | 92-21-106 |
| 296-306-06407 | NEW-P | 92-21-106 | 296-306-08307 | NEW-P | 92-18-099 | 296-306-400 | AMD-P | 92-18-099 |
| 296-306-06409 | NEW-P | 92-18-099 | 296-306-08307 | NEW-W | 92-21-016 | 296-306-400 | AMD-W | 92-21-016 |
| 296-306-06409 | NEW-W | 92-21-016 | 296-306-08307 | NEW-P | 92-21-106 | 296-306-400 | AMD-P | 92-21-106 |
| 296-306-06409 | NEW-P | 92-21-106 | 296-306-084 | NEW-P | 92-18-099 | 296-306-40003 | AMD-P | 92-18-099 |
| 296-306-06411 | NEW-P | 92-18-099 | 296-306-084 | NEW-W | 92-21-016 | 296-306-40003 | AMD-W | 92-21-016 |
| 296-306-06411 | NEW-W | 92-21-016 | 296-306-084 | NEW-P | 92-21-106 | 296-306-40003 | NEW-P | 92-21-106 |
| 296-306-06411 | NEW-P | 92-21-106 | 296-306-08401 | NEW-P | 92-18-099 | 296-306-40007 | NEW-P | 92-18-099 |
| 296-306-06413 | NEW-P | 92-18-099 | 296-306-08401 | NEW-W | 92-21-016 | 296-306-40007 | NEW-W | 92-21-016 |
| 296-306-06413 | NEW-W | 92-21-016 | 296-306-08401 | NEW-P | 92-21-106 | 296-306-40007 | NEW-P | 92-21-106 |
| 296-306-06413 | NEW-P | 92-21-106 | 296-306-08403 | NEW-P | 92-18-099 | 296-306-40009 | NEW-P | 92-18-099 |
| 296-306-06415 | NEW-P | 92-18-099 | 296-306-08403 | NEW-W | 92-21-016 | 296-306-40009 | NEW-W | 92-21-016 |
| 296-306-06415 | NEW-W | 92-21-016 | 296-306-08403 | NEW-P | 92-21-106 | 296-306-40009 | NEW-P | 92-21-106 |
| 296-306-06415 | NEW-P | 92-21-106 | 296-306-08405 | NEW-P | 92-18-099 | 296-306-40011 | NEW-P | 92-21-016 |
| 296-306-06417 | NEW-P | 92-18-099 | 296-306-08405 | NEW-W | 92-21-016 | 296-306-40011 | NEW-W | 92-18-099 |
| 296-306-06417 | NEW-W | 92-21-016 | 296-306-08405 | NEW-P | 92-21-106 | 296-306-40011 | NEW-P | 92-21-016 |
| 296-306-06417 | NEW-P | 92-21-106 | 296-306-08407 | NEW-P | 92-18-099 | 296-401-175 | AMD-P | 92-03-136 |
| 296-306-067 | NEW-P | 92-18-099 | 296-306-08407 | NEW-W | 92-21-016 | 296-401-175 | AMD | 92-09-010 |
| 296-306-067 | NEW-W | 92-21-016 | 296-306-08407 | NEW-P | 92-21-106 | 296-401-175 | AMD-E | 92-09-011 |
| 296-306-06701 | NEW-P | 92-18-099 | 296-306-08409 | NEW-P | 92-18-099 | 304-12-030 | AMD-P | 92-04-076 |
| 296-306-06701 | NEW-W | 92-21-016 | 296-306-08409 | NEW-W | 92-21-016 | 304-12-030 | AMD | 92-08-023 |
| 296-306-06701 | NEW-P | 92-21-106 | 296-306-08409 | NEW-P | 92-21-106 | 306-01-010 | NEW-P | 92-11-064 |
| | | | 296-306-105 | AMD-P | 92-18-099 | | | |

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| 306-01-020 | NEW-P | 92-11-064 | 308-20-140 | AMD | 92-04-006 | 308-30-090 | AMD-P | 92-19-126 |
| 306-01-020 | NEW | 92-15-018 | 308-20-150 | AMD | 92-04-006 | 308-30-110 | NEW-P | 92-19-126 |
| 306-01-030 | NEW-P | 92-11-064 | 308-20-155 | AMD | 92-04-006 | 308-30-120 | NEW-P | 92-19-126 |
| 306-01-030 | NEW | 92-15-018 | 308-20-171 | AMD | 92-04-006 | 308-30-130 | NEW-P | 92-19-126 |
| 306-01-040 | NEW-P | 92-11-064 | 308-20-172 | NEW | 92-04-006 | 308-30-140 | NEW-P | 92-19-126 |
| 306-01-040 | NEW | 92-15-018 | 308-20-175 | AMD | 92-04-006 | 308-30-150 | NEW-P | 92-19-126 |
| 306-01-050 | NEW-P | 92-11-064 | 308-20-180 | AMD | 92-04-006 | 308-30-155 | NEW-P | 92-19-126 |
| 306-01-050 | NEW | 92-15-018 | 308-20-205 | AMD | 92-04-006 | 308-30-160 | NEW-P | 92-19-126 |
| 306-01-060 | NEW-P | 92-11-064 | 308-20-208 | NEW | 92-04-006 | 308-30-170 | NEW-P | 92-19-126 |
| 306-01-060 | NEW | 92-15-018 | 308-20-210 | AMD | 92-04-006 | 308-30-180 | NEW-P | 92-19-126 |
| 306-01-070 | NEW-P | 92-11-064 | 308-20-210 | AMD-P | 92-10-079 | 308-30-190 | NEW-P | 92-19-126 |
| 306-01-070 | NEW | 92-15-018 | 308-20-210 | AMD | 92-15-087 | 308-56A-010 | AMD-P | 92-11-048 |
| 306-01-080 | NEW-P | 92-11-064 | 308-20-310 | NEW-P | 92-10-079 | 308-56A-010 | AMD | 92-15-024 |
| 306-01-080 | NEW | 92-15-018 | 308-20-310 | NEW | 92-15-087 | 308-56A-040 | AMD-P | 92-11-048 |
| 308-10-005 | AMD-P | 92-05-088 | 308-20-500 | NEW-P | 92-10-079 | 308-56A-040 | AMD | 92-15-024 |
| 308-10-005 | AMD | 92-09-107 | 308-20-500 | NEW | 92-15-087 | 308-56A-140 | AMD | 92-03-077 |
| 308-10-010 | AMD-P | 92-05-088 | 308-20-510 | NEW-P | 92-10-079 | 308-56A-250 | AMD-P | 92-11-048 |
| 308-10-010 | AMD | 92-09-107 | 308-20-510 | NEW | 92-15-087 | 308-56A-250 | AMD | 92-15-024 |
| 308-10-015 | AMD-P | 92-05-088 | 308-20-520 | NEW-P | 92-10-079 | 308-56A-260 | REP-P | 92-11-048 |
| 308-10-015 | AMD | 92-09-107 | 308-20-520 | NEW | 92-15-087 | 308-56A-260 | REP | 92-15-024 |
| 308-10-020 | AMD-P | 92-05-088 | 308-20-530 | NEW-P | 92-10-079 | 308-56A-450 | AMD-P | 92-11-048 |
| 308-10-020 | AMD | 92-09-107 | 308-20-530 | NEW | 92-15-087 | 308-56A-450 | AMD | 92-15-024 |
| 308-10-025 | AMD-P | 92-05-088 | 308-20-540 | NEW-P | 92-10-079 | 308-56A-455 | AMD-P | 92-11-048 |
| 308-10-025 | AMD | 92-09-107 | 308-20-540 | NEW | 92-15-087 | 308-56A-455 | AMD | 92-15-024 |
| 308-10-030 | AMD-P | 92-05-088 | 308-20-545 | NEW-P | 92-10-079 | 308-56A-460 | AMD-P | 92-11-048 |
| 308-10-030 | AMD | 92-09-107 | 308-20-545 | NEW | 92-15-087 | 308-56A-460 | AMD | 92-15-024 |
| 308-10-040 | AMD-P | 92-05-088 | 308-20-550 | NEW-P | 92-10-079 | 308-56A-465 | AMD-P | 92-11-048 |
| 308-10-040 | AMD | 92-09-107 | 308-20-550 | NEW | 92-15-087 | 308-56A-465 | AMD | 92-15-024 |
| 308-10-045 | AMD-P | 92-05-088 | 308-20-560 | NEW-P | 92-10-079 | 308-56A-470 | NEW | 92-03-077 |
| 308-10-045 | AMD | 92-09-107 | 308-20-560 | NEW | 92-15-087 | 308-57-230 | AMD-P | 92-11-048 |
| 308-10-050 | AMD-P | 92-05-088 | 308-20-570 | NEW-P | 92-10-079 | 308-57-230 | AMD | 92-15-024 |
| 308-10-050 | AMD | 92-09-107 | 308-20-570 | NEW | 92-15-087 | 308-57-250 | NEW-P | 92-16-086 |
| 308-10-055 | AMD-P | 92-05-088 | 308-20-590 | NEW-P | 92-10-079 | 308-57-250 | NEW | 92-20-049 |
| 308-10-055 | AMD | 92-09-107 | 308-20-590 | NEW | 92-15-087 | 308-58-020 | AMD-P | 92-11-047 |
| 308-10-060 | AMD-P | 92-05-088 | 308-20-600 | NEW-P | 92-10-079 | 308-58-020 | AMD | 92-15-022 |
| 308-10-060 | AMD | 92-09-107 | 308-20-600 | NEW | 92-15-087 | 308-58-040 | AMD-P | 92-11-047 |
| 308-10-070 | AMD-P | 92-05-088 | 308-20-610 | NEW-P | 92-10-079 | 308-58-040 | AMD | 92-15-022 |
| 308-10-070 | AMD | 92-09-107 | 308-20-610 | NEW | 92-15-087 | 308-72-510 | AMD-P | 92-16-040 |
| 308-11-100 | AMD-P | 92-09-097 | 308-20-630 | NEW-P | 92-10-079 | 308-72-510 | AMD | 92-21-010 |
| 308-11-100 | AMD | 92-13-045 | 308-20-630 | NEW | 92-15-087 | 308-88-010 | NEW-E | 92-19-028 |
| 308-11-130 | NEW-P | 92-09-097 | 308-20-640 | NEW-P | 92-10-079 | 308-88-015 | NEW-E | 92-19-028 |
| 308-11-130 | NEW | 92-13-045 | 308-20-640 | NEW | 92-15-087 | 308-88-016 | NEW-E | 92-19-028 |
| 308-13-032 | AMD-P | 92-05-013 | 308-20-670 | NEW-P | 92-10-079 | 308-88-019 | NEW-E | 92-19-028 |
| 308-13-032 | AMD | 92-10-030 | 308-20-670 | NEW | 92-15-087 | 308-88-020 | NEW-E | 92-19-028 |
| 308-13-040 | AMD-P | 92-05-013 | 308-20-680 | NEW-P | 92-10-079 | 308-88-021 | NEW-E | 92-19-028 |
| 308-13-040 | AMD | 92-10-030 | 308-20-680 | NEW | 92-15-087 | 308-88-022 | NEW-E | 92-19-028 |
| 308-13-041 | REP-P | 92-05-013 | 308-20-690 | NEW-P | 92-10-079 | 308-88-025 | NEW-E | 92-19-028 |
| 308-13-041 | REP | 92-10-030 | 308-20-690 | NEW | 92-15-087 | 308-88-030 | NEW-E | 92-19-028 |
| 308-13-042 | REP-P | 92-05-013 | 308-20-700 | NEW-P | 92-10-079 | 308-88-040 | NEW-E | 92-19-028 |
| 308-13-042 | REP | 92-10-030 | 308-20-700 | NEW | 92-15-087 | 308-88-045 | NEW-E | 92-19-028 |
| 308-20 | AMD | 92-04-006 | 308-21-010 | NEW-P | 92-17-087 | 308-88-046 | NEW-E | 92-19-028 |
| 308-20-001 | NEW-P | 92-10-079 | 308-21-010 | NEW | 92-20-017 | 308-88-047 | NEW-E | 92-19-028 |
| 308-20-001 | NEW | 92-15-087 | 308-21-100 | NEW-P | 92-17-087 | 308-88-048 | NEW-E | 92-19-028 |
| 308-20-005 | NEW-P | 92-10-079 | 308-21-100 | NEW | 92-20-017 | 308-88-050 | NEW-E | 92-19-028 |
| 308-20-005 | NEW | 92-15-087 | 308-21-200 | NEW-P | 92-17-087 | 308-89-020 | AMD-P | 92-09-145 |
| 308-20-010 | AMD | 92-04-006 | 308-21-200 | NEW | 92-20-017 | 308-89-020 | AMD | 92-12-036 |
| 308-20-020 | AMD | 92-04-006 | 308-21-300 | NEW-P | 92-17-087 | 308-89-040 | AMD-P | 92-09-145 |
| 308-20-030 | AMD | 92-04-006 | 308-21-300 | NEW | 92-20-017 | 308-89-040 | AMD | 92-12-036 |
| 308-20-040 | AMD | 92-04-006 | 308-21-400 | NEW-P | 92-17-087 | 308-89-050 | AMD-P | 92-09-145 |
| 308-20-045 | NEW-P | 92-10-079 | 308-21-400 | NEW | 92-20-017 | 308-89-050 | AMD | 92-12-036 |
| 308-20-045 | NEW | 92-15-087 | 308-21-500 | NEW-P | 92-17-087 | 308-89-060 | NEW-P | 92-09-145 |
| 308-20-050 | AMD | 92-04-006 | 308-21-500 | NEW | 92-20-017 | 308-89-060 | NEW | 92-12-036 |
| 308-20-060 | AMD | 92-04-006 | 308-21-600 | NEW-P | 92-17-087 | 308-90-150 | AMD | 92-06-009 |
| 308-20-070 | AMD | 92-04-006 | 308-21-600 | NEW | 92-20-017 | 308-93-010 | AMD-P | 92-20-055 |
| 308-20-080 | AMD | 92-04-006 | 308-30-005 | NEW-P | 92-19-126 | 308-93-020 | REP-P | 92-20-055 |
| 308-20-090 | AMD | 92-04-006 | 308-30-010 | AMD-P | 92-19-126 | 308-93-050 | AMD | 92-03-075 |
| 308-20-100 | AMD | 92-04-006 | 308-30-020 | AMD-P | 92-19-126 | 308-93-060 | AMD-P | 92-20-055 |
| 308-20-105 | AMD | 92-04-006 | 308-30-030 | AMD-P | 92-19-126 | 308-93-070 | AMD | 92-03-075 |
| 308-20-107 | AMD | 92-04-006 | 308-30-040 | AMD-P | 92-19-126 | 308-93-070 | AMD-P | 92-20-055 |
| 308-20-109 | AMD | 92-04-006 | 308-30-050 | AMD-P | 92-19-126 | 308-93-071 | AMD-P | 92-20-055 |
| 308-20-110 | AMD | 92-04-006 | 308-30-060 | AMD-P | 92-19-126 | 308-93-072 | REP-P | 92-20-055 |
| 308-20-120 | AMD | 92-04-006 | 308-30-070 | AMD-P | 92-19-126 | 308-93-074 | AMD-P | 92-20-055 |

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| 308-93-077 | REP-P | 92-20-055 | 308-102-006 | NEW | 92-08-045 | 308-125-070 | AMD-P | 92-14-084 |
| 308-93-085 | AMD-P | 92-20-055 | 308-102-008 | NEW-P | 92-05-061 | 308-125-070 | AMD | 92-18-018 |
| 308-93-087 | AMD-P | 92-20-055 | 308-102-008 | NEW | 92-08-045 | 308-125-080 | AMD-P | 92-14-084 |
| 308-93-088 | NEW-P | 92-20-055 | 308-102-010 | AMD-P | 92-05-061 | 308-125-080 | AMD | 92-18-018 |
| 308-93-120 | AMD-P | 92-20-055 | 308-102-010 | AMD | 92-08-045 | 308-125-085 | NEW-P | 92-14-084 |
| 308-93-130 | REP-P | 92-20-055 | 308-102-011 | AMD-P | 92-05-061 | 308-125-085 | NEW | 92-18-018 |
| 308-93-150 | REP-P | 92-20-055 | 308-102-011 | AMD | 92-08-045 | 308-125-100 | AMD-P | 92-14-084 |
| 308-93-170 | REP-P | 92-20-055 | 308-102-020 | AMD-P | 92-05-061 | 308-125-120 | AMD-P | 92-14-084 |
| 308-93-225 | REP-P | 92-20-055 | 308-102-020 | AMD | 92-08-045 | 308-125-120 | AMD | 92-18-018 |
| 308-93-230 | AMD-P | 92-20-055 | 308-102-040 | REP-P | 92-05-061 | 308-125-130 | AMD-P | 92-14-084 |
| 308-93-241 | NEW-P | 92-11-046 | 308-102-040 | REP | 92-08-045 | 308-125-130 | AMD | 92-18-018 |
| 308-93-241 | NEW | 92-15-023 | 308-102-100 | AMD-P | 92-05-061 | 308-300-220 | AMD-P | 92-07-095 |
| 308-93-242 | NEW-P | 92-11-046 | 308-102-100 | AMD | 92-08-045 | 308-300-220 | AMD | 92-10-010 |
| 308-93-242 | NEW | 92-15-023 | 308-102-110 | REP-P | 92-05-061 | 308-300-230 | AMD-P | 92-07-095 |
| 308-93-243 | NEW-P | 92-11-046 | 308-102-110 | REP | 92-08-045 | 308-300-230 | AMD | 92-10-010 |
| 308-93-243 | NEW | 92-15-023 | 308-102-120 | REP-P | 92-05-061 | 308-300-240 | AMD-P | 92-07-095 |
| 308-93-244 | NEW-P | 92-11-046 | 308-102-120 | REP | 92-08-045 | 308-300-240 | AMD | 92-10-010 |
| 308-93-244 | NEW | 92-15-023 | 308-102-125 | REP-P | 92-05-061 | 308-300-250 | AMD-P | 92-07-095 |
| 308-93-245 | NEW-P | 92-11-046 | 308-102-125 | REP | 92-08-045 | 308-300-250 | AMD | 92-10-010 |
| 308-93-245 | NEW | 92-15-023 | 308-102-130 | AMD-P | 92-05-061 | 308-300-270 | AMD-P | 92-07-095 |
| 308-93-285 | NEW-P | 92-20-055 | 308-102-130 | AMD | 92-08-045 | 308-300-270 | AMD | 92-10-010 |
| 308-93-290 | AMD | 92-03-075 | 308-102-140 | AMD-P | 92-05-061 | 308-300-280 | AMD-P | 92-07-095 |
| 308-93-295 | AMD | 92-06-009 | 308-102-140 | AMD | 92-08-045 | 308-300-280 | AMD | 92-10-010 |
| 308-93-340 | AMD-P | 92-20-055 | 308-102-150 | REP-P | 92-05-061 | 308-400-095 | PREP | 92-19-007 |
| 308-93-410 | AMD-P | 92-20-055 | 308-102-150 | REP | 92-08-045 | 314-12-015 | NEW-P | 92-08-085 |
| 308-93-450 | AMD-P | 92-20-055 | 308-102-160 | REP-P | 92-05-061 | 314-12-015 | NEW | 92-14-024 |
| 308-94-030 | AMD-P | 92-11-049 | 308-102-160 | REP | 92-08-045 | 314-12-080 | AMD-P | 92-18-088 |
| 308-94-030 | AMD | 92-15-021 | 308-102-170 | REP-P | 92-05-061 | 314-12-080 | AMD | 92-21-061 |
| 308-94-080 | AMD-P | 92-11-049 | 308-102-170 | REP | 92-08-045 | 314-12-090 | REP-P | 92-08-084 |
| 308-94-080 | AMD | 92-15-021 | 308-102-180 | REP-P | 92-05-061 | 314-12-090 | REP | 92-14-023 |
| 308-94-200 | AMD-P | 92-11-049 | 308-102-180 | REP | 92-08-045 | 314-12-115 | NEW-P | 92-18-072 |
| 308-94-200 | AMD | 92-15-021 | 308-102-190 | AMD-P | 92-05-061 | 314-12-115 | NEW | 92-21-060 |
| 308-96A-005 | AMD | 92-02-100 | 308-102-190 | AMD | 92-08-045 | 314-12-130 | REP-P | 92-18-074 |
| 308-96A-005 | AMD-P | 92-11-050 | 308-102-200 | AMD-P | 92-05-061 | 314-12-130 | REP-W | 92-21-062 |
| 308-96A-005 | AMD | 92-15-025 | 308-102-200 | AMD | 92-08-045 | 314-12-180 | NEW-P | 92-18-070 |
| 308-96A-026 | AMD-P | 92-11-050 | 308-102-210 | REP-P | 92-05-061 | 314-12-180 | NEW | 92-21-059 |
| 308-96A-026 | AMD | 92-15-025 | 308-102-210 | REP | 92-08-045 | 314-16-055 | NEW-P | 92-18-073 |
| 308-96A-035 | AMD-P | 92-11-050 | 308-102-220 | REP-P | 92-05-061 | 314-16-055 | NEW | 92-21-058 |
| 308-96A-035 | AMD | 92-15-025 | 308-102-220 | REP | 92-08-045 | 314-16-170 | REP-P | 92-18-071 |
| 308-96A-040 | AMD | 92-02-100 | 308-102-230 | REP-P | 92-05-061 | 314-16-170 | REP | 92-21-057 |
| 308-96A-046 | AMD | 92-02-100 | 308-102-230 | REP | 92-08-045 | 314-16-190 | AMD-P | 92-08-086 |
| 308-96A-100 | AMD | 92-03-076 | 308-102-240 | REP-P | 92-05-061 | 314-16-190 | AMD-W | 92-14-022 |
| 308-96A-136 | AMD | 92-02-100 | 308-102-240 | REP | 92-08-045 | 314-16-196 | AMD-P | 92-08-088 |
| 308-96A-161 | AMD-P | 92-11-050 | 308-102-250 | AMD-P | 92-05-061 | 314-16-196 | AMD | 92-14-025 |
| 308-96A-161 | AMD | 92-15-025 | 308-102-250 | AMD | 92-08-045 | 314-16-197 | AMD-P | 92-08-089 |
| 308-96A-162 | AMD-P | 92-11-050 | 308-102-255 | NEW-P | 92-05-061 | 314-16-197 | AMD | 92-14-026 |
| 308-96A-162 | AMD | 92-15-025 | 308-102-255 | NEW | 92-08-045 | 314-20-015 | AMD-P | 92-18-090 |
| 308-96A-201 | NEW | 92-02-100 | 308-102-260 | AMD-P | 92-05-061 | 314-20-015 | AMD-W | 92-21-064 |
| 308-96A-205 | AMD | 92-02-100 | 308-102-260 | AMD | 92-08-045 | 314-20-020 | AMD | 92-03-109 |
| 308-96A-206 | NEW | 92-02-100 | 308-102-265 | AMD-P | 92-05-061 | 314-20-070 | AMD-P | 92-09-143 |
| 308-96A-207 | NEW | 92-02-100 | 308-102-265 | AMD | 92-08-045 | 314-20-070 | AMD | 92-14-028 |
| 308-96A-208 | NEW | 92-02-100 | 308-102-270 | REP-P | 92-05-061 | 314-24-040 | AMD | 92-03-110 |
| 308-96A-210 | AMD | 92-02-100 | 308-102-270 | REP | 92-08-045 | 314-24-160 | AMD-P | 92-18-089 |
| 308-96A-220 | AMD | 92-02-100 | 308-102-280 | REP-P | 92-05-061 | 314-24-160 | AMD-W | 92-21-063 |
| 308-96A-260 | AMD | 92-02-100 | 308-102-280 | REP | 92-08-045 | 314-60-040 | AMD-P | 92-09-142 |
| 308-96A-275 | AMD | 92-02-100 | 308-102-290 | AMD-P | 92-05-061 | 314-60-040 | AMD | 92-14-027 |
| 308-96A-275 | AMD-P | 92-11-050 | 308-102-290 | AMD | 92-08-045 | 315-04-190 | AMD-P | 92-16-101 |
| 308-96A-275 | AMD | 92-15-025 | 308-102-295 | REP-P | 92-05-061 | 315-04-190 | AMD | 92-19-057 |
| 308-96A-300 | AMD | 92-02-100 | 308-102-295 | REP | 92-08-045 | 315-11-691 | AMD | 92-03-048 |
| 308-96A-306 | AMD | 92-03-076 | 308-104-160 | AMD-P | 92-05-061 | 315-11-710 | NEW | 92-03-048 |
| 308-96A-310 | AMD | 92-03-076 | 308-104-160 | AMD | 92-08-045 | 315-11-711 | NEW | 92-03-048 |
| 308-96A-315 | AMD | 92-03-076 | 308-104-340 | NEW-P | 92-05-061 | 315-11-712 | NEW | 92-03-048 |
| 308-96A-320 | AMD | 92-03-076 | 308-104-340 | NEW | 92-08-045 | 315-11-730 | NEW | 92-03-048 |
| 308-96A-325 | AMD | 92-03-076 | 308-124D-040 | AMD-P | 92-17-071 | 315-11-731 | NEW | 92-03-048 |
| 308-96A-330 | AMD | 92-03-076 | 308-124D-040 | AMD | 92-21-035 | 315-11-732 | NEW | 92-03-048 |
| 308-96A-335 | AMD | 92-03-076 | 308-124F-020 | AMD-P | 92-17-071 | 315-11-740 | NEW | 92-03-048 |
| 308-96A-340 | NEW | 92-03-076 | 308-124F-020 | AMD | 92-21-035 | 315-11-741 | NEW | 92-03-048 |
| 308-100-21100A | NEW-E | 92-17-024 | 308-125-010 | AMD-P | 92-14-084 | 315-11-742 | NEW | 92-03-048 |
| 308-102-002 | NEW-P | 92-05-061 | 308-125-010 | AMD | 92-18-018 | 315-11-750 | NEW-P | 92-03-146 |
| 308-102-002 | NEW | 92-08-045 | 308-125-020 | AMD-P | 92-14-084 | 315-11-750 | NEW-W | 92-05-069 |
| 308-102-004 | NEW-P | 92-05-061 | 308-125-020 | AMD | 92-18-018 | 315-11-751 | NEW-P | 92-03-146 |
| 308-102-004 | NEW | 92-08-045 | 308-125-030 | AMD-P | 92-14-084 | 315-11-751 | NEW-W | 92-05-069 |

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| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
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| 315-11-752 | NEW-P | 92-03-146 | 315-11-862 | NEW | 92-19-057 | 315-35-060 | NEW | 92-19-057 |
| 315-11-752 | NEW-W | 92-05-069 | 315-11-870 | NEW-P | 92-16-101 | 315-40-010 | NEW | 92-03-048 |
| 315-11-753 | NEW | 92-08-002 | 315-11-870 | NEW | 92-19-057 | 315-40-020 | NEW | 92-03-048 |
| 315-11-754 | NEW | 92-08-002 | 315-11-871 | NEW-P | 92-16-101 | 315-40-030 | NEW | 92-03-048 |
| 315-11-755 | NEW | 92-08-002 | 315-11-871 | NEW | 92-19-057 | 315-40-040 | NEW | 92-03-048 |
| 315-11-760 | NEW-P | 92-03-146 | 315-11-872 | NEW-P | 92-16-101 | 315-40-050 | NEW | 92-03-048 |
| 315-11-760 | NEW | 92-08-002 | 315-11-872 | NEW | 92-19-057 | 315-40-060 | NEW | 92-03-048 |
| 315-11-761 | NEW-P | 92-03-146 | 315-11-880 | NEW-P | 92-16-101 | 315-40-070 | NEW | 92-03-048 |
| 315-11-761 | NEW | 92-08-002 | 315-11-880 | NEW | 92-19-057 | 315-40-080 | NEW | 92-03-048 |
| 315-11-762 | NEW-P | 92-03-146 | 315-11-881 | NEW-P | 92-16-101 | 315-41-50100 | NEW | 92-03-048 |
| 315-11-762 | NEW | 92-08-002 | 315-11-881 | NEW | 92-19-057 | 315-41-50110 | NEW | 92-03-048 |
| 315-11-770 | NEW-P | 92-03-146 | 315-11-882 | NEW-P | 92-16-101 | 315-41-50120 | NEW | 92-03-048 |
| 315-11-770 | NEW-P | 92-08-093 | 315-11-882 | NEW | 92-19-057 | 315-41-50200 | NEW | 92-03-048 |
| 315-11-770 | NEW | 92-11-033 | 315-11-890 | NEW-P | 92-19-127 | 315-41-50210 | NEW | 92-03-048 |
| 315-11-771 | NEW-P | 92-03-146 | 315-11-891 | NEW-P | 92-19-127 | 315-41-50220 | NEW | 92-03-048 |
| 315-11-771 | NEW-P | 92-08-093 | 315-11-892 | NEW-P | 92-19-127 | 315-41-50300 | NEW | 92-03-048 |
| 315-11-771 | NEW | 92-11-033 | 315-11-900 | NEW-P | 92-19-127 | 315-41-50310 | NEW | 92-03-048 |
| 315-11-772 | NEW-P | 92-03-146 | 315-11-901 | NEW-P | 92-19-127 | 315-41-50320 | NEW | 92-03-048 |
| 315-11-772 | NEW-P | 92-08-093 | 315-11-902 | NEW-P | 92-19-127 | 315-41-50400 | NEW-P | 92-03-146 |
| 315-11-772 | NEW | 92-11-033 | 315-11-910 | NEW-P | 92-19-127 | 315-41-50400 | NEW | 92-08-094 |
| 315-11-780 | NEW-P | 92-08-093 | 315-11-911 | NEW-P | 92-19-127 | 315-41-50410 | NEW-P | 92-03-146 |
| 315-11-780 | NEW | 92-11-033 | 315-11-912 | NEW-P | 92-19-127 | 315-41-50410 | NEW | 92-08-094 |
| 315-11-781 | NEW-P | 92-08-093 | 315-30-020 | AMD-P | 92-08-093 | 315-41-50420 | NEW-P | 92-03-146 |
| 315-11-781 | NEW | 92-11-033 | 315-30-020 | AMD | 92-11-033 | 315-41-50420 | NEW | 92-08-094 |
| 315-11-782 | NEW-P | 92-08-093 | 315-30-030 | AMD-P | 92-08-093 | 315-41-50500 | NEW-P | 92-03-146 |
| 315-11-782 | NEW | 92-11-033 | 315-30-030 | AMD | 92-11-033 | 315-41-50500 | NEW | 92-08-094 |
| 315-11-790 | NEW-P | 92-08-093 | 315-30-040 | AMD-P | 92-08-093 | 315-41-50510 | NEW-P | 92-03-146 |
| 315-11-790 | NEW | 92-11-033 | 315-30-040 | AMD | 92-11-033 | 315-41-50510 | NEW | 92-08-094 |
| 315-11-791 | NEW-P | 92-08-093 | 315-31-060 | AMD-P | 92-08-093 | 315-41-50520 | NEW-P | 92-03-146 |
| 315-11-791 | NEW | 92-11-033 | 315-31-060 | AMD-W | 92-11-010 | 315-41-50520 | NEW | 92-08-094 |
| 315-11-792 | NEW-P | 92-08-093 | 315-31-060 | AMD-P | 92-12-091 | 315-41-50600 | NEW-P | 92-03-146 |
| 315-11-792 | NEW | 92-11-033 | 315-31-060 | AMD | 92-16-004 | 315-41-50600 | NEW | 92-08-094 |
| 315-11-800 | NEW-P | 92-08-093 | 315-33A-010 | AMD-P | 92-08-093 | 315-41-50610 | NEW-P | 92-03-146 |
| 315-11-800 | NEW | 92-11-033 | 315-33A-010 | AMD | 92-11-033 | 315-41-50610 | NEW | 92-08-094 |
| 315-11-801 | NEW-P | 92-08-093 | 315-33A-020 | AMD-P | 92-08-093 | 315-41-50620 | NEW-P | 92-03-146 |
| 315-11-801 | NEW | 92-11-033 | 315-33A-020 | AMD | 92-11-033 | 315-41-50620 | NEW | 92-08-094 |
| 315-11-802 | NEW-P | 92-08-093 | 315-33A-060 | AMD-P | 92-12-091 | 316-02-5020 | AMD-P | 92-18-006 |
| 315-11-802 | NEW | 92-11-033 | 315-33A-060 | AMD-W | 92-15-083 | 316-02-820 | AMD-P | 92-18-006 |
| 315-11-810 | NEW-P | 92-12-091 | 315-33B-010 | NEW-P | 92-03-146 | 316-45-003 | AMD-P | 92-18-006 |
| 315-11-810 | NEW | 92-15-082 | 315-33B-010 | NEW | 92-08-002 | 316-45-020 | NEW-P | 92-18-006 |
| 315-11-811 | NEW-P | 92-12-091 | 315-33B-020 | NEW-P | 92-03-146 | 316-65-005 | AMD-P | 92-18-006 |
| 315-11-811 | NEW | 92-15-082 | 315-33B-020 | NEW | 92-08-002 | 316-65-010 | AMD-P | 92-18-006 |
| 315-11-812 | NEW-P | 92-12-091 | 315-33B-030 | NEW-P | 92-03-146 | 317-20-999 | NEW-P | 92-20-113 |
| 315-11-812 | NEW | 92-15-082 | 315-33B-030 | NEW | 92-08-002 | 318-04-020 | AMD-E | 92-15-050 |
| 315-11-820 | NEW-P | 92-12-091 | 315-33B-040 | NEW-P | 92-03-146 | 318-04-020 | AMD-P | 92-19-118 |
| 315-11-820 | NEW | 92-15-082 | 315-33B-040 | NEW | 92-08-002 | 318-04-030 | AMD | 92-03-061 |
| 315-11-821 | NEW-P | 92-12-091 | 315-33B-050 | NEW-P | 92-03-146 | 318-04-030 | AMD-E | 92-15-050 |
| 315-11-821 | NEW | 92-15-082 | 315-33B-050 | NEW | 92-08-002 | 318-04-030 | AMD-P | 92-19-118 |
| 315-11-822 | NEW-P | 92-12-091 | 315-33B-060 | NEW-P | 92-03-146 | 326-02-010 | AMD-E | 92-07-001 |
| 315-11-822 | NEW | 92-15-082 | 315-33B-060 | NEW | 92-08-002 | 326-02-010 | RESCIND | 92-07-102 |
| 315-11-830 | NEW-P | 92-12-091 | 315-33B-060 | AMD-P | 92-12-091 | 326-02-010 | AMD-E | 92-07-102 |
| 315-11-830 | NEW | 92-15-082 | 315-33B-060 | AMD-W | 92-15-083 | 326-02-010 | AMD-P | 92-07-103 |
| 315-11-831 | NEW-P | 92-12-091 | 315-33B-070 | NEW-P | 92-03-146 | 326-02-010 | AMD | 92-11-007 |
| 315-11-831 | NEW | 92-15-082 | 315-33B-070 | NEW | 92-08-002 | 326-02-020 | AMD-E | 92-07-001 |
| 315-11-832 | NEW-P | 92-12-091 | 315-34-010 | AMD-P | 92-08-093 | 326-02-020 | RESCIND | 92-07-102 |
| 315-11-832 | NEW | 92-15-082 | 315-34-010 | AMD | 92-11-033 | 326-02-020 | AMD-E | 92-07-102 |
| 315-11-840 | NEW-P | 92-12-091 | 315-34-020 | AMD-P | 92-08-093 | 326-02-020 | AMD-P | 92-07-103 |
| 315-11-840 | NEW | 92-15-082 | 315-34-020 | AMD | 92-11-033 | 326-02-020 | AMD | 92-11-007 |
| 315-11-841 | NEW-P | 92-12-091 | 315-34-040 | AMD-P | 92-03-146 | 326-02-030 | AMD-E | 92-07-001 |
| 315-11-841 | NEW | 92-15-082 | 315-34-040 | AMD | 92-07-014 | 326-02-030 | RESCIND | 92-07-102 |
| 315-11-842 | NEW-P | 92-12-091 | 315-34-040 | AMD-P | 92-08-093 | 326-02-030 | AMD-E | 92-07-102 |
| 315-11-842 | NEW | 92-15-082 | 315-34-040 | AMD | 92-11-033 | 326-02-030 | AMD-P | 92-07-103 |
| 315-11-850 | NEW-P | 92-12-091 | 315-35-010 | NEW-P | 92-16-101 | 326-02-030 | AMD | 92-11-007 |
| 315-11-850 | NEW | 92-15-082 | 315-35-010 | NEW | 92-19-057 | 326-02-030 | AMD-P | 92-21-104 |
| 315-11-851 | NEW-P | 92-12-091 | 315-35-020 | NEW-P | 92-16-101 | 326-02-040 | AMD-E | 92-07-001 |
| 315-11-851 | NEW | 92-15-082 | 315-35-020 | NEW | 92-19-057 | 326-02-040 | RESCIND | 92-07-102 |
| 315-11-852 | NEW-P | 92-12-091 | 315-35-030 | NEW-P | 92-16-101 | 326-02-040 | AMD-E | 92-07-102 |
| 315-11-852 | NEW | 92-15-082 | 315-35-030 | NEW | 92-19-057 | 326-02-040 | AMD-P | 92-07-103 |
| 315-11-860 | NEW-P | 92-16-101 | 315-35-040 | NEW-P | 92-16-101 | 326-02-040 | AMD | 92-11-007 |
| 315-11-860 | NEW | 92-19-057 | 315-35-040 | NEW | 92-19-057 | 326-02-045 | NEW-E | 92-07-001 |
| 315-11-861 | NEW-P | 92-16-101 | 315-35-050 | NEW-P | 92-16-101 | 326-02-045 | RESCIND | 92-07-102 |
| 315-11-861 | NEW | 92-19-057 | 315-35-050 | NEW | 92-19-057 | 326-02-045 | NEW-E | 92-07-102 |
| 315-11-862 | NEW-P | 92-16-101 | 315-35-060 | NEW-P | 92-16-101 | 326-02-045 | NEW-P | 92-07-103 |

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| 326-02-045 | NEW | 92-11-007 | 326-08-020 | AMD-P | 92-11-018 | 326-20-020 | REP | 92-11-007 |
| 326-02-050 | AMD-E | 92-07-001 | 326-08-020 | AMD-E | 92-11-019 | 326-20-030 | AMD-E | 92-07-001 |
| 326-02-050 | RESCIND | 92-07-102 | 326-08-020 | AMD | 92-15-077 | 326-20-030 | RESCIND | 92-07-102 |
| 326-02-050 | AMD-E | 92-07-102 | 326-08-035 | NEW-E | 92-07-001 | 326-20-030 | AMD-E | 92-07-102 |
| 326-02-050 | AMD-P | 92-07-103 | 326-08-035 | NEW-P | 92-11-018 | 326-20-030 | AMD-P | 92-07-103 |
| 326-02-050 | AMD | 92-11-007 | 326-08-035 | NEW-E | 92-11-019 | 326-20-030 | AMD | 92-11-007 |
| 326-02-060 | AMD-E | 92-07-001 | 326-08-035 | NEW | 92-15-077 | 326-20-040 | AMD-E | 92-07-001 |
| 326-02-060 | RESCIND | 92-07-102 | 326-08-040 | AMD-E | 92-07-001 | 326-20-040 | RESCIND | 92-07-102 |
| 326-02-060 | AMD-E | 92-07-102 | 326-08-040 | AMD-P | 92-11-018 | 326-20-040 | AMD-E | 92-07-102 |
| 326-02-060 | AMD-P | 92-07-103 | 326-08-040 | AMD-E | 92-11-019 | 326-20-040 | AMD-P | 92-07-103 |
| 326-02-060 | AMD | 92-11-007 | 326-08-040 | AMD | 92-15-077 | 326-20-040 | AMD | 92-11-007 |
| 326-02-070 | AMD-E | 92-07-001 | 326-08-050 | AMD-E | 92-07-001 | 326-20-050 | AMD-E | 92-07-001 |
| 326-02-070 | RESCIND | 92-07-102 | 326-08-050 | AMD-P | 92-11-018 | 326-20-050 | RESCIND | 92-07-102 |
| 326-02-070 | AMD-E | 92-07-102 | 326-08-050 | AMD-E | 92-11-019 | 326-20-050 | AMD-E | 92-07-102 |
| 326-02-070 | AMD-P | 92-07-103 | 326-08-050 | AMD | 92-15-077 | 326-20-050 | AMD-P | 92-07-103 |
| 326-02-070 | AMD | 92-11-007 | 326-08-051 | NEW-E | 92-07-001 | 326-20-050 | AMD | 92-11-007 |
| 326-02-080 | AMD-E | 92-07-001 | 326-08-051 | NEW-P | 92-11-018 | 326-20-060 | AMD-E | 92-07-001 |
| 326-02-080 | RESCIND | 92-07-102 | 326-08-051 | NEW-E | 92-11-019 | 326-20-060 | RESCIND | 92-07-102 |
| 326-02-080 | AMD-E | 92-07-102 | 326-08-051 | NEW | 92-15-077 | 326-20-060 | AMD-E | 92-07-102 |
| 326-02-080 | AMD-P | 92-07-103 | 326-08-060 | REP-E | 92-07-001 | 326-20-060 | AMD-P | 92-07-103 |
| 326-02-080 | AMD | 92-11-007 | 326-08-060 | REP-P | 92-11-018 | 326-20-060 | AMD | 92-11-007 |
| 326-02-090 | AMD-E | 92-07-001 | 326-08-060 | REP-E | 92-11-019 | 326-20-070 | AMD-E | 92-07-001 |
| 326-02-090 | RESCIND | 92-07-102 | 326-08-060 | REP | 92-15-077 | 326-20-070 | RESCIND | 92-07-102 |
| 326-02-090 | AMD-E | 92-07-102 | 326-08-070 | AMD-E | 92-07-001 | 326-20-070 | AMD-E | 92-07-102 |
| 326-02-090 | AMD-P | 92-07-103 | 326-08-070 | AMD-P | 92-11-018 | 326-20-070 | AMD-P | 92-07-103 |
| 326-02-090 | AMD | 92-11-007 | 326-08-070 | AMD-E | 92-11-019 | 326-20-070 | AMD | 92-11-007 |
| 326-06-010 | REP-P | 92-21-104 | 326-08-070 | AMD | 92-15-077 | 326-20-080 | AMD-E | 92-07-001 |
| 326-06-020 | REP-P | 92-21-104 | 326-08-070 | AMD-P | 92-21-104 | 326-20-080 | RESCIND | 92-07-102 |
| 326-06-030 | REP-P | 92-21-104 | 326-08-080 | AMD-E | 92-07-001 | 326-20-080 | AMD-E | 92-07-102 |
| 326-06-040 | REP-P | 92-21-104 | 326-08-080 | AMD-P | 92-11-018 | 326-20-080 | AMD-P | 92-07-103 |
| 326-06-050 | REP-P | 92-21-104 | 326-08-080 | AMD-E | 92-11-019 | 326-20-080 | AMD | 92-11-007 |
| 326-06-060 | REP-P | 92-21-104 | 326-08-080 | AMD | 92-15-077 | 326-20-080 | AMD | 92-11-007 |
| 326-06-070 | REP-P | 92-21-104 | 326-08-080 | AMD | 92-15-077 | 326-20-081 | AMD-E | 92-07-001 |
| 326-06-080 | REP-P | 92-21-104 | 326-08-090 | AMD-E | 92-07-001 | 326-20-081 | RESCIND | 92-07-102 |
| 326-06-090 | REP-P | 92-21-104 | 326-08-090 | AMD-P | 92-11-018 | 326-20-081 | AMD-E | 92-07-102 |
| 326-06-100 | REP-P | 92-21-104 | 326-08-090 | AMD-E | 92-11-019 | 326-20-081 | AMD-P | 92-07-103 |
| 326-06-110 | REP-P | 92-21-104 | 326-08-090 | AMD | 92-15-077 | 326-20-081 | AMD | 92-11-007 |
| 326-06-120 | REP-P | 92-21-104 | 326-08-095 | AMD-E | 92-07-001 | 326-20-091 | REP-E | 92-07-001 |
| 326-06-130 | REP-P | 92-21-104 | 326-08-095 | AMD-P | 92-11-018 | 326-20-091 | RESCIND | 92-07-102 |
| 326-06-140 | REP-P | 92-21-104 | 326-08-095 | AMD-E | 92-11-019 | 326-20-091 | REP-E | 92-07-102 |
| 326-06-160 | REP-P | 92-21-104 | 326-08-095 | AMD | 92-15-077 | 326-20-091 | REP-P | 92-07-103 |
| 326-07-010 | NEW-P | 92-21-104 | 326-08-100 | AMD-E | 92-07-001 | 326-20-091 | REP | 92-11-007 |
| 326-07-020 | NEW-P | 92-21-104 | 326-08-100 | AMD-P | 92-11-018 | 326-20-092 | AMD-E | 92-07-001 |
| 326-07-030 | NEW-P | 92-21-104 | 326-08-100 | AMD-E | 92-11-019 | 326-20-092 | RESCIND | 92-07-102 |
| 326-07-040 | NEW-P | 92-21-104 | 326-08-100 | AMD | 92-15-077 | 326-20-092 | AMD-E | 92-07-102 |
| 326-07-050 | NEW-P | 92-21-104 | 326-08-105 | NEW-E | 92-07-001 | 326-20-092 | AMD-P | 92-07-103 |
| 326-07-060 | NEW-P | 92-21-104 | 326-08-105 | NEW-P | 92-11-018 | 326-20-092 | AMD | 92-11-007 |
| 326-07-070 | NEW-P | 92-21-104 | 326-08-105 | NEW-E | 92-11-019 | 326-20-093 | REP-E | 92-07-001 |
| 326-07-080 | NEW-P | 92-21-104 | 326-08-105 | NEW | 92-15-077 | 326-20-093 | RESCIND | 92-07-102 |
| 326-07-090 | NEW-P | 92-21-104 | 326-08-105 | NEW | 92-15-077 | 326-20-093 | REP-E | 92-07-102 |
| 326-07-100 | NEW-P | 92-21-104 | 326-08-110 | AMD-E | 92-07-001 | 326-20-093 | REP-P | 92-07-103 |
| 326-07-110 | NEW-P | 92-21-104 | 326-08-110 | AMD-P | 92-11-018 | 326-20-093 | REP | 92-11-007 |
| 326-07-120 | NEW-P | 92-21-104 | 326-08-110 | AMD-E | 92-11-019 | 326-20-094 | AMD-E | 92-07-001 |
| 326-07-130 | NEW-P | 92-21-104 | 326-08-110 | AMD | 92-15-077 | 326-20-094 | RESCIND | 92-07-102 |
| 326-07-140 | NEW-P | 92-21-104 | 326-08-120 | AMD-E | 92-07-001 | 326-20-094 | AMD-E | 92-07-102 |
| 326-07-150 | NEW-P | 92-21-104 | 326-08-120 | AMD-P | 92-11-018 | 326-20-094 | AMD-E | 92-07-102 |
| 326-08-010 | AMD-E | 92-07-001 | 326-08-120 | AMD-E | 92-11-019 | 326-20-094 | AMD-P | 92-07-103 |
| 326-08-010 | AMD-P | 92-11-018 | 326-08-120 | AMD | 92-15-077 | 326-20-094 | AMD | 92-11-007 |
| 326-08-010 | AMD-E | 92-11-019 | 326-08-130 | AMD-E | 92-07-001 | 326-20-094 | AMD-E | 92-07-001 |
| 326-08-010 | AMD | 92-15-077 | 326-08-130 | AMD-P | 92-11-018 | 326-20-095 | RESCIND | 92-07-102 |
| 326-08-015 | AMD-E | 92-07-001 | 326-08-130 | AMD-E | 92-11-019 | 326-20-095 | AMD-E | 92-07-102 |
| 326-08-015 | AMD-P | 92-11-018 | 326-08-130 | AMD | 92-15-077 | 326-20-095 | AMD-P | 92-07-103 |
| 326-08-015 | AMD-E | 92-11-019 | 326-08-140 | NEW-E | 92-07-001 | 326-20-095 | AMD | 92-11-007 |
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| 326-08-018 | NEW-E | 92-11-019 | 326-20-010 | AMD | 92-11-007 | 326-20-097 | REP-E | 92-07-102 |
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| | | | 326-20-020 | REP-E | 92-07-102 | 326-20-098 | AMD-E | 92-07-001 |
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| 326-20-110 | RESCIND | 92-07-102 | 326-20-200 | REP | 92-11-007 | 326-40-070 | NEW | 92-20-079 |
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| 326-20-110 | AMD-P | 92-07-103 | 326-20-220 | RESCIND | 92-07-102 | 326-40-075 | NEW | 92-20-079 |
| 326-20-110 | AMD | 92-11-007 | 326-20-220 | AMD-E | 92-07-102 | 326-40-080 | NEW-P | 92-09-151 |
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| 326-20-115 | RESCIND | 92-07-102 | 326-20-220 | AMD | 92-11-007 | 326-40-090 | NEW-P | 92-09-151 |
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| 326-20-120 | RESCIND | 92-07-102 | 326-30-020 | AMD-P | 92-09-151 | 332-08-125 | AMD-P | 92-15-137 |
| 326-20-120 | AMD-E | 92-07-102 | 326-30-020 | AMD | 92-20-079 | 332-08-125 | AMD | 92-20-058 |
| 326-20-120 | AMD-P | 92-07-103 | 326-30-030 | AMD-P | 92-09-151 | 332-08-315 | AMD-P | 92-15-137 |
| 326-20-120 | AMD | 92-11-007 | 326-30-030 | AMD | 92-20-079 | 332-08-315 | AMD | 92-20-058 |
| 326-20-130 | AMD-E | 92-07-001 | 326-30-030 | AMD | 92-20-124 | 332-08-405 | AMD-P | 92-15-137 |
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| 326-20-130 | AMD-E | 92-07-102 | 326-30-035 | REP | 92-20-079 | 332-08-515 | AMD-P | 92-15-137 |
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| 326-20-130 | AMD | 92-11-007 | 326-30-036 | REP | 92-20-079 | 332-08-545 | AMD-P | 92-15-137 |
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| 326-20-173 | AMD | 92-11-007 | 326-30-100 | REP | 92-20-079 | 332-24-217 | NEW | 92-14-096 |
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| 326-20-180 | RESCIND | 92-07-102 | 326-30-110 | AMD | 92-20-079 | 332-24-221 | AMD | 92-14-096 |
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| 365-80-120 | NEW | 92-15-047 | 365-200-030 | NEW | 92-06-005 | 388-14-020 | AMD | 92-13-026 |
| 365-80-130 | NEW-P | 92-09-146 | 365-200-040 | NEW | 92-06-005 | 388-14-200 | AMD-P | 92-08-001 |
| 365-80-130 | NEW-E | 92-09-147 | 365-200-050 | NEW | 92-06-005 | 388-14-200 | AMD | 92-13-026 |
| 365-80-130 | NEW | 92-15-047 | 365-200-060 | NEW | 92-06-005 | 388-14-203 | NEW-P | 92-08-001 |
| 365-80-140 | NEW-P | 92-09-146 | 365-200-070 | NEW | 92-06-005 | 388-14-203 | NEW | 92-13-026 |
| 365-80-140 | NEW-E | 92-09-147 | 374-50-010 | NEW-P | 92-06-060 | 388-14-205 | AMD-P | 92-08-001 |
| 365-80-140 | NEW | 92-15-047 | 374-50-010 | NEW | 92-09-091 | 388-14-205 | AMD | 92-13-026 |
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| 365-80-150 | NEW-E | 92-09-147 | 374-50-020 | NEW | 92-09-091 | 388-14-270 | AMD | 92-13-026 |
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| 365-80-160 | NEW-P | 92-09-146 | 374-50-030 | NEW | 92-09-091 | 388-14-273 | NEW | 92-13-026 |
| 365-80-160 | NEW-E | 92-09-147 | 374-50-040 | NEW-P | 92-06-060 | 388-14-275 | AMD-P | 92-08-001 |
| 365-80-160 | NEW | 92-15-047 | 374-50-040 | NEW | 92-09-091 | 388-14-275 | AMD | 92-13-026 |
| 365-80-170 | NEW-P | 92-09-146 | 374-50-050 | NEW-P | 92-06-060 | 388-14-300 | AMD-P | 92-08-001 |
| 365-80-170 | NEW-E | 92-09-147 | 374-50-050 | NEW | 92-09-091 | 388-14-300 | AMD | 92-13-026 |
| 365-80-170 | NEW | 92-15-047 | 374-50-060 | NEW-P | 92-06-060 | 388-14-310 | AMD-P | 92-08-001 |
| 365-80-180 | NEW-P | 92-09-146 | 374-50-060 | NEW | 92-09-091 | 388-14-310 | AMD | 92-13-026 |
| 365-80-180 | NEW-E | 92-09-147 | 374-50-070 | NEW-P | 92-06-060 | 388-14-415 | AMD-P | 92-08-001 |
| 365-80-180 | NEW | 92-15-047 | 374-50-070 | NEW | 92-09-091 | 388-14-415 | AMD | 92-13-026 |
| 365-80-190 | NEW-P | 92-09-146 | 374-50-080 | NEW-P | 92-06-060 | 388-14-425 | AMD-P | 92-08-001 |
| 365-80-190 | NEW-E | 92-09-147 | 374-50-080 | NEW | 92-09-091 | 388-14-425 | AMD | 92-13-026 |
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| 365-180-060 | AMD | 92-03-019 | 383-07-030 | AMD | 92-09-048 | 388-14-480 | NEW | 92-13-026 |
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| 365-195-050 | NEW-P | 92-18-097 | 383-07-060 | AMD-P | 92-04-077 | 388-15-610 | AMD | 92-20-013 |
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| 388-151-410 | NEW-P | 92-18-019 | 392-105-050 | NEW-P | 92-06-052 | 392-139-674 | REP-P | 92-15-002 |
| 388-151-420 | NEW-P | 92-18-019 | 392-105-050 | NEW | 92-10-016 | 392-139-674 | REP | 92-19-124 |
| 388-151-430 | NEW-P | 92-18-019 | 392-105-055 | NEW-P | 92-06-052 | 392-139-675 | AMD-P | 92-15-002 |
| 388-151-440 | NEW-P | 92-18-019 | 392-105-055 | NEW | 92-10-016 | 392-139-675 | AMD | 92-19-124 |
| 388-151-450 | NEW-P | 92-18-019 | 392-105-060 | NEW-P | 92-06-052 | 392-139-676 | NEW-P | 92-15-002 |
| 388-151-460 | NEW-P | 92-18-019 | 392-105-060 | NEW | 92-10-016 | 392-139-676 | NEW | 92-19-124 |
| 388-151-470 | NEW-P | 92-18-019 | 392-121-011 | NEW-P | 92-19-133 | 392-140-067 | NEW | 92-03-023 |
| 388-151-480 | NEW-P | 92-18-019 | 392-121-021 | AMD-P | 92-19-133 | 392-140-068 | NEW | 92-03-023 |
| 388-151-490 | NEW-P | 92-18-019 | 392-121-210 | AMD-P | 92-19-133 | 392-140-069 | NEW | 92-03-023 |
| 388-151-500 | NEW-P | 92-18-019 | 392-121-266 | NEW-P | 92-19-133 | 392-140-070 | NEW | 92-03-023 |
| 388-320-100 | AMD-P | 92-17-032 | 392-121-268 | REP-P | 92-19-133 | 392-140-071 | NEW | 92-03-023 |
| 388-320-100 | AMD | 92-20-005 | 392-121-269 | REP-P | 92-19-133 | 392-140-072 | NEW | 92-03-023 |
| 388-320-110 | REP-W | 92-09-038 | 392-121-270 | AMD-P | 92-19-133 | 392-140-075 | REP | 92-03-023 |
| 388-320-132 | NEW-P | 92-17-032 | 392-121-272 | AMD-P | 92-19-133 | 392-140-076 | REP | 92-03-023 |
| 388-320-132 | NEW | 92-20-005 | 392-121-280 | AMD-P | 92-19-133 | 392-140-077 | REP | 92-03-023 |
| 388-320-135 | REP-W | 92-09-038 | 392-121-295 | AMD-P | 92-19-133 | 392-140-078 | REP | 92-03-023 |
| 388-320-220 | AMD-P | 92-17-032 | 392-121-400 | AMD-P | 92-19-133 | 392-140-079 | REP | 92-03-023 |
| 388-320-220 | AMD | 92-20-005 | 392-121-405 | REP-P | 92-19-133 | 392-140-080 | REP | 92-03-023 |
| 388-330-030 | AMD-P | 92-02-101 | 392-122-201 | NEW | 92-03-045 | 392-140-081 | REP | 92-03-023 |
| 388-330-030 | AMD-E | 92-03-148 | 392-122-202 | NEW | 92-03-045 | 392-140-082 | REP | 92-03-023 |
| 388-330-030 | AMD-C | 92-04-022 | 392-122-205 | AMD | 92-03-045 | 392-140-083 | REP | 92-03-023 |
| 388-330-030 | AMD | 92-08-038 | 392-122-206 | AMD | 92-03-045 | 392-140-160 | REP | 92-03-023 |
| 390-05-215 | NEW | 92-05-081 | 392-122-207 | NEW | 92-03-045 | 392-140-161 | REP | 92-03-023 |
| 390-05-300 | AMD | 92-05-080 | 392-122-210 | AMD | 92-03-045 | 392-140-162 | REP | 92-03-023 |
| 390-05-305 | AMD | 92-05-080 | 392-122-211 | NEW | 92-03-045 | 392-140-163 | REP | 92-03-023 |
| 390-12-040 | AMD-W | 92-03-005 | 392-122-212 | NEW | 92-03-045 | 392-140-165 | REP | 92-03-023 |
| 390-14-055 | AMD-P | 92-20-112 | 392-122-213 | NEW | 92-03-045 | 392-140-166 | REP | 92-03-023 |
| 390-16-011 | AMD-P | 92-12-084 | 392-122-214 | NEW | 92-03-045 | 392-140-167 | REP | 92-03-023 |
| 390-16-011 | AMD | 92-18-002 | 392-122-214 | NEW | 92-03-045 | 392-140-167 | REP | 92-03-023 |
| 390-16-012 | AMD-P | 92-12-084 | 392-122-220 | NEW | 92-03-045 | 392-140-168 | REP | 92-03-023 |
| 390-16-012 | AMD | 92-18-002 | 392-122-221 | NEW | 92-03-045 | 392-140-169 | REP | 92-03-023 |
| 390-16-032 | AMD-P | 92-15-116 | 392-122-225 | NEW | 92-03-045 | 392-140-170 | REP | 92-03-023 |
| 390-16-032 | AMD | 92-19-011 | 392-122-230 | AMD | 92-03-045 | 392-140-171 | REP | 92-03-023 |
| 390-16-041 | AMD | 92-05-080 | 392-122-255 | AMD | 92-03-045 | 392-140-172 | REP | 92-03-023 |
| 390-16-041 | AMD-P | 92-12-084 | 392-122-255 | AMD-P | 92-15-094 | 392-140-173 | REP | 92-03-023 |
| 390-16-041 | AMD | 92-18-002 | 392-122-255 | AMD | 92-19-125 | 392-140-174 | REP | 92-03-023 |
| 390-16-125 | AMD | 92-05-079 | 392-122-260 | AMD | 92-03-045 | 392-140-197 | AMD | 92-03-023 |
| 390-16-125 | AMD-P | 92-12-084 | 392-122-265 | AMD | 92-03-138 | 392-140-198 | AMD | 92-03-023 |
| | | | 392-122-270 | AMD | 92-03-045 | 392-140-199 | AMD | 92-03-023 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|-------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 392-163-415 | AMD-P | 92-10-062 | 392-163-605 | NEW | 92-21-025 | 392-175-001 | NEW-P | 92-06-053 |
| 392-163-415 | AMD | 92-21-025 | 392-163-610 | NEW-P | 92-10-062 | 392-175-001 | NEW | 92-15-071 |
| 392-163-420 | AMD-P | 92-10-062 | 392-163-610 | NEW | 92-21-025 | 392-175-005 | NEW-P | 92-06-053 |
| 392-163-420 | AMD | 92-21-025 | 392-163-615 | NEW-P | 92-10-062 | 392-175-005 | NEW | 92-15-071 |
| 392-163-425 | AMD-P | 92-10-062 | 392-163-615 | NEW | 92-21-025 | 392-175-010 | NEW-P | 92-06-053 |
| 392-163-425 | AMD | 92-21-025 | 392-163-620 | NEW-P | 92-10-062 | 392-175-010 | NEW | 92-15-071 |
| 392-163-440 | AMD-P | 92-10-062 | 392-163-620 | NEW | 92-21-025 | 392-175-015 | NEW-P | 92-06-053 |
| 392-163-440 | AMD | 92-21-025 | 392-163-625 | NEW-P | 92-10-062 | 392-175-015 | NEW | 92-15-071 |
| 392-163-445 | AMD-P | 92-10-062 | 392-163-625 | NEW | 92-21-025 | 392-175-020 | NEW-P | 92-06-053 |
| 392-163-445 | AMD | 92-21-025 | 392-163-630 | NEW-P | 92-10-062 | 392-175-020 | NEW-W | 92-19-084 |
| 392-163-450 | AMD-P | 92-10-062 | 392-163-630 | NEW | 92-21-025 | 392-175-025 | NEW-P | 92-06-053 |
| 392-163-450 | AMD | 92-21-025 | 392-163-635 | NEW-P | 92-10-062 | 392-175-025 | NEW | 92-15-071 |
| 392-163-455 | AMD-P | 92-10-062 | 392-163-635 | NEW | 92-21-025 | 392-196-005 | AMD | 92-05-068 |
| 392-163-455 | AMD | 92-21-025 | 392-163-640 | NEW-P | 92-10-062 | 392-196-045 | AMD | 92-05-068 |
| 392-163-460 | AMD-P | 92-10-062 | 392-163-640 | NEW | 92-21-025 | 392-196-080 | AMD | 92-05-068 |
| 392-163-460 | AMD | 92-21-025 | 392-163-645 | NEW-P | 92-10-062 | 392-196-085 | AMD | 92-05-068 |
| 392-163-465 | AMD-P | 92-10-062 | 392-163-645 | NEW | 92-21-025 | 392-196-090 | REP | 92-05-068 |
| 392-163-465 | AMD | 92-21-025 | 392-165-105 | AMD-P | 92-11-028 | 392-196-100 | AMD | 92-05-068 |
| 392-163-470 | NEW-P | 92-10-062 | 392-165-105 | AMD | 92-18-067 | 392-202-110 | AMD-W | 92-03-063 |
| 392-163-470 | NEW | 92-21-025 | 392-165-115 | AMD-P | 92-11-028 | 392-202-115 | AMD-W | 92-03-063 |
| 392-163-475 | NEW-P | 92-10-062 | 392-165-115 | AMD | 92-18-067 | 392-202-120 | AMD-W | 92-03-063 |
| 392-163-475 | NEW | 92-21-025 | 392-165-120 | AMD-P | 92-11-028 | 399-30-030 | AMD | 92-03-052 |
| 392-163-480 | NEW-P | 92-10-062 | 392-165-120 | AMD | 92-18-067 | 399-30-040 | AMD | 92-03-052 |
| 392-163-480 | NEW | 92-21-025 | 392-165-130 | AMD-P | 92-11-028 | 399-30-042 | AMD | 92-03-052 |
| 392-163-485 | NEW-P | 92-10-062 | 392-165-130 | AMD | 92-18-067 | 399-30-045 | AMD | 92-03-052 |
| 392-163-485 | NEW | 92-21-025 | 392-165-170 | AMD-P | 92-11-028 | 399-30-050 | AMD | 92-03-052 |
| 392-163-490 | NEW-P | 92-10-062 | 392-165-170 | AMD | 92-18-067 | 399-30-060 | AMD | 92-03-052 |
| 392-163-490 | NEW | 92-21-025 | 392-165-240 | REP-P | 92-11-028 | 399-30-065 | AMD | 92-03-052 |
| 392-163-495 | NEW-P | 92-10-062 | 392-165-240 | REP | 92-18-067 | 399-40-020 | AMD | 92-03-051 |
| 392-163-495 | NEW | 92-21-025 | 392-165-260 | AMD-P | 92-11-028 | 415-108-670 | NEW-E | 92-11-027 |
| 392-163-500 | AMD-P | 92-10-062 | 392-165-260 | AMD | 92-18-067 | 415-112-560 | NEW-E | 92-11-027 |
| 392-163-500 | AMD | 92-21-025 | 392-165-304 | AMD-P | 92-11-028 | 415-115-080 | AMD-E | 92-11-027 |
| 392-163-505 | NEW-P | 92-10-062 | 392-165-304 | AMD | 92-18-067 | 415-115-080 | AMD-P | 92-12-048 |
| 392-163-505 | NEW | 92-21-025 | 392-165-310 | AMD-P | 92-11-028 | 415-115-080 | AMD | 92-16-032 |
| 392-163-510 | NEW-P | 92-10-062 | 392-165-310 | AMD | 92-18-067 | 415-115-110 | REP-E | 92-11-027 |
| 392-163-510 | NEW | 92-21-025 | 392-165-320 | AMD-P | 92-11-028 | 415-115-110 | REP-P | 92-12-048 |
| 392-163-515 | NEW-P | 92-10-062 | 392-165-320 | AMD | 92-18-067 | 415-115-110 | REP | 92-16-032 |
| 392-163-515 | NEW | 92-21-025 | 392-165-322 | AMD-P | 92-11-028 | 419-80-010 | NEW-P | 92-21-075 |
| 392-163-520 | NEW-P | 92-10-062 | 392-165-322 | AMD | 92-18-067 | 419-80-020 | NEW-P | 92-21-075 |
| 392-163-520 | NEW | 92-21-025 | 392-165-325 | AMD-P | 92-11-028 | 419-80-030 | NEW-P | 92-21-075 |
| 392-163-525 | NEW-P | 92-10-062 | 392-165-325 | AMD | 92-18-067 | 419-80-040 | NEW-P | 92-21-075 |
| 392-163-525 | NEW | 92-21-025 | 392-165-327 | REP-P | 92-11-028 | 419-80-050 | NEW-P | 92-21-075 |
| 392-163-530 | NEW-P | 92-10-062 | 392-165-327 | REP | 92-18-067 | 419-80-060 | NEW-P | 92-21-075 |
| 392-163-530 | NEW | 92-21-025 | 392-165-330 | AMD-P | 92-11-028 | 419-80-070 | NEW-P | 92-21-075 |
| 392-163-535 | NEW-P | 92-10-062 | 392-165-330 | AMD | 92-18-067 | 434-08-060 | NEW-P | 92-15-141 |
| 392-163-535 | NEW | 92-21-025 | 392-165-332 | REP-P | 92-11-028 | 434-08-060 | NEW | 92-18-087 |
| 392-163-540 | NEW-P | 92-10-062 | 392-165-332 | REP | 92-18-067 | 434-08-070 | NEW-P | 92-15-141 |
| 392-163-540 | NEW | 92-21-025 | 392-165-340 | AMD-P | 92-11-028 | 434-08-070 | NEW | 92-18-087 |
| 392-163-545 | NEW-P | 92-10-062 | 392-165-340 | AMD | 92-18-067 | 434-08-080 | NEW-P | 92-15-141 |
| 392-163-545 | NEW | 92-21-025 | 392-165-342 | REP-P | 92-11-028 | 434-08-080 | NEW | 92-18-087 |
| 392-163-550 | NEW-P | 92-10-062 | 392-165-342 | REP | 92-18-067 | 434-08-090 | NEW-P | 92-15-141 |
| 392-163-550 | NEW | 92-21-025 | 392-165-345 | AMD-P | 92-11-028 | 434-08-090 | NEW | 92-18-087 |
| 392-163-555 | NEW-P | 92-10-062 | 392-165-345 | AMD | 92-18-067 | 434-28-012 | AMD-S | 92-09-112 |
| 392-163-555 | NEW | 92-21-025 | 392-165-347 | NEW-P | 92-11-028 | 434-28-012 | AMD | 92-12-083 |
| 392-163-560 | NEW-P | 92-10-062 | 392-165-347 | NEW | 92-18-067 | 434-28-020 | AMD-S | 92-09-112 |
| 392-163-560 | NEW | 92-21-025 | 392-165-360 | AMD-P | 92-11-028 | 434-28-020 | AMD | 92-12-083 |
| 392-163-565 | NEW-P | 92-10-062 | 392-165-360 | AMD | 92-18-067 | 434-28-050 | NEW-S | 92-09-112 |
| 392-163-565 | NEW | 92-21-025 | 392-165-362 | NEW-P | 92-11-028 | 434-28-050 | NEW | 92-12-083 |
| 392-163-570 | NEW-P | 92-10-062 | 392-165-362 | NEW | 92-18-067 | 434-28-060 | NEW-S | 92-09-112 |
| 392-163-570 | NEW | 92-21-025 | 392-165-415 | NEW-P | 92-11-028 | 434-28-060 | NEW | 92-12-083 |
| 392-163-575 | NEW-P | 92-10-062 | 392-165-415 | NEW | 92-18-067 | 434-30-010 | NEW | 92-10-038 |
| 392-163-575 | NEW | 92-21-025 | 392-165-420 | NEW-P | 92-11-028 | 434-30-020 | NEW | 92-10-038 |
| 392-163-580 | NEW-P | 92-10-062 | 392-165-420 | NEW | 92-18-067 | 434-30-030 | NEW | 92-10-038 |
| 392-163-580 | NEW | 92-21-025 | 392-165-425 | AMD-P | 92-11-028 | 434-30-040 | NEW | 92-10-038 |
| 392-163-585 | NEW-P | 92-10-062 | 392-165-425 | AMD | 92-18-067 | 434-30-050 | NEW | 92-10-038 |
| 392-163-585 | NEW | 92-21-025 | 392-165-430 | AMD-P | 92-11-028 | 434-30-060 | NEW | 92-10-038 |
| 392-163-590 | NEW-P | 92-10-062 | 392-165-430 | AMD | 92-18-067 | 434-30-070 | NEW | 92-10-038 |
| 392-163-590 | NEW | 92-21-025 | 392-165-460 | AMD-P | 92-11-028 | 434-30-080 | NEW | 92-10-038 |
| 392-163-595 | NEW-P | 92-10-062 | 392-165-460 | AMD | 92-18-067 | 434-30-090 | NEW | 92-10-038 |
| 392-163-595 | NEW | 92-21-025 | 392-165-500 | AMD-P | 92-11-028 | 434-30-100 | NEW | 92-10-038 |
| 392-163-600 | NEW-P | 92-10-062 | 392-165-500 | AMD | 92-18-067 | 434-30-110 | NEW | 92-10-038 |
| 392-163-600 | NEW | 92-21-025 | 392-165-510 | NEW-P | 92-11-028 | 434-30-120 | NEW | 92-10-038 |
| 392-163-605 | NEW-P | 92-10-062 | 392-165-510 | NEW | 92-18-067 | 434-30-130 | NEW | 92-10-038 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 434-30-140 | NEW | 92-10-038 | 434-53-100 | NEW-S | 92-09-112 | 434-166-020 | NEW-E | 92-02-103 |
| 434-30-150 | NEW | 92-10-038 | 434-53-100 | NEW | 92-12-083 | 434-166-020 | NEW-P | 92-02-104 |
| 434-30-160 | NEW | 92-10-038 | 434-53-110 | NEW-S | 92-09-112 | 434-166-020 | NEW | 92-10-023 |
| 434-30-170 | NEW | 92-10-038 | 434-53-110 | NEW | 92-12-083 | 434-166-030 | NEW-E | 92-02-103 |
| 434-30-180 | NEW | 92-10-038 | 434-53-120 | NEW-S | 92-09-112 | 434-166-030 | NEW-P | 92-02-104 |
| 434-30-190 | NEW | 92-10-038 | 434-53-120 | NEW | 92-12-083 | 434-166-030 | NEW | 92-10-023 |
| 434-30-200 | NEW | 92-10-038 | 434-53-130 | NEW-S | 92-09-112 | 434-166-040 | NEW-E | 92-02-103 |
| 434-30-210 | NEW | 92-10-038 | 434-53-130 | NEW | 92-12-083 | 434-166-040 | NEW-P | 92-02-104 |
| 434-30-220 | NEW | 92-10-038 | 434-53-140 | NEW-S | 92-09-112 | 434-166-040 | NEW | 92-10-023 |
| 434-34-010 | NEW-S | 92-09-112 | 434-53-140 | NEW | 92-12-083 | 434-166-050 | NEW-E | 92-02-103 |
| 434-34-010 | NEW | 92-12-083 | 434-53-150 | NEW-S | 92-09-112 | 434-166-050 | NEW-P | 92-02-104 |
| 434-34-015 | NEW-S | 92-09-112 | 434-53-150 | NEW | 92-12-083 | 434-166-050 | NEW | 92-10-023 |
| 434-34-015 | NEW | 92-12-083 | 434-53-160 | NEW-S | 92-09-112 | 434-166-060 | NEW-E | 92-02-103 |
| 434-34-020 | NEW-S | 92-09-112 | 434-53-160 | NEW | 92-12-083 | 434-166-060 | NEW-P | 92-02-104 |
| 434-34-020 | NEW | 92-12-083 | 434-53-170 | NEW-S | 92-09-112 | 434-166-060 | NEW | 92-10-023 |
| 434-34-025 | NEW-S | 92-09-112 | 434-53-170 | NEW | 92-12-083 | 434-166-070 | NEW-E | 92-02-103 |
| 434-34-025 | NEW | 92-12-083 | 434-53-180 | NEW-S | 92-09-112 | 434-166-070 | NEW-P | 92-02-104 |
| 434-34-030 | NEW-S | 92-09-112 | 434-53-180 | NEW | 92-12-083 | 434-166-070 | NEW | 92-10-023 |
| 434-34-030 | NEW | 92-12-083 | 434-53-190 | NEW-S | 92-09-112 | 434-166-080 | NEW-E | 92-02-103 |
| 434-34-035 | NEW-S | 92-09-112 | 434-53-190 | NEW | 92-12-083 | 434-166-080 | NEW-P | 92-02-104 |
| 434-34-035 | NEW | 92-12-083 | 434-53-200 | NEW-S | 92-09-112 | 434-166-080 | NEW | 92-10-023 |
| 434-34-040 | NEW-S | 92-09-112 | 434-53-200 | NEW | 92-12-083 | 434-166-090 | NEW-E | 92-02-103 |
| 434-34-040 | NEW | 92-12-083 | 434-53-210 | NEW-S | 92-09-112 | 434-166-090 | NEW-P | 92-02-104 |
| 434-34-045 | NEW-S | 92-09-112 | 434-53-210 | NEW | 92-12-083 | 434-166-090 | NEW | 92-10-023 |
| 434-34-045 | NEW | 92-12-083 | 434-53-220 | NEW-S | 92-09-112 | 434-166-100 | NEW-E | 92-02-103 |
| 434-34-050 | NEW-S | 92-09-112 | 434-53-220 | NEW | 92-12-083 | 434-166-100 | NEW-P | 92-02-104 |
| 434-34-050 | NEW | 92-12-083 | 434-53-230 | NEW-S | 92-09-112 | 434-166-100 | NEW | 92-10-023 |
| 434-34-055 | NEW-S | 92-09-112 | 434-53-230 | NEW | 92-12-083 | 434-166-110 | NEW-E | 92-02-103 |
| 434-34-055 | NEW | 92-12-083 | 434-53-240 | NEW-S | 92-09-112 | 434-166-110 | NEW-P | 92-02-104 |
| 434-34-060 | NEW-S | 92-09-112 | 434-53-240 | NEW | 92-12-083 | 434-166-110 | NEW | 92-10-023 |
| 434-34-060 | NEW | 92-12-083 | 434-53-250 | NEW-S | 92-09-112 | 434-166-120 | NEW-E | 92-02-103 |
| 434-34-065 | NEW-S | 92-09-112 | 434-53-250 | NEW | 92-12-083 | 434-166-120 | NEW-P | 92-02-104 |
| 434-34-065 | NEW | 92-12-083 | 434-53-260 | NEW-S | 92-09-112 | 434-166-120 | NEW | 92-10-023 |
| 434-34-070 | NEW-S | 92-09-112 | 434-53-260 | NEW | 92-12-083 | 434-166-130 | NEW-E | 92-02-103 |
| 434-34-070 | NEW | 92-12-083 | 434-53-270 | NEW-S | 92-09-112 | 434-166-130 | NEW-P | 92-02-104 |
| 434-34-075 | NEW-S | 92-09-112 | 434-53-270 | NEW | 92-12-083 | 434-166-130 | NEW | 92-10-023 |
| 434-34-075 | NEW | 92-12-083 | 434-53-280 | NEW-S | 92-09-112 | 434-166-140 | NEW-E | 92-02-103 |
| 434-34-080 | NEW-S | 92-09-112 | 434-53-280 | NEW | 92-12-083 | 434-166-140 | NEW-P | 92-02-104 |
| 434-34-080 | NEW | 92-12-083 | 434-53-290 | NEW-S | 92-09-112 | 434-166-140 | NEW | 92-10-023 |
| 434-34-085 | NEW-S | 92-09-112 | 434-53-290 | NEW | 92-12-083 | 434-166-150 | NEW-E | 92-02-103 |
| 434-34-085 | NEW | 92-12-083 | 434-53-300 | NEW-S | 92-09-112 | 434-166-150 | NEW-P | 92-02-104 |
| 434-34-090 | NEW-S | 92-09-112 | 434-53-300 | NEW | 92-12-083 | 434-166-150 | NEW | 92-10-023 |
| 434-34-090 | NEW | 92-12-083 | 434-53-310 | NEW-S | 92-09-112 | 434-166-160 | NEW-E | 92-02-103 |
| 434-34-095 | NEW-S | 92-09-112 | 434-53-310 | NEW | 92-12-083 | 434-166-160 | NEW-P | 92-02-104 |
| 434-34-095 | NEW | 92-12-083 | 434-53-320 | NEW-S | 92-09-112 | 434-166-160 | NEW | 92-10-023 |
| 434-34-100 | NEW-S | 92-09-112 | 434-53-320 | NEW | 92-12-083 | 434-166-170 | NEW-E | 92-02-103 |
| 434-34-100 | NEW | 92-12-083 | 434-53-330 | NEW-W | 92-12-076 | 434-166-170 | NEW-P | 92-02-104 |
| 434-34-105 | NEW-S | 92-09-112 | 434-53-340 | NEW-W | 92-12-076 | 434-166-170 | NEW | 92-10-023 |
| 434-34-105 | NEW | 92-12-083 | 434-61-010 | NEW | 92-10-038 | 434-166-180 | NEW-E | 92-02-103 |
| 434-34-110 | NEW-S | 92-09-112 | 434-61-020 | NEW | 92-10-038 | 434-166-180 | NEW-P | 92-02-104 |
| 434-34-110 | NEW | 92-12-083 | 434-61-030 | NEW | 92-10-038 | 434-166-180 | NEW | 92-10-023 |
| 434-34-115 | NEW-S | 92-09-112 | 434-61-040 | NEW | 92-10-038 | 434-166-190 | NEW-E | 92-02-103 |
| 434-34-115 | NEW | 92-12-083 | 434-61-050 | NEW | 92-10-038 | 434-166-190 | NEW-P | 92-02-104 |
| 434-40-025 | NEW-P | 92-15-140 | 434-61-060 | NEW | 92-10-038 | 434-166-190 | NEW | 92-10-023 |
| 434-40-025 | NEW | 92-18-093 | 434-62-150 | NEW-S | 92-09-112 | 434-166-200 | NEW-E | 92-02-103 |
| 434-53-010 | NEW-S | 92-09-112 | 434-62-150 | NEW | 92-12-083 | 434-166-200 | NEW-P | 92-02-104 |
| 434-53-010 | NEW | 92-12-083 | 434-62-160 | NEW-S | 92-09-112 | 434-166-200 | NEW | 92-10-023 |
| 434-53-020 | NEW-S | 92-09-112 | 434-62-160 | NEW | 92-12-083 | 434-166-210 | NEW-E | 92-02-103 |
| 434-53-020 | NEW | 92-12-083 | 434-62-170 | NEW-S | 92-09-112 | 434-166-210 | NEW-P | 92-02-104 |
| 434-53-030 | NEW-S | 92-09-112 | 434-62-170 | NEW | 92-12-083 | 434-166-210 | NEW | 92-10-023 |
| 434-53-030 | NEW | 92-12-083 | 434-62-180 | NEW-S | 92-09-112 | 434-166-220 | NEW-E | 92-02-103 |
| 434-53-040 | NEW-S | 92-09-112 | 434-62-180 | NEW | 92-12-083 | 434-166-220 | NEW-P | 92-02-104 |
| 434-53-040 | NEW | 92-12-083 | 434-62-190 | NEW-S | 92-09-112 | 434-166-220 | NEW | 92-10-023 |
| 434-53-050 | NEW-S | 92-09-112 | 434-62-190 | NEW | 92-12-083 | 434-166-230 | NEW-E | 92-02-103 |
| 434-53-050 | NEW | 92-12-083 | 434-62-200 | NEW-S | 92-09-112 | 434-166-230 | NEW-P | 92-02-104 |
| 434-53-060 | NEW-S | 92-09-112 | 434-62-200 | NEW | 92-12-083 | 434-166-230 | NEW | 92-10-023 |
| 434-53-060 | NEW | 92-12-083 | 434-75-240 | AMD-P | 92-05-023 | 434-166-240 | NEW-E | 92-02-103 |
| 434-53-070 | NEW-S | 92-09-112 | 434-75-240 | AMD | 92-08-032 | 434-166-240 | NEW-P | 92-02-104 |
| 434-53-070 | NEW | 92-12-083 | 434-75-250 | AMD-P | 92-05-023 | 434-166-240 | NEW | 92-10-023 |
| 434-53-080 | NEW-S | 92-09-112 | 434-75-250 | AMD | 92-08-032 | 434-166-250 | NEW-E | 92-02-103 |
| 434-53-080 | NEW | 92-12-083 | 434-166-010 | NEW-E | 92-02-103 | 434-166-250 | NEW-P | 92-02-104 |
| 434-53-090 | NEW-S | 92-09-112 | 434-166-010 | NEW-P | 92-02-104 | 434-166-250 | NEW | 92-10-023 |
| 434-53-090 | NEW | 92-12-083 | 434-166-010 | NEW | 92-10-023 | 434-166-260 | NEW-E | 92-02-103 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 434-166-260 | NEW-P | 92-02-104 | 434-635-030 | NEW-P | 92-09-018 | 458-18-020 | AMD | 92-15-057 |
| 434-166-260 | NEW | 92-10-023 | 434-635-030 | NEW | 92-18-048 | 458-18-215 | PREP | 92-19-029 |
| 434-166-270 | NEW-E | 92-02-103 | 434-635-040 | NEW-P | 92-09-018 | 458-18-220 | AMD-P | 92-14-086 |
| 434-166-270 | NEW-P | 92-02-104 | 434-635-040 | NEW | 92-18-048 | 458-18-220 | AMD | 92-17-027 |
| 434-166-270 | NEW | 92-10-023 | 434-635-050 | NEW-P | 92-09-018 | 458-20-105 | AMD-P | 92-03-066 |
| 434-166-280 | NEW-E | 92-02-103 | 434-635-050 | NEW | 92-18-048 | 458-20-105 | AMD | 92-06-082 |
| 434-166-280 | NEW-P | 92-02-104 | 434-635-060 | NEW-P | 92-09-018 | 458-20-119 | PREP | 92-19-030 |
| 434-166-280 | NEW | 92-10-023 | 434-635-060 | NEW | 92-18-048 | 458-20-121 | REP-P | 92-19-036 |
| 434-166-290 | NEW-E | 92-02-103 | 434-640-010 | NEW | 92-05-060 | 458-20-123 | REP-P | 92-19-036 |
| 434-166-290 | NEW-P | 92-02-104 | 434-640-020 | NEW | 92-05-060 | 458-20-124 | PREP | 92-19-030 |
| 434-166-290 | NEW | 92-10-023 | 434-640-030 | NEW | 92-05-060 | 458-20-132 | AMD | 92-05-066 |
| 434-166-300 | NEW-E | 92-02-103 | 434-677-010 | NEW-P | 92-04-026 | 458-20-147 | REP-P | 92-19-036 |
| 434-166-300 | NEW-P | 92-02-104 | 434-677-010 | NEW | 92-08-020 | 458-20-152 | REP-P | 92-19-036 |
| 434-166-300 | NEW | 92-10-023 | 434-677-020 | NEW-P | 92-04-026 | 458-20-164 | AMD-P | 92-03-067 |
| 434-166-310 | NEW-E | 92-02-103 | 434-677-020 | NEW | 92-08-020 | 458-20-164 | AMD-C | 92-15-147A |
| 434-166-310 | NEW-P | 92-02-104 | 434-677-030 | NEW-P | 92-04-026 | 458-20-164 | AMD | 92-19-004 |
| 434-166-310 | NEW | 92-10-023 | 434-677-030 | NEW | 92-08-020 | 458-20-166 | AMD | 92-05-064 |
| 434-166-320 | NEW-E | 92-02-103 | 434-677-040 | NEW-P | 92-04-026 | 458-20-17901 | PREP | 92-15-044 |
| 434-166-320 | NEW-P | 92-02-104 | 434-677-040 | NEW | 92-08-020 | 458-20-18601 | NEW-P | 92-03-065 |
| 434-166-320 | NEW | 92-10-023 | 434-677-050 | NEW-P | 92-04-026 | 458-20-18601 | NEW | 92-06-081 |
| 434-166-330 | NEW-E | 92-02-103 | 434-677-050 | NEW | 92-08-020 | 458-20-18801 | AMD | 92-05-065 |
| 434-166-330 | NEW-P | 92-02-104 | 434-677-060 | NEW-P | 92-04-026 | 458-20-199 | AMD | 92-03-026 |
| 434-166-330 | NEW | 92-10-023 | 434-677-060 | NEW | 92-08-020 | 458-20-215 | REP-P | 92-19-036 |
| 434-166-340 | NEW-E | 92-02-103 | 434-677-070 | NEW-P | 92-04-026 | 458-20-219 | REP-P | 92-19-036 |
| 434-166-340 | NEW-P | 92-02-104 | 434-677-070 | NEW | 92-08-020 | 458-20-220 | REP-P | 92-19-036 |
| 434-166-340 | NEW | 92-10-023 | 434-677-080 | NEW-P | 92-04-026 | 458-20-228 | AMD | 92-03-025 |
| 434-166-350 | NEW-E | 92-02-103 | 434-677-080 | NEW | 92-08-020 | 458-20-229 | AMD-P | 92-05-017 |
| 434-166-350 | NEW-P | 92-02-104 | 446-16 | PREP | 92-13-012A | 458-20-229 | AMD-C | 92-17-029 |
| 434-166-350 | NEW | 92-10-023 | 446-16-025 | AMD-P | 92-11-051 | 458-20-230 | PREP | 92-15-045 |
| 434-166-360 | NEW-E | 92-02-103 | 446-16-025 | AMD | 92-15-014 | 458-20-260 | NEW-E | 92-04-015 |
| 434-166-360 | NEW-P | 92-02-104 | 446-16-030 | AMD-P | 92-11-051 | 458-20-260 | PREP | 92-05-052 |
| 434-166-360 | NEW-W | 92-15-070 | 446-16-030 | AMD | 92-15-014 | 458-20-260 | NEW-P | 92-07-092 |
| 434-600-010 | NEW-P | 92-21-085 | 446-16-080 | AMD-P | 92-11-051 | 458-20-260 | NEW | 92-10-006 |
| 434-610-010 | NEW-P | 92-21-085 | 446-16-080 | AMD | 92-15-014 | 458-20-260 | PREP | 92-20-110 |
| 434-610-020 | NEW-P | 92-21-085 | 446-16-090 | AMD-P | 92-11-051 | 458-20-260 | AMD-P | 92-21-102 |
| 434-610-025 | NEW-P | 92-21-085 | 446-16-090 | AMD | 92-15-014 | 458-30-262 | AMD | 92-03-068 |
| 434-610-030 | NEW-P | 92-21-085 | 446-20-285 | AMD-P | 92-11-052 | 458-30-590 | AMD-P | 92-18-076 |
| 434-610-040 | NEW-P | 92-21-085 | 446-20-285 | AMD | 92-15-015 | 458-40-540 | PREP | 92-21-086 |
| 434-610-050 | NEW-P | 92-21-085 | 446-20-290 | AMD-P | 92-11-052 | 458-40-615 | NEW-E | 92-08-018 |
| 434-610-060 | NEW-P | 92-21-085 | 446-20-290 | AMD | 92-15-015 | 458-40-615 | PREP | 92-10-060 |
| 434-610-070 | NEW-P | 92-21-085 | 446-20-300 | AMD-P | 92-11-052 | 458-40-615 | NEW-E | 92-14-111 |
| 434-610-080 | NEW-P | 92-21-085 | 446-20-300 | AMD | 92-15-015 | 458-40-615 | NEW-P | 92-14-112 |
| 434-610-090 | NEW-P | 92-21-085 | 446-20-420 | AMD-P | 92-11-052 | 458-40-615 | NEW | 92-18-030 |
| 434-610-100 | NEW-P | 92-21-085 | 446-20-420 | AMD | 92-15-015 | 458-40-650 | AMD-E | 92-06-040 |
| 434-610-110 | NEW-P | 92-21-085 | 446-20-440 | AMD-P | 92-11-052 | 458-40-650 | AMD-E | 92-06-057 |
| 434-610-120 | NEW-P | 92-21-085 | 446-20-440 | AMD | 92-15-015 | 458-40-650 | AMD-P | 92-10-061 |
| 434-615-010 | NEW-P | 92-21-085 | 446-20-520 | AMD-P | 92-11-052 | 458-40-650 | AMD | 92-14-083 |
| 434-615-020 | NEW-P | 92-21-085 | 446-20-520 | AMD | 92-15-015 | 458-40-660 | PREP | 92-06-037 |
| 434-615-030 | NEW-P | 92-21-085 | 446-30 | PREP | 92-13-012A | 458-40-660 | AMD-E | 92-06-040 |
| 434-620-010 | NEW-P | 92-21-085 | 446-50 | PREP | 92-13-012A | 458-40-660 | AMD-E | 92-06-057 |
| 434-624-010 | NEW-P | 92-21-085 | 458-12-010 | PREP | 92-18-075 | 458-40-660 | AMD-P | 92-10-061 |
| 434-624-020 | NEW-P | 92-21-085 | 458-12-342 | PREP | 92-18-075 | 458-40-660 | AMD | 92-14-083 |
| 434-624-030 | NEW-P | 92-21-085 | 458-14-015 | PREP | 92-18-075 | 458-40-660 | PREP | 92-21-086 |
| 434-624-040 | NEW-P | 92-21-085 | 458-14-025 | PREP | 92-18-075 | 458-40-670 | PREP | 92-06-037 |
| 434-624-050 | NEW-P | 92-21-085 | 458-14-026 | PREP | 92-18-075 | 458-40-670 | AMD-E | 92-06-040 |
| 434-626-010 | NEW-P | 92-21-085 | 458-14-127 | PREP | 92-18-075 | 458-40-670 | AMD-E | 92-06-057 |
| 434-626-020 | NEW-P | 92-21-085 | 458-14-170 | PREP | 92-18-075 | 458-40-670 | AMD-P | 92-10-061 |
| 434-630-010 | NEW-P | 92-09-017 | 458-14-171 | PREP | 92-18-075 | 458-40-670 | AMD | 92-14-083 |
| 434-630-010 | NEW | 92-18-047 | 458-16-013 | PREP | 92-04-069 | 458-40-670 | PREP | 92-21-086 |
| 434-630-020 | NEW-P | 92-09-017 | 458-16-013 | AMD-P | 92-04-079 | 458-40-684 | AMD-P | 92-10-061 |
| 434-630-020 | NEW | 92-18-047 | 458-16-013 | AMD-E | 92-06-039 | 458-40-684 | AMD | 92-14-083 |
| 434-630-030 | NEW-P | 92-09-017 | 458-16-013 | AMD | 92-15-058 | 460-16A-085 | REP-P | 92-21-019 |
| 434-630-030 | NEW | 92-18-047 | 458-16-020 | PREP | 92-04-069 | 460-16A-205 | AMD-P | 92-21-019 |
| 434-630-040 | NEW-P | 92-09-017 | 458-16-020 | AMD-P | 92-04-079 | 460-16A-210 | NEW-P | 92-21-018 |
| 434-630-040 | NEW | 92-18-047 | 458-16-020 | AMD-E | 92-06-039 | 460-32A | REP-P | 92-21-019 |
| 434-630-050 | NEW-P | 92-09-017 | 458-16-020 | AMD | 92-15-058 | 460-32A-010 | REP-P | 92-21-019 |
| 434-630-050 | NEW | 92-18-047 | 458-18-010 | PREP | 92-04-068 | 460-32A-015 | REP-P | 92-21-019 |
| 434-630-060 | NEW-P | 92-09-017 | 458-18-010 | AMD-P | 92-04-078 | 460-32A-020 | REP-P | 92-21-019 |
| 434-630-060 | NEW | 92-18-047 | 458-18-010 | AMD-E | 92-06-038 | 460-32A-025 | REP-P | 92-21-019 |
| 434-635-010 | NEW-P | 92-09-018 | 458-18-010 | AMD | 92-15-057 | 460-32A-030 | REP-P | 92-21-019 |
| 434-635-010 | NEW | 92-18-048 | 458-18-020 | PREP | 92-04-068 | 460-32A-031 | REP-P | 92-21-019 |
| 434-635-020 | NEW-P | 92-09-018 | 458-18-020 | AMD-P | 92-04-078 | 460-32A-035 | REP-P | 92-21-019 |
| 434-635-020 | NEW | 92-18-048 | 458-18-020 | AMD-E | 92-06-038 | 460-32A-045 | REP-P | 92-21-019 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 460-32A-050 | REP-P | 92-21-019 | 463-26-030 | REP-P | 92-02-099 | 463-42-505 | REP-P | 92-17-055 |
| 460-32A-055 | REP-P | 92-21-019 | 463-26-030 | REP | 92-09-013 | 463-42-515 | REP-P | 92-17-055 |
| 460-32A-057 | REP-P | 92-21-019 | 463-36-100 | NEW-P | 92-17-055 | 463-42-525 | AMD-P | 92-17-055 |
| 460-32A-060 | REP-P | 92-21-019 | 463-39-005 | NEW-P | 92-02-099 | 463-42-535 | AMD-P | 92-17-055 |
| 460-32A-065 | REP-P | 92-21-019 | 463-39-005 | NEW | 92-09-013 | 463-42-545 | REP-P | 92-17-055 |
| 460-32A-070 | REP-P | 92-21-019 | 463-39-010 | AMD-P | 92-02-099 | 463-42-555 | REP-P | 92-17-055 |
| 460-32A-075 | REP-P | 92-21-019 | 463-39-010 | AMD | 92-09-013 | 463-42-565 | REP-P | 92-17-055 |
| 460-32A-080 | REP-P | 92-21-019 | 463-39-030 | AMD-P | 92-02-099 | 463-42-575 | REP-P | 92-17-055 |
| 460-32A-085 | REP-P | 92-21-019 | 463-39-030 | AMD | 92-09-013 | 463-42-585 | REP-P | 92-17-055 |
| 460-32A-090 | REP-P | 92-21-019 | 463-39-040 | REP-P | 92-02-099 | 463-42-595 | AMD-P | 92-02-099 |
| 460-32A-095 | REP-P | 92-21-019 | 463-39-040 | REP | 92-09-013 | 463-42-595 | AMD | 92-09-013 |
| 460-32A-100 | REP-P | 92-21-019 | 463-39-050 | REP-P | 92-02-099 | 463-42-595 | REP-P | 92-17-055 |
| 460-32A-105 | REP-P | 92-21-019 | 463-39-050 | REP | 92-09-013 | 463-42-605 | REP-P | 92-17-055 |
| 460-32A-145 | REP-P | 92-21-019 | 463-39-060 | REP-P | 92-02-099 | 463-42-615 | REP-P | 92-17-055 |
| 460-32A-150 | REP-P | 92-21-019 | 463-39-060 | REP | 92-09-013 | 463-42-625 | AMD-P | 92-02-099 |
| 460-32A-155 | REP-P | 92-21-019 | 463-39-080 | REP-P | 92-02-099 | 463-42-625 | AMD | 92-09-013 |
| 460-32A-160 | REP-P | 92-21-019 | 463-39-080 | REP | 92-09-013 | 463-42-625 | AMD-P | 92-17-055 |
| 460-32A-165 | REP-P | 92-21-019 | 463-39-110 | REP-P | 92-02-099 | 463-42-635 | REP-P | 92-17-055 |
| 460-32A-170 | REP-P | 92-21-019 | 463-39-110 | REP | 92-09-013 | 463-42-655 | AMD-P | 92-17-055 |
| 460-32A-175 | REP-P | 92-21-019 | 463-39-115 | AMD-P | 92-02-099 | 463-42-685 | NEW-P | 92-02-099 |
| 460-32A-180 | REP-P | 92-21-019 | 463-39-115 | AMD | 92-09-013 | 463-42-685 | NEW-P | 92-06-070 |
| 460-32A-185 | REP-P | 92-21-019 | 463-39-120 | AMD-P | 92-02-099 | 463-42-685 | NEW-W | 92-07-002 |
| 460-32A-195 | REP-P | 92-21-019 | 463-39-120 | AMD | 92-09-013 | 463-42-685 | NEW | 92-10-001 |
| 460-32A-196 | REP-P | 92-21-019 | 463-39-150 | REP-P | 92-02-099 | 463-42-690 | NEW-P | 92-02-099 |
| 460-32A-200 | REP-P | 92-21-019 | 463-39-150 | REP | 92-09-013 | 463-42-690 | NEW | 92-09-013 |
| 460-32A-205 | REP-P | 92-21-019 | 463-42-010 | AMD-P | 92-17-055 | 463-47-051 | AMD-P | 92-02-099 |
| 460-32A-210 | REP-P | 92-21-019 | 463-42-012 | AMD-P | 92-17-055 | 463-47-051 | AMD | 92-09-013 |
| 460-32A-215 | REP-P | 92-21-019 | 463-42-055 | AMD-P | 92-02-099 | 463-47-090 | AMD-P | 92-02-099 |
| 460-32A-220 | REP-P | 92-21-019 | 463-42-055 | AMD | 92-09-013 | 463-47-090 | AMD | 92-09-013 |
| 460-32A-225 | REP-P | 92-21-019 | 463-42-165 | AMD-P | 92-02-099 | 468-38-190 | AMD-P | 92-19-025 |
| 460-32A-235 | REP-P | 92-21-019 | 463-42-165 | AMD | 92-09-013 | 468-38-230 | AMD-P | 92-19-025 |
| 460-32A-240 | REP-P | 92-21-019 | 463-42-195 | AMD-P | 92-02-099 | 468-38-235 | AMD-P | 92-19-025 |
| 460-32A-245 | REP-P | 92-21-019 | 463-42-195 | AMD | 92-09-013 | 468-38-260 | AMD-P | 92-19-025 |
| 460-32A-250 | REP-P | 92-21-019 | 463-42-225 | AMD-P | 92-02-099 | 468-38-390 | AMD-P | 92-19-025 |
| 460-32A-255 | REP-P | 92-21-019 | 463-42-225 | AMD | 92-09-013 | 468-51-010 | NEW-P | 92-10-041 |
| 460-33A-015 | AMD-P | 92-14-089 | 463-42-265 | AMD-P | 92-02-099 | 468-51-010 | NEW | 92-14-044 |
| 460-33A-015 | AMD | 92-18-009 | 463-42-265 | AMD | 92-09-013 | 468-51-020 | NEW-P | 92-10-041 |
| 460-33A-017 | AMD-P | 92-14-089 | 463-42-302 | NEW-P | 92-17-055 | 468-51-020 | NEW | 92-14-044 |
| 460-33A-017 | AMD | 92-18-009 | 463-42-305 | REP-P | 92-17-055 | 468-51-030 | NEW-P | 92-10-041 |
| 460-33A-020 | AMD-P | 92-14-089 | 463-42-312 | NEW-P | 92-17-055 | 468-51-030 | NEW | 92-14-044 |
| 460-33A-020 | AMD | 92-18-009 | 463-42-315 | REP-P | 92-17-055 | 468-51-040 | NEW-P | 92-10-041 |
| 460-33A-025 | AMD-P | 92-14-089 | 463-42-322 | NEW-P | 92-17-055 | 468-51-040 | NEW | 92-14-044 |
| 460-33A-025 | AMD | 92-18-009 | 463-42-325 | REP-P | 92-17-055 | 468-51-050 | NEW-P | 92-10-041 |
| 460-33A-030 | AMD-P | 92-14-089 | 463-42-332 | NEW-P | 92-17-055 | 468-51-050 | NEW | 92-14-044 |
| 460-33A-030 | AMD | 92-18-009 | 463-42-335 | REP-P | 92-17-055 | 468-51-060 | NEW-P | 92-10-041 |
| 460-33A-035 | AMD-P | 92-14-089 | 463-42-342 | NEW-P | 92-17-055 | 468-51-060 | NEW | 92-14-044 |
| 460-33A-035 | AMD | 92-18-009 | 463-42-345 | AMD-P | 92-02-099 | 468-51-070 | NEW-P | 92-10-041 |
| 460-33A-040 | AMD-P | 92-14-089 | 463-42-345 | AMD | 92-09-013 | 468-51-070 | NEW | 92-14-044 |
| 460-33A-040 | AMD | 92-18-009 | 463-42-345 | REP-P | 92-17-055 | 468-51-080 | NEW-P | 92-10-041 |
| 460-33A-050 | REP-P | 92-14-089 | 463-42-352 | NEW-P | 92-17-055 | 468-51-080 | NEW | 92-14-044 |
| 460-33A-050 | REP | 92-18-009 | 463-42-355 | REP-P | 92-17-055 | 468-51-090 | NEW-P | 92-10-041 |
| 460-33A-055 | AMD-P | 92-14-089 | 463-42-362 | NEW-P | 92-17-055 | 468-51-090 | NEW | 92-14-044 |
| 460-33A-055 | AMD | 92-18-009 | 463-42-365 | REP-P | 92-17-055 | 468-51-100 | NEW-P | 92-10-041 |
| 460-33A-105 | AMD-P | 92-14-089 | 463-42-372 | NEW-P | 92-17-055 | 468-51-100 | NEW | 92-14-044 |
| 460-33A-105 | AMD | 92-18-009 | 463-42-375 | REP-P | 92-17-055 | 468-51-110 | NEW-P | 92-10-041 |
| 460-33A-115 | AMD-P | 92-14-089 | 463-42-382 | NEW-P | 92-17-055 | 468-51-110 | NEW | 92-14-044 |
| 460-33A-115 | AMD | 92-18-009 | 463-42-395 | REP-P | 92-17-055 | 468-51-120 | NEW-P | 92-10-041 |
| 460-33A-125 | AMD-P | 92-14-089 | 463-42-405 | REP-P | 92-17-055 | 468-51-120 | NEW | 92-14-044 |
| 460-33A-125 | AMD | 92-18-009 | 463-42-415 | REP-P | 92-17-055 | 468-51-130 | NEW-P | 92-10-041 |
| 460-44A-075 | AMD-P | 92-14-090 | 463-42-425 | REP-P | 92-17-055 | 468-51-130 | NEW | 92-14-044 |
| 460-44A-075 | AMD | 92-18-008 | 463-42-435 | AMD-P | 92-17-055 | 468-51-140 | NEW-P | 92-10-041 |
| 463-06-020 | AMD-P | 92-02-099 | 463-42-445 | AMD-P | 92-02-099 | 468-51-140 | NEW | 92-14-044 |
| 463-06-020 | AMD | 92-09-013 | 463-42-445 | AMD | 92-09-013 | 468-51-150 | NEW-P | 92-10-041 |
| 463-06-030 | AMD-P | 92-02-099 | 463-42-445 | REP-P | 92-17-055 | 468-51-150 | NEW | 92-14-044 |
| 463-06-030 | AMD | 92-09-013 | 463-42-455 | AMD-P | 92-02-099 | 468-66-010 | AMD-P | 92-06-010 |
| 463-06-040 | AMD-P | 92-02-099 | 463-42-455 | AMD | 92-09-013 | 468-66-010 | AMD | 92-09-043 |
| 463-06-040 | AMD | 92-09-013 | 463-42-455 | REP-P | 92-17-055 | 468-66-090 | AMD-P | 92-06-010 |
| 463-06-050 | AMD-P | 92-02-099 | 463-42-465 | AMD-P | 92-02-099 | 468-66-140 | AMD | 92-09-043 |
| 463-06-050 | AMD | 92-09-013 | 463-42-465 | AMD | 92-09-013 | 468-66-140 | AMD-P | 92-06-010 |
| 463-06-070 | AMD-P | 92-02-099 | 463-42-465 | REP-P | 92-17-055 | 468-66-140 | AMD | 92-09-043 |
| 463-06-070 | AMD | 92-09-013 | 463-42-475 | REP-P | 92-17-055 | 468-300-010 | AMD-P | 92-14-003 |
| 463-06-150 | AMD-P | 92-02-099 | 463-42-485 | REP-P | 92-17-055 | 468-300-010 | AMD-E | 92-14-004 |
| 463-06-150 | AMD | 92-09-013 | 463-42-495 | REP-P | 92-17-055 | 468-300-010 | AMD | 92-18-005 |

TABLE

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|------------|-------|-----------|
| 468-300-020 | AMD-P | 92-14-003 | 478-160-215 | REP-P | 92-08-065 | 480-09-400 | AMD | 92-18-081 |
| 468-300-020 | AMD-E | 92-14-004 | 478-160-215 | REP | 92-12-011 | 480-09-420 | AMD-P | 92-13-101 |
| 468-300-020 | AMD | 92-18-005 | 478-160-216 | REP-P | 92-08-065 | 480-09-420 | AMD | 92-18-081 |
| 468-300-040 | AMD-P | 92-14-003 | 478-160-216 | REP | 92-12-011 | 480-09-425 | AMD-P | 92-13-101 |
| 468-300-040 | AMD-E | 92-14-004 | 478-160-220 | REP-P | 92-08-065 | 480-09-425 | AMD | 92-18-081 |
| 468-300-040 | AMD | 92-18-005 | 478-160-220 | REP | 92-12-011 | 480-09-460 | AMD-P | 92-13-101 |
| 468-300-070 | REP-P | 92-14-003 | 478-160-225 | REP-P | 92-08-065 | 480-09-460 | AMD | 92-18-081 |
| 468-300-070 | REP-E | 92-14-004 | 478-160-225 | REP | 92-12-011 | 480-09-480 | AMD-P | 92-13-101 |
| 468-300-070 | REP | 92-18-005 | 478-160-230 | AMD-P | 92-08-065 | 480-09-480 | AMD | 92-18-081 |
| 468-300-410 | REP-P | 92-14-003 | 478-160-230 | AMD | 92-12-011 | 480-09-500 | AMD-P | 92-13-101 |
| 468-300-410 | REP-E | 92-14-004 | 478-160-231 | AMD-P | 92-08-065 | 480-09-500 | AMD | 92-18-081 |
| 468-300-410 | REP | 92-18-005 | 478-160-231 | AMD | 92-12-011 | 480-09-700 | AMD-P | 92-13-101 |
| 468-300-510 | REP-P | 92-14-003 | 478-160-232 | REP-P | 92-08-065 | 480-09-700 | AMD | 92-18-081 |
| 468-300-510 | REP-E | 92-14-004 | 478-160-232 | REP | 92-12-011 | 480-09-735 | AMD-P | 92-13-101 |
| 468-300-510 | REP | 92-18-005 | 478-160-240 | AMD-P | 92-08-065 | 480-09-735 | AMD | 92-18-081 |
| 478-138-010 | AMD-P | 92-09-154 | 478-160-240 | AMD | 92-12-011 | 480-09-780 | AMD-P | 92-13-101 |
| 478-138-010 | AMD | 92-14-060 | 478-160-246 | AMD-P | 92-08-065 | 480-09-780 | AMD | 92-18-081 |
| 478-138-020 | AMD-P | 92-09-154 | 478-160-246 | AMD | 92-12-011 | 480-09-800 | AMD-P | 92-13-101 |
| 478-138-020 | AMD | 92-14-060 | 478-160-256 | AMD-P | 92-08-065 | 480-09-800 | AMD | 92-18-081 |
| 478-138-030 | AMD-P | 92-09-154 | 478-160-256 | AMD | 92-12-011 | 480-09-810 | AMD-P | 92-13-101 |
| 478-138-030 | AMD | 92-14-060 | 478-160-260 | AMD-P | 92-08-065 | 480-09-810 | AMD | 92-18-081 |
| 478-138-040 | AMD-P | 92-09-154 | 478-160-260 | AMD | 92-12-011 | 480-12-130 | AMD-E | 92-20-032 |
| 478-138-040 | AMD | 92-14-060 | 478-160-265 | AMD-P | 92-08-065 | 480-12-131 | NEW-E | 92-20-032 |
| 478-138-050 | REP-P | 92-09-154 | 478-160-265 | AMD | 92-12-011 | 480-12-375 | AMD-P | 92-05-092 |
| 478-138-050 | REP | 92-14-060 | 478-160-270 | AMD-P | 92-08-065 | 480-12-375 | AMD | 92-09-014 |
| 478-138-060 | NEW-P | 92-09-154 | 478-160-270 | AMD | 92-12-011 | 480-40-130 | AMD-E | 92-20-046 |
| 478-138-060 | NEW | 92-14-060 | 478-160-271 | NEW-P | 92-08-065 | 480-40-131 | NEW-E | 92-20-046 |
| 478-160-020 | AMD-P | 92-08-065 | 478-160-271 | NEW | 92-12-011 | 480-70-120 | AMD-P | 92-19-138 |
| 478-160-020 | AMD | 92-12-011 | 478-160-275 | AMD-P | 92-08-065 | 480-70-350 | AMD | 92-03-082 |
| 478-160-025 | AMD-P | 92-08-065 | 478-160-275 | AMD | 92-12-011 | 480-70-600 | REP-P | 92-19-086 |
| 478-160-025 | AMD | 92-12-011 | 478-160-280 | AMD-P | 92-08-065 | 480-70-610 | REP-P | 92-19-086 |
| 478-160-030 | AMD-P | 92-08-065 | 478-160-280 | AMD | 92-12-011 | 480-70-620 | REP-P | 92-19-086 |
| 478-160-030 | AMD | 92-12-011 | 478-160-285 | AMD-P | 92-08-065 | 480-70-630 | REP-P | 92-19-086 |
| 478-160-035 | AMD-P | 92-08-065 | 478-160-285 | AMD | 92-12-011 | 480-70-640 | REP-P | 92-19-086 |
| 478-160-035 | AMD | 92-12-011 | 478-160-290 | AMD-P | 92-08-065 | 480-80-047 | AMD-W | 92-10-067 |
| 478-160-040 | AMD-P | 92-08-065 | 478-160-290 | AMD | 92-12-011 | 480-80-048 | NEW | 92-07-010 |
| 478-160-040 | AMD | 92-12-011 | 478-160-295 | AMD-P | 92-08-065 | 480-80-049 | NEW-P | 92-05-089 |
| 478-160-045 | AMD-P | 92-08-065 | 478-160-295 | AMD | 92-12-011 | 480-80-049 | NEW | 92-08-075 |
| 478-160-045 | AMD | 92-12-011 | 478-160-305 | AMD-P | 92-08-065 | 480-92-011 | NEW | 92-03-050 |
| 478-160-050 | AMD-P | 92-08-065 | 478-160-305 | AMD | 92-12-011 | 480-92-021 | NEW | 92-03-050 |
| 478-160-050 | AMD | 92-12-011 | 478-160-310 | AMD-P | 92-08-065 | 480-92-031 | NEW | 92-03-050 |
| 478-160-055 | AMD-P | 92-08-065 | 478-160-310 | AMD | 92-12-011 | 480-92-050 | NEW | 92-03-050 |
| 478-160-055 | AMD | 92-12-011 | 478-160-320 | AMD-P | 92-08-065 | 480-92-060 | NEW | 92-03-050 |
| 478-160-060 | AMD-P | 92-08-065 | 478-160-320 | AMD | 92-12-011 | 480-92-070 | NEW | 92-03-050 |
| 478-160-060 | AMD | 92-12-011 | 479-01-020 | AMD-P | 92-08-095 | 480-92-080 | NEW | 92-03-050 |
| 478-160-065 | AMD-P | 92-08-065 | 479-01-020 | AMD | 92-12-014 | 480-92-090 | NEW | 92-03-050 |
| 478-160-065 | AMD | 92-12-011 | 480-04-010 | REP | 92-07-006 | 480-92-100 | NEW | 92-03-050 |
| 478-160-085 | AMD-P | 92-08-065 | 480-04-020 | AMD | 92-07-006 | 480-92-110 | NEW | 92-03-050 |
| 478-160-085 | AMD | 92-12-011 | 480-04-030 | AMD | 92-07-006 | 480-93-002 | AMD-P | 92-06-086 |
| 478-160-090 | REP-P | 92-08-065 | 480-04-040 | REP | 92-07-006 | 480-93-002 | AMD | 92-16-100 |
| 478-160-090 | REP | 92-12-011 | 480-04-050 | AMD | 92-07-006 | 480-93-005 | AMD-P | 92-06-086 |
| 478-160-105 | AMD-P | 92-08-065 | 480-04-060 | AMD | 92-07-006 | 480-93-005 | AMD | 92-16-100 |
| 478-160-105 | AMD | 92-12-011 | 480-04-065 | NEW | 92-07-006 | 480-93-010 | AMD-P | 92-06-086 |
| 478-160-115 | AMD-P | 92-08-065 | 480-04-070 | AMD | 92-07-006 | 480-93-010 | AMD | 92-16-100 |
| 478-160-115 | AMD | 92-12-011 | 480-04-080 | REP | 92-07-006 | 480-93-015 | NEW-P | 92-06-086 |
| 478-160-120 | AMD-P | 92-08-065 | 480-04-090 | AMD | 92-07-006 | 480-93-015 | NEW | 92-16-100 |
| 478-160-120 | AMD | 92-12-011 | 480-04-095 | NEW | 92-07-006 | 480-93-017 | NEW-P | 92-06-086 |
| 478-160-130 | AMD-P | 92-08-065 | 480-04-110 | AMD | 92-07-006 | 480-93-017 | NEW | 92-16-100 |
| 478-160-130 | AMD | 92-12-011 | 480-04-120 | AMD | 92-07-006 | 480-93-018 | NEW-P | 92-06-086 |
| 478-160-140 | AMD-P | 92-08-065 | 480-04-130 | AMD | 92-07-006 | 480-93-018 | NEW | 92-16-100 |
| 478-160-140 | AMD | 92-12-011 | 480-09-100 | AMD | 92-07-006 | 480-93-020 | AMD-P | 92-06-086 |
| 478-160-150 | AMD-P | 92-08-065 | 480-09-140 | AMD-P | 92-13-101 | 480-93-020 | AMD | 92-16-100 |
| 478-160-150 | AMD | 92-12-011 | 480-09-140 | AMD | 92-18-081 | 480-93-030 | AMD-P | 92-06-086 |
| 478-160-155 | REP-P | 92-08-065 | 480-09-210 | AMD | 92-07-006 | 480-93-030 | AMD | 92-16-100 |
| 478-160-155 | REP | 92-12-011 | 480-09-210 | AMD-P | 92-13-101 | 480-93-082 | NEW-P | 92-06-086 |
| 478-160-160 | AMD-P | 92-08-065 | 480-09-210 | AMD | 92-18-081 | 480-93-082 | NEW | 92-16-100 |
| 478-160-160 | AMD | 92-12-011 | 480-09-300 | AMD-P | 92-19-087 | 480-93-110 | AMD-P | 92-06-086 |
| 478-160-200 | REP-P | 92-08-065 | 480-09-300 | AMD-C | 92-19-137 | 480-93-110 | AMD | 92-16-100 |
| 478-160-200 | REP | 92-12-011 | 480-09-310 | AMD-P | 92-19-087 | 480-93-111 | NEW-P | 92-06-086 |
| 478-160-205 | REP-P | 92-08-065 | 480-09-310 | AMD-C | 92-19-137 | 480-93-111 | NEW | 92-16-100 |
| 478-160-205 | REP | 92-12-011 | 480-09-335 | NEW-P | 92-19-087 | 480-93-112 | NEW-P | 92-06-086 |
| 478-160-210 | AMD-P | 92-08-065 | 480-09-335 | NEW-C | 92-19-137 | 480-93-112 | NEW | 92-16-100 |
| 478-160-210 | AMD | 92-12-011 | 480-09-400 | AMD-P | 92-13-101 | 480-93-115 | NEW-P | 92-06-086 |

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| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|--------------|-------|-----------|--------------|-------|-----------|--------------|-------|-----------|
| 480-93-115 | NEW | 92-16-100 | 484-20-040 | AMD | 92-17-046 | 495A-108-070 | NEW-E | 92-08-004 |
| 480-93-120 | AMD-P | 92-06-086 | 484-20-045 | AMD-P | 92-13-023 | 495A-108-070 | NEW | 92-12-017 |
| 480-93-120 | AMD | 92-16-100 | 484-20-045 | AMD | 92-17-046 | 495A-108-080 | NEW-P | 92-07-101 |
| 480-93-124 | NEW-P | 92-06-086 | 484-20-050 | AMD-P | 92-13-023 | 495A-108-080 | NEW-E | 92-08-004 |
| 480-93-124 | NEW | 92-16-100 | 484-20-050 | AMD | 92-17-046 | 495A-108-080 | NEW | 92-12-017 |
| 480-93-140 | AMD-P | 92-06-086 | 484-20-055 | AMD-P | 92-13-023 | 495A-120-010 | NEW-P | 92-07-101 |
| 480-93-140 | AMD | 92-16-100 | 484-20-055 | AMD | 92-17-046 | 495A-120-010 | NEW-E | 92-08-004 |
| 480-93-155 | NEW-P | 92-06-086 | 484-20-060 | AMD-P | 92-13-023 | 495A-120-010 | NEW | 92-12-017 |
| 480-93-155 | NEW | 92-16-100 | 484-20-060 | AMD | 92-17-046 | 495A-120-020 | NEW-P | 92-07-101 |
| 480-93-161 | NEW-P | 92-06-086 | 484-20-065 | AMD-P | 92-13-023 | 495A-120-020 | NEW | 92-12-017 |
| 480-93-161 | NEW-W | 92-19-085 | 484-20-065 | AMD | 92-17-046 | 495A-120-030 | NEW-P | 92-07-101 |
| 480-93-175 | NEW-P | 92-06-086 | 484-20-068 | AMD-P | 92-13-023 | 495A-120-030 | NEW-E | 92-08-004 |
| 480-93-175 | NEW | 92-16-100 | 484-20-068 | AMD | 92-17-046 | 495A-120-030 | NEW | 92-12-017 |
| 480-93-180 | AMD-P | 92-06-086 | 484-20-070 | AMD-P | 92-13-023 | 495A-120-040 | NEW-P | 92-07-101 |
| 480-93-180 | AMD | 92-16-100 | 484-20-070 | AMD | 92-17-046 | 495A-120-040 | NEW-E | 92-08-004 |
| 480-93-183 | NEW-P | 92-06-086 | 484-20-075 | AMD-P | 92-13-023 | 495A-120-040 | NEW | 92-12-017 |
| 480-93-183 | NEW | 92-16-100 | 484-20-075 | AMD | 92-17-046 | 495A-120-045 | NEW-P | 92-07-101 |
| 480-93-185 | AMD-P | 92-06-086 | 484-20-085 | AMD-P | 92-13-023 | 495A-120-045 | NEW-E | 92-08-004 |
| 480-93-185 | AMD | 92-16-100 | 484-20-085 | AMD | 92-17-046 | 495A-120-045 | NEW | 92-12-017 |
| 480-93-18601 | AMD-P | 92-06-086 | 484-20-087 | NEW-P | 92-13-023 | 495A-120-050 | NEW-P | 92-07-101 |
| 480-93-18601 | AMD | 92-16-100 | 484-20-087 | NEW | 92-17-046 | 495A-120-050 | NEW-E | 92-08-004 |
| 480-93-187 | AMD-P | 92-06-086 | 484-20-089 | NEW-P | 92-13-023 | 495A-120-050 | NEW | 92-12-017 |
| 480-93-187 | AMD | 92-16-100 | 484-20-089 | NEW | 92-17-046 | 495A-120-060 | NEW-P | 92-07-101 |
| 480-93-188 | AMD-P | 92-06-086 | 484-20-090 | AMD-P | 92-13-023 | 495A-120-060 | NEW-E | 92-08-004 |
| 480-93-188 | AMD | 92-16-100 | 484-20-090 | AMD | 92-17-046 | 495A-120-060 | NEW | 92-12-017 |
| 480-93-190 | AMD-P | 92-06-086 | 484-20-095 | AMD-P | 92-13-023 | 495A-120-070 | NEW-P | 92-07-101 |
| 480-93-190 | AMD | 92-16-100 | 484-20-095 | AMD | 92-17-046 | 495A-120-070 | NEW-E | 92-08-004 |
| 480-93-200 | AMD-P | 92-06-086 | 484-20-100 | AMD-P | 92-13-023 | 495A-120-070 | NEW | 92-12-017 |
| 480-93-200 | AMD | 92-16-100 | 484-20-100 | AMD | 92-17-046 | 495A-120-080 | NEW-P | 92-07-101 |
| 480-93-210 | AMD-P | 92-06-086 | 484-20-105 | AMD-P | 92-13-023 | 495A-120-080 | NEW-E | 92-08-004 |
| 480-93-210 | AMD | 92-16-100 | 484-20-105 | AMD | 92-17-046 | 495A-120-080 | NEW | 92-12-017 |
| 480-93-230 | AMD-P | 92-06-086 | 484-20-110 | AMD-P | 92-13-023 | 495A-120-090 | NEW-P | 92-07-101 |
| 480-93-230 | AMD | 92-16-100 | 484-20-110 | AMD | 92-17-046 | 495A-120-090 | NEW-E | 92-08-004 |
| 480-110-018 | NEW-P | 92-05-091 | 484-20-115 | AMD-P | 92-13-023 | 495A-120-090 | NEW | 92-12-017 |
| 480-110-018 | NEW | 92-09-078 | 484-20-115 | AMD | 92-17-046 | 495A-120-100 | NEW-P | 92-07-101 |
| 480-110-021 | AMD-P | 92-05-090 | 484-20-120 | AMD-P | 92-13-023 | 495A-120-100 | NEW-E | 92-08-004 |
| 480-110-021 | AMD | 92-13-056 | 484-20-120 | AMD | 92-17-046 | 495A-120-100 | NEW | 92-12-017 |
| 480-110-066 | AMD-P | 92-05-090 | 484-20-135 | AMD-P | 92-13-023 | 495A-120-110 | NEW-P | 92-07-101 |
| 480-110-066 | AMD | 92-13-056 | 484-20-135 | AMD | 92-17-046 | 495A-120-110 | NEW-E | 92-08-004 |
| 480-120-021 | AMD-P | 92-16-019 | 484-20-140 | AMD-P | 92-13-023 | 495A-120-110 | NEW | 92-12-017 |
| 480-120-086 | AMD-P | 92-16-019 | 484-20-140 | AMD | 92-17-046 | 495A-120-120 | NEW-P | 92-07-101 |
| 480-120-087 | AMD-P | 92-13-101 | 484-20-145 | AMD-P | 92-13-023 | 495A-120-120 | NEW-E | 92-08-004 |
| 480-120-087 | AMD | 92-18-081 | 484-20-145 | AMD | 92-17-046 | 495A-120-120 | NEW | 92-12-017 |
| 480-120-340 | NEW | 92-03-049 | 484-20-150 | AMD-P | 92-13-023 | 495A-120-130 | NEW-P | 92-07-101 |
| 480-120-500 | NEW-P | 92-16-019 | 484-20-150 | AMD | 92-17-046 | 495A-120-130 | NEW-E | 92-08-004 |
| 480-120-505 | NEW-P | 92-16-019 | 495A-104-010 | NEW-P | 92-07-101 | 495A-120-130 | NEW | 92-12-017 |
| 480-120-510 | NEW-P | 92-16-019 | 495A-104-010 | NEW-E | 92-08-004 | 495A-120-135 | NEW-P | 92-07-101 |
| 480-120-515 | NEW-P | 92-16-019 | 495A-104-010 | NEW | 92-12-017 | 495A-120-135 | NEW-E | 92-08-004 |
| 480-120-520 | NEW-P | 92-16-019 | 495A-104-020 | NEW-P | 92-07-101 | 495A-120-135 | NEW | 92-12-017 |
| 480-120-525 | NEW-P | 92-16-019 | 495A-104-020 | NEW-E | 92-08-004 | 495A-120-140 | NEW-P | 92-07-101 |
| 480-120-530 | NEW-P | 92-16-019 | 495A-104-020 | NEW | 92-12-017 | 495A-120-140 | NEW-E | 92-08-004 |
| 480-120-535 | NEW-P | 92-16-019 | 495A-104-030 | NEW-P | 92-07-101 | 495A-120-140 | NEW | 92-12-017 |
| 480-122-060 | AMD-P | 92-16-099 | 495A-104-030 | NEW-E | 92-08-004 | 495A-120-150 | NEW-P | 92-07-101 |
| 480-122-060 | AMD | 92-20-031 | 495A-104-030 | NEW | 92-12-017 | 495A-120-150 | NEW-E | 92-08-004 |
| 480-146-091 | NEW-C | 92-05-001 | 495A-108-010 | NEW-P | 92-07-101 | 495A-120-150 | NEW | 92-12-017 |
| 480-146-091 | NEW | 92-07-009 | 495A-108-010 | NEW-E | 92-08-004 | 495A-120-160 | NEW-P | 92-07-101 |
| 484-10-035 | AMD-P | 92-13-022 | 495A-108-010 | NEW | 92-12-017 | 495A-120-160 | NEW-E | 92-08-004 |
| 484-10-035 | AMD | 92-17-045 | 495A-108-020 | NEW-P | 92-07-101 | 495A-120-160 | NEW | 92-12-017 |
| 484-20-010 | AMD-P | 92-13-023 | 495A-108-020 | NEW-E | 92-08-004 | 495A-120-170 | NEW-P | 92-07-101 |
| 484-20-010 | AMD | 92-17-046 | 495A-108-020 | NEW | 92-12-017 | 495A-120-170 | NEW-E | 92-08-004 |
| 484-20-015 | AMD-P | 92-13-023 | 495A-108-030 | NEW-P | 92-07-101 | 495A-120-170 | NEW | 92-12-017 |
| 484-20-015 | AMD | 92-17-046 | 495A-108-030 | NEW-E | 92-08-004 | 495A-120-180 | NEW-P | 92-07-101 |
| 484-20-020 | AMD-P | 92-13-023 | 495A-108-030 | NEW | 92-12-017 | 495A-120-180 | NEW-E | 92-08-004 |
| 484-20-020 | AMD | 92-17-046 | 495A-108-040 | NEW-P | 92-07-101 | 495A-120-180 | NEW | 92-12-017 |
| 484-20-023 | NEW-P | 92-13-023 | 495A-108-040 | NEW-E | 92-08-004 | 495A-120-190 | NEW-P | 92-07-101 |
| 484-20-023 | NEW | 92-17-046 | 495A-108-040 | NEW | 92-12-017 | 495A-120-190 | NEW-E | 92-08-004 |
| 484-20-025 | AMD-P | 92-13-023 | 495A-108-050 | NEW-P | 92-07-101 | 495A-120-190 | NEW | 92-12-017 |
| 484-20-025 | AMD | 92-17-046 | 495A-108-050 | NEW-E | 92-08-004 | 495A-120-200 | NEW-P | 92-07-101 |
| 484-20-030 | AMD-P | 92-13-023 | 495A-108-050 | NEW | 92-12-017 | 495A-120-200 | NEW-E | 92-08-004 |
| 484-20-030 | AMD | 92-17-046 | 495A-108-060 | NEW-P | 92-07-101 | 495A-120-200 | NEW | 92-12-017 |
| 484-20-035 | AMD-P | 92-13-023 | 495A-108-060 | NEW-E | 92-08-004 | 495A-122-010 | NEW-P | 92-07-101 |
| 484-20-035 | AMD | 92-17-046 | 495A-108-060 | NEW | 92-12-017 | 495A-122-010 | NEW-E | 92-08-004 |
| 484-20-040 | AMD-P | 92-13-023 | 495A-108-070 | NEW-P | 92-07-101 | 495A-122-010 | NEW | 92-12-017 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|-------|-----------|--------------|-------|-----------|------------|-------|-----------|
| 495D-123-030 | NEW-P | 92-21-049 | 495D-276-020 | NEW-P | 92-12-049 | 508-12-320 | REP | 92-12-055 |
| 495D-123-040 | NEW-P | 92-21-049 | 495D-276-020 | NEW | 92-15-081 | 508-12-330 | REP-P | 92-06-091 |
| 495D-130-010 | NEW-P | 92-12-049 | 495D-276-030 | NEW-P | 92-12-049 | 508-12-330 | REP | 92-12-055 |
| 495D-130-010 | NEW | 92-15-081 | 495D-276-030 | NEW | 92-15-081 | 508-12-340 | REP-P | 92-06-091 |
| 495D-130-015 | NEW-P | 92-12-049 | 495D-276-040 | NEW-P | 92-12-049 | 508-12-340 | REP | 92-12-055 |
| 495D-130-015 | NEW | 92-15-081 | 495D-276-040 | NEW | 92-15-081 | 508-12-350 | REP-P | 92-06-091 |
| 495D-130-020 | NEW-P | 92-12-049 | 495D-276-050 | NEW-P | 92-12-049 | 508-12-350 | REP | 92-12-055 |
| 495D-130-020 | NEW | 92-15-081 | 495D-276-050 | NEW | 92-15-081 | 508-12-360 | REP-P | 92-06-091 |
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